

TWENTY-FIFTH DAY

Tuesday, March 8, 2016

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 9:37 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senator Riviere who was excused.

The Chair stated:

"Thank you, Madam Clerk. Although we normally don't explain someone being excused, because this is a big voting day on bills, I want to insert into the Journal the fact that Senator Riviere's father had a medical emergency that required him to be at his side, so our thoughts and prayers are with Senator Riviere and his family at this time."

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

At this time, Senator Baker introduced participants of the State Council on Developmental Disabilities' sixteenth annual Day at the Capitol, held in partnership with Hilopa'a Family to Family Health Information Center, the Hawai'i Waiver Providers Association, and the Hawai'i Self-Advocacy Advisory Council. The event's theme – "Side By Side" – encourages people to look past the disabilities to see the similarities of the individuals themselves, and drew over 500 individuals with developmental disabilities, family members, personal assistants, service providers, and other advocates from across the state, including 65 participants from the neighbor islands. Senator Baker acknowledged Waynette Cabral and the staff of the State Council on Developmental Disabilities who helped coordinate the event.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 13 and 649) were read by the Clerk and were placed on file:

Gov. Msg. No. 13, letter dated February 24, 2016, transmitting a proposed draft (S.D. 2) amending S.B. No. 2836, S.D. 1 to fund the arbitration award concerning Collective Bargaining Unit 14.

Gov. Msg. No. 649, letter dated March 3, 2016, correcting the term for the nomination of MICHAEL FAHEY to the Early Learning Advisory Board, under Gov. Msg. No. 606, term to expire amended to June 30, 2019.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 59 to 169) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 59, transmitting H.B. No. 27, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 60, transmitting H.B. No. 260, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 260, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 61, transmitting H.B. No. 1041, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1041, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed First Reading by title and was deferred.

Hse. Com. No. 62, transmitting H.B. No. 1346, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1346, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed First Reading by title and was deferred.

Hse. Com. No. 63, transmitting H.B. No. 1474, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1474, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 64, transmitting H.B. No. 1543, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1543, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was deferred.

Hse. Com. No. 65, transmitting H.B. No. 1561, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1561, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 66, transmitting H.B. No. 1597, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1597, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed First Reading by title and was deferred.

Hse. Com. No. 67, transmitting H.B. No. 1599, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1599, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was deferred.

Hse. Com. No. 68, transmitting H.B. No. 1608, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1608, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 69, transmitting H.B. No. 1609, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1609, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 70, transmitting H.B. No. 1625, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1625, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 71, transmitting H.B. No. 1653, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1653, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was deferred.

Hse. Com. No. 72, transmitting H.B. No. 1668, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF A DOG IN JUDICIAL PROCEEDINGS," passed First Reading by title and was deferred.

Hse. Com. No. 73, transmitting H.B. No. 1672, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1672, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG BENEFITS," passed First Reading by title and was deferred.

Hse. Com. No. 74, transmitting H.B. No. 1683, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1683, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed First Reading by title and was deferred.

Hse. Com. No. 75, transmitting H.B. No. 1757, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1757, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was deferred.

Hse. Com. No. 76, transmitting H.B. No. 1772, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1772, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ORAL HEALTH," passed First Reading by title and was deferred.

Hse. Com. No. 77, transmitting H.B. No. 1773, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1773, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was deferred.

Hse. Com. No. 78, transmitting H.B. No. 1774, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1774, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed First Reading by title and was deferred.

Hse. Com. No. 79, transmitting H.B. No. 1787, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1787, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 80, transmitting H.B. No. 1800, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1800, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 81, transmitting H.B. No. 1839, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1839, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT," passed First Reading by title and was deferred.

Hse. Com. No. 82, transmitting H.B. No. 1840, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1840, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUNSET MEMORIAL PARK," passed First Reading by title and was deferred.

Hse. Com. No. 83, transmitting H.B. No. 1869, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1869, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ROSE-RINGED PARAKEET," passed First Reading by title and was deferred.

Hse. Com. No. 84, transmitting H.B. No. 1878, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1878, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed First Reading by title and was deferred.

Hse. Com. No. 85, transmitting H.B. No. 1892, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed First Reading by title and was deferred.

Hse. Com. No. 86, transmitting H.B. No. 1894, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1894, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 87, transmitting H.B. No. 1897, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1897, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE OF HEALTH SCREENINGS," passed First Reading by title and was deferred.

Hse. Com. No. 88, transmitting H.B. No. 1940, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1940, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed First Reading by title and was deferred.

Hse. Com. No. 89, transmitting H.B. No. 1943, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1943, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 90, transmitting H.B. No. 1983, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1983, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," passed First Reading by title and was deferred.

Hse. Com. No. 91, transmitting H.B. No. 1987, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 1987, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH GANGS," passed First Reading by title and was deferred.

Hse. Com. No. 92, transmitting H.B. No. 2009, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2009, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," passed First Reading by title and was deferred.

Hse. Com. No. 93, transmitting H.B. No. 2012, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2012, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed First Reading by title and was deferred.

Hse. Com. No. 94, transmitting H.B. No. 2015, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2015, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed First Reading by title and was deferred.

Hse. Com. No. 95, transmitting H.B. No. 2020, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2020, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAUSES OF DECLINE IN LIMU AND REEF FISH," passed First Reading by title and was deferred.

Hse. Com. No. 96, transmitting H.B. No. 2023, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2023, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED SUBSISTENCE FISHING AREAS," passed First Reading by title and was deferred.

Hse. Com. No. 97, transmitting H.B. No. 2025, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2025, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE SPECIES," passed First Reading by title and was deferred.

Hse. Com. No. 98, transmitting H.B. No. 2027, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2027, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE INFRASTRUCTURE CAPACITY BUILDING CONSTRUCTION FINANCING," passed First Reading by title and was deferred.

Hse. Com. No. 99, transmitting H.B. No. 2028, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2028, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was deferred.

Hse. Com. No. 100, transmitting H.B. No. 2029, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2029, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER INFRASTRUCTURE LOANS," passed First Reading by title and was deferred.

Hse. Com. No. 101, transmitting H.B. No. 2034, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2034, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION," passed First Reading by title and was deferred.

Hse. Com. No. 102, transmitting H.B. No. 2035, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2035, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed First Reading by title and was deferred.

Hse. Com. No. 103, transmitting H.B. No. 2036, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2036, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICTS," passed First Reading by title and was deferred.

Hse. Com. No. 104, transmitting H.B. No. 2037, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2037, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORLD CONSERVATION CONGRESS," passed First Reading by title and was deferred.

Hse. Com. No. 105, transmitting H.B. No. 2040, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2040, entitled: "A BILL FOR AN ACT RELATING TO WATER SECURITY," passed First Reading by title and was deferred.

Hse. Com. No. 106, transmitting H.B. No. 2041, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2041, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER AUDITS," passed First Reading by title and was deferred.

Hse. Com. No. 107, transmitting H.B. No. 2047, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2047, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed First Reading by title and was deferred.

Hse. Com. No. 108, transmitting H.B. No. 2049, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2049, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was deferred.

Hse. Com. No. 109, transmitting H.B. No. 2051, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2051, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE COUNCIL," passed First Reading by title and was deferred.

Hse. Com. No. 110, transmitting H.B. No. 2060, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2060, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was deferred.

Hse. Com. No. 111, transmitting H.B. No. 2092, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2092, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed First Reading by title and was deferred.

Hse. Com. No. 112, transmitting H.B. No. 2093, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2093, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR GOODWILL INDUSTRIES OF HAWAII, INC," passed First Reading by title and was deferred.

Hse. Com. No. 113, transmitting H.B. No. 2094, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2094, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed First Reading by title and was deferred.

Hse. Com. No. 114, transmitting H.B. No. 2124, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2124, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT PERSONNEL OF THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was deferred.

Hse. Com. No. 115, transmitting H.B. No. 2160, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," passed First Reading by title and was deferred.

Hse. Com. No. 116, transmitting H.B. No. 2162, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ISSUED IDENTIFICATION," passed First Reading by title and was deferred.

Hse. Com. No. 117, transmitting H.B. No. 2163, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2163, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH GANGS," passed First Reading by title and was deferred.

Hse. Com. No. 118, transmitting H.B. No. 2179, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2179, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AHA MOKU ADVISORY COMMITTEE," passed First Reading by title and was deferred.

Hse. Com. No. 119, transmitting H.B. No. 2180, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2180, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed First Reading by title and was deferred.

Hse. Com. No. 120, transmitting H.B. No. 2204, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2204, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 121, transmitting H.B. No. 2205, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2205, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed First Reading by title and was deferred.

Hse. Com. No. 122, transmitting H.B. No. 2213, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2213, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed First Reading by title and was deferred.

Hse. Com. No. 123, transmitting H.B. No. 2221, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2221, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING," passed First Reading by title and was deferred.

Hse. Com. No. 124, transmitting H.B. No. 2224, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2224, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 125, transmitting H.B. No. 2226, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2226, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," passed First Reading by title and was deferred.

Hse. Com. No. 126, transmitting H.B. No. 2227, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2227, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed First Reading by title and was deferred.

Hse. Com. No. 127, transmitting H.B. No. 2229, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2229, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," passed First Reading by title and was deferred.

Hse. Com. No. 128, transmitting H.B. No. 2235, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2235, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HONOKOHAU SMALL BOAT HARBOR," passed First Reading by title and was deferred.

Hse. Com. No. 129, transmitting H.B. No. 2244, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was deferred.

Hse. Com. No. 130, transmitting H.B. No. 2250, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2250, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed First Reading by title and was deferred.

Hse. Com. No. 131, transmitting H.B. No. 2259, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2259, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC LEAKAGE," passed First Reading by title and was deferred.

Hse. Com. No. 132, transmitting H.B. No. 2263, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2263, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed First Reading by title and was deferred.

Hse. Com. No. 133, transmitting H.B. No. 2267, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2267, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY IN SCHOOLS," passed First Reading by title and was deferred.

Hse. Com. No. 134, transmitting H.B. No. 2281, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2281, entitled: "A BILL FOR AN ACT RELATING TO SERVICE BY PUBLICATION IN PATERNITY CASES," passed First Reading by title and was deferred.

Hse. Com. No. 135, transmitting H.B. No. 2284, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2284, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP," passed First Reading by title and was deferred.

Hse. Com. No. 136, transmitting H.B. No. 2308, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2308, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was deferred.

Hse. Com. No. 137, transmitting H.B. No. 2327, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2327, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed First Reading by title and was deferred.

Hse. Com. No. 138, transmitting H.B. No. 2348, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2348, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENT EXEMPT POSITIONS IN THE DEPARTMENT OF HUMAN SERVICES," passed First Reading by title and was deferred.

Hse. Com. No. 139, transmitting H.B. No. 2356, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2356, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH DEFECTS," passed First Reading by title and was deferred.

Hse. Com. No. 140, transmitting H.B. No. 2416, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2416, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed First Reading by title and was deferred.

Hse. Com. No. 141, transmitting H.B. No. 2424, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2424, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed First Reading by title and was deferred.

Hse. Com. No. 142, transmitting H.B. No. 2445, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2445, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was deferred.

Hse. Com. No. 143, transmitting H.B. No. 2460, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2460, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed First Reading by title and was deferred.

Hse. Com. No. 144, transmitting H.B. No. 2478, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2478, entitled: "A BILL FOR AN ACT RELATING TO THE AFFORDABLE CARE ACT SECTION 1332 STATE INNOVATION WAIVER," passed First Reading by title and was deferred.

Hse. Com. No. 145, transmitting H.B. No. 2528, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2528, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SHOOTING FACILITY IN WEST HAWAII ON THE ISLAND OF HAWAII," passed First Reading by title and was deferred.

Hse. Com. No. 146, transmitting H.B. No. 2539, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2539, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 147, transmitting H.B. No. 2540, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2540, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed First Reading by title and was deferred.

Hse. Com. No. 148, transmitting H.B. No. 2545, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2545, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT," passed First Reading by title and was deferred.

Hse. Com. No. 149, transmitting H.B. No. 2546, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2546, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was deferred.

Hse. Com. No. 150, transmitting H.B. No. 2550, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2550, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed First Reading by title and was deferred.

Hse. Com. No. 151, transmitting H.B. No. 2555, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed First Reading by title and was deferred.

Hse. Com. No. 152, transmitting H.B. No. 2559, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2559, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO MENTAL HEALTH,” passed First Reading by title and was deferred.

Hse. Com. No. 153, transmitting H.B. No. 2561, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2561, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF JUSTICE,” passed First Reading by title and was deferred.

Hse. Com. No. 154, transmitting H.B. No. 2582, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2582, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FOOD SAFETY,” passed First Reading by title and was deferred.

Hse. Com. No. 155, transmitting H.B. No. 2593, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2593, H.D. 1, entitled: “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII RENEWABLE RESOURCES, LLC,” passed First Reading by title and was deferred.

Hse. Com. No. 156, transmitting H.B. No. 2596, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2596, entitled: “A BILL FOR AN ACT RELATING TO THE MACADAMIA FELTED COCCID,” passed First Reading by title and was deferred.

Hse. Com. No. 157, transmitting H.B. No. 2604, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2604, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ACQUISITION OF REAL PROPERTY,” passed First Reading by title and was deferred.

Hse. Com. No. 158, transmitting H.B. No. 2605, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2605, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LABOR,” passed First Reading by title and was deferred.

Hse. Com. No. 159, transmitting H.B. No. 2617, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2617, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LAND USE,” passed First Reading by title and was deferred.

Hse. Com. No. 160, transmitting H.B. No. 2626, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2626, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,” passed First Reading by title and was deferred.

Hse. Com. No. 161, transmitting H.B. No. 2669, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2669, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST TRUTAG TECHNOLOGIES, INC,” passed First Reading by title and was deferred.

Hse. Com. No. 162, transmitting H.B. No. 2675, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2675, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RAPID OHIA DEATH,” passed First Reading by title and was deferred.

Hse. Com. No. 163, transmitting H.B. No. 2707, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2707, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA,” passed First Reading by title and was deferred.

Hse. Com. No. 164, transmitting H.B. No. 2721, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2721, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIPOA POINT,” passed First Reading by title and was deferred.

Hse. Com. No. 165, transmitting H.B. No. 2722, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2722, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT,” passed First Reading by title and was deferred.

Hse. Com. No. 166, transmitting H.B. No. 2736, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2736, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO BALLOTS,” passed First Reading by title and was deferred.

Hse. Com. No. 167, transmitting H.B. No. 2749, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2749, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO WASTE,” passed First Reading by title and was deferred.

Hse. Com. No. 168, transmitting H.B. No. 2750, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2750, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS,” passed First Reading by title and was deferred.

Hse. Com. No. 169, transmitting H.B. No. 2772, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 2016, was placed on file.

On motion by Senator Green, seconded by Senator Slom and carried, H.B. No. 2772, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was deferred.

JUDICIARY COMMUNICATION

The following communication from the Judiciary (Jud. Com. No. 7) was read by the Clerk and was placed on file:

Jud. Com. No. 7, dated March 1, 2016, transmitting a report relating to wire, oral, or electronic communications and reports concerning pen registers and trap and trace devices pursuant to Section 803-47(b), HRS.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 70 to 74) were read by the Clerk and were deferred:

S.C.R. No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE A STATUS UPDATE ON THE IMPLEMENTATION OF HAWAII'S NEW VOTER REGISTRATION SYSTEM."

Offered by: Senators Kim, Chun Oakland, Dela Cruz, Galuteria, Ihara, Keith-Agaran, Ruderman, Slom, Espero, Gabbard, Harimoto, Kahele, Kidani, Riviere, Thielen.

S.C.R. No. 71 "SENATE CONCURRENT RESOLUTION DESIGNATING APRIL 28, 2016, AS "WORKERS' MEMORIAL DAY" IN HAWAII IN MEMORY OF WORKERS KILLED, INJURED, OR DISABLED IN THE WORKPLACE."

Offered by: Senator Taniguchi.

S.C.R. No. 72 "SENATE CONCURRENT RESOLUTION EXPRESSING ENDORSEMENT AND SUPPORT FOR A UNIQUE AND AGGRESSIVE APPROACH BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO USE DURABLE AND TEMPORARY GEO-SYNTHETIC MATERIALS AS NECESSARY FOR THE PROTECTION OF THE KAA NAPALI BEACH WALK FROM SHORELINE HAZARDS UNTIL THE BEACH NOURISHMENT PROGRAM AT KAA NAPALI BEACH CAN BE COMPLETED."

Offered by: Senators Baker, English, Keith-Agaran, Chun Oakland, Espero, Gabbard, Kahele, Kidani, Riviere, Shimabukuro, Wakai.

S.C.R. No. 73 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN ADVISORY COMMITTEE TO IDENTIFY BEST PRACTICES FOR PROJECT-BASED LEARNING."

Offered by: Senators Chun Oakland, Green, Ihara, Baker, Dela Cruz, Espero, Galuteria, Harimoto, Keith-Agaran, Kidani, Nishihara, Riviere, Shimabukuro, Wakai.

S.C.R. No. 74 "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO CONVENE A WORKING GROUP TO RESEARCH, DISCUSS, AND MAKE RECOMMENDATIONS REGARDING EDIBLE MEDICAL MARIJUANA PRODUCTS."

Offered by: Senators Espero, Ruderman, Baker, Ihara, Keith-Agaran, Kidani, Nishihara.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 41 to 45) were read by the Clerk and were deferred:

S.R. No. 41 "SENATE RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE A STATUS UPDATE ON THE IMPLEMENTATION OF HAWAII'S NEW VOTER REGISTRATION SYSTEM."

Offered by: Senators Kim, Chun Oakland, Dela Cruz, Galuteria, Ihara, Keith-Agaran, Ruderman, Slom, Espero, Gabbard, Harimoto, Kahele, Kidani, Riviere, Thielen.

S.R. No. 42 "SENATE RESOLUTION DESIGNATING APRIL 28, 2016, AS "WORKERS' MEMORIAL DAY" IN HAWAII IN MEMORY OF WORKERS KILLED, INJURED, OR DISABLED IN THE WORKPLACE."

Offered by: Senator Taniguchi.

S.R. No. 43 "SENATE RESOLUTION EXPRESSING ENDORSEMENT AND SUPPORT FOR A UNIQUE AND AGGRESSIVE APPROACH BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO USE DURABLE AND TEMPORARY GEO-SYNTHETIC MATERIALS AS NECESSARY FOR THE PROTECTION OF THE KAA NAPALI BEACH WALK FROM SHORELINE HAZARDS UNTIL THE BEACH NOURISHMENT PROGRAM AT KAA NAPALI BEACH CAN BE COMPLETED."

Offered by: Senators Baker, English, Keith-Agaran, Chun Oakland, Espero, Gabbard, Kahele, Kidani, Riviere, Shimabukuro, Wakai.

S.R. No. 44 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN ADVISORY COMMITTEE TO IDENTIFY BEST PRACTICES FOR PROJECT-BASED LEARNING."

Offered by: Senators Chun Oakland, Ihara, Baker, Dela Cruz, Espero, Galuteria, Green, Harimoto, Keith-Agaran, Kidani, Nishihara, Riviere, Shimabukuro, Wakai.

S.R. No. 45 "SENATE RESOLUTION URGING THE LEGISLATURE TO CONVENE A WORKING GROUP TO RESEARCH, DISCUSS, AND MAKE RECOMMENDATIONS REGARDING EDIBLE MEDICAL MARIJUANA PRODUCTS."

Offered by: Senators Espero, Ruderman, Baker, Ihara, Keith-Agaran, Kidani, Nishihara.

STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2818) recommending that the Senate advise and consent to the nomination of PETER AKAMU to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 539.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2818 and Gov. Msg. No. 539 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2819) recommending that the Senate advise and consent to the nominations to the Board of Private Detectives and Guards of the following:

ALBERT DENIS, in accordance with Gov. Msg. No. 540; and

ALBERT DENIS, in accordance with Gov. Msg. No. 541.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2819 and Gov. Msg. Nos. 540 and 541 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2820) recommending that the Senate advise and consent to the nomination of TAMMIE NAPOLEON to the State Board of Nursing, in accordance with Gov. Msg. No. 547.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2820 and Gov. Msg. No. 547 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2821) recommending that the Senate advise and consent to the nomination of GALEN SHIGETA to the Board of Certification of Public Water System Operators, in accordance with Gov. Msg. No. 556.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2821 and Gov. Msg. No. 556 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2822) recommending that the Senate advise and consent to the nominations to the Board of Directors of the Hawai'i Health Systems Corporation of the following:

DANIEL RICK, in accordance with Gov. Msg. No. 557;

JULIETTE TULANG, in accordance with Gov. Msg. No. 558; and

WAYNE KANEMOTO, in accordance with Gov. Msg. No. 559.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2822 and Gov. Msg. Nos. 557, 558, and 559 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2823) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

COLIN WHITED, in accordance with Gov. Msg. No. 560; and

WILLIAM BOW, in accordance with Gov. Msg. No. 561.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2823 and Gov. Msg. Nos. 560 and 561 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2824) recommending that the Senate advise and consent to the nomination of AILEEN WADA to the Real Estate Commission, in accordance with Gov. Msg. No. 546.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2824 and Gov. Msg. No. 546 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2825) recommending that the Senate advise and consent to the nomination of KAREN SEPT to the Hawai'i Medical Board, in accordance with Gov. Msg. No. 545.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2825 and Gov. Msg. No. 545 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2826) recommending that the Senate advise and consent to

the nomination of BENEDICT LEE to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, in accordance with Gov. Msg. No. 542.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2826 and Gov. Msg. No. 542 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2827) recommending that the Senate advise and consent to the nominations to the Elevator Mechanics Licensing Board of the following:

JAMMIE GARCIA-PAAHANA, in accordance with Gov. Msg. No. 543; and

STEVE TSUNEMOTO, in accordance with Gov. Msg. No. 544.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2827 and Gov. Msg. Nos. 543 and 544 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2828) recommending that the Senate advise and consent to the nomination of JONI KROLL to the Board of Acupuncture, in accordance with Gov. Msg. No. 549.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2828 and Gov. Msg. No. 549 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2829) recommending that the Senate advise and consent to the nomination of JOHN ROBERTS to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 548.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2829 and Gov. Msg. No. 548 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2830) recommending that the Senate advise and consent to the nominations to the Pest Control Board of the following:

SCOTT AI, in accordance with Gov. Msg. No. 550; and

SCOTT AI, in accordance with Gov. Msg. No. 551.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2830 and Gov. Msg. Nos. 550 and 551 was deferred until Thursday, March 10, 2016.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 2831) recommending that the Senate advise and consent to the nominations to the Board of Certification of Operating Personnel in Wastewater Treatment Plants of the following:

KEVIN NAKAMURA, in accordance with Gov. Msg. No. 552;

LOREN TANIGAWA, in accordance with Gov. Msg. No. 553;

ROGER BABCOCK, in accordance with Gov. Msg. No. 554; and

VIRGILIO VIERNES, in accordance with Gov. Msg. No. 555.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2831 and Gov. Msg. Nos. 552, 553, 554, and 555 was deferred until Thursday, March 10, 2016.

ORDER OF THE DAY**THIRD READING****MATTERS DEFERRED FROM
FRIDAY, MARCH 4, 2016**

Stand. Com. Rep. No. 2509 (S.B. No. 2030, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2509 was adopted and S.B. No. 2030, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2845:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 2845, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO REPAY GENERAL FUND CASH ADVANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2640 (S.B. No. 2277):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2640 was adopted and S.B. No. 2277, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR GOODWILL INDUSTRIES OF HAWAII, INC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2645 (S.B. No. 2867):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2645 was adopted and S.B. No. 2867, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2651 (S.B. No. 2101, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2651 was adopted and S.B. No. 2101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT SMALL CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2498:

Senator Keith-Agaran moved that S.B. No. 2498, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in support, Mr. President.

"This measure proposes a constitutional amendment in order to clarify responsibilities and procedures with regard to judicial

appointments for the state supreme court, the intermediate court of appeals, and the circuit courts. Specifically, it would provide a clear format for formal announcement and notice of judicial appointments by the governor or the judicial selection commission to the Senate. Based on unequivocally dated written notice, the Senate may more carefully plan and coordinate its constitutional obligation to receive input, review credentials, and conduct a public hearing with a view to either confirming or rejecting a judicial nominee.

"I support this measure and trust that my colleagues will agree that, if approved by the voters, this measure will help the Senate perform its duties more efficiently."

The motion was put by the Chair and carried, S.B. No. 2498, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

THIRD READING

S.B. No. 2328, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEE ADVERTISING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2669, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2672, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2851, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2851, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2852, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2852, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE HOLDING COMPANY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2885, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2885, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO BIRTH DEFECTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2390, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2390, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2511 (S.B. No. 2861, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2511 was adopted and S.B. No. 2861, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE JOINT FORMULARY ADVISORY COMMITTEE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 3085, S.D. 1:

Senator Baker moved that S.B. No. 3085, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in support of S.B. 3085, S.D. 1, Relating to Health, which seeks to clarify the requirements for an individual to become a dental hygienist.

“The measure clarifies the original intent behind the requirements for licensure as a dental hygienist by specifying that an applicant must be officially certified in the administration of intra-oral infiltration local anesthesia and officially certified in the administration of intra-oral block anesthesia prior to being licensed in Hawai’i as a dental hygienist.

“According to experts, block anesthesia is the safest and highest standard for pain control. By being certified in both, we guarantee the highest standard of safety and care for the public.

“The training and education of dental assistants is important, but it is inappropriate for unlicensed auxiliary personnel to be expected to perform the very duties that if performed by a dental hygienist would require licensure.

“The bill incorporates the current rules for dental hygienists and dental assistants into the HRS to ensure that practitioners and educators in the field of dentistry are aware of and adhere to legal parameters regarding duty and scope of practice for licensed dental hygienist and dental assistants. Unlicensed persons must not infringe upon a particular licensed profession’s scope of practice.

“I ask my colleagues to join me in support of S.B. 3085, S.D. 1.”

The motion was put by the Chair and carried, S.B. No. 3085, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2376, S.D. 1:

Senator Baker moved that S.B. No. 2376, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2376, S.D. 1, Relating to Prescription Drug Benefits for Rural Pharmacies

“S.B. 2376, S.D. 1 authorizes someone living over 10 miles from their nearest network pharmacy to obtain a prescription from a non-network pharmacy within 10 miles of their residence without penalty or additional charge for possibly using an out of network provider.

“Currently, smaller community pharmacies have continued to struggle with reimbursement rates, which affects these pharmacies’ ability to remain in business. Independent retail community pharmacies in rural areas are a trusted part of their communities and may be a patient’s primary source of information regarding the patient’s prescription medications, especially in areas where access to other health care services is extremely limited.

“Queen’s Health System provided testimony in support of this bill, as it will improve their patients’ access to vital prescription medication. From rural Honoka’a on the Big Island, community pharmacist Eileen Cheng’s pharmacy serves a population of 7,000 from Hilo to Waimea. Many of her patients who are serviced by her independent community pharmacy are often the most vulnerable, serving people living in poverty and seniors, with one of the highest rates of diabetes. Yet she is struggling to stay in business. Without her pharmacy, patients will have to travel to the next nearest pharmacy, at least 15 miles away. Buses are infrequent and travel times are long. It is our kuleana to protect and support these residents.

“Currently most rural pharmacies are struggling to survive when they get paid less than the cost to fill a prescription. These pharmacies are vital to the health of rural communities as they prevent costs in the long-term by avoiding worse health outcomes, serve some of our most vulnerable people, and decrease the stress and burden on patients to fill their often life-saving medications.

“I urge my colleagues to join me in supporting our rural communities and ask for a yes vote on S.B. 2376, S.D. 1. Mahalo.”

The motion was put by the Chair and carried, S.B. No. 2376, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG BENEFITS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2439, S.D. 1:

Senator Keith-Agaran moved that S.B. No. 2439, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran’s remarks read as follows:

“I rise in support of this measure.

“With the popularity and widespread use of smart phones having video or audio recording and photographing capabilities, recordings or photographs of law enforcement officers exercising their duties have been used as evidence in police conduct matters or widely disseminated via social media. However, such recordings and photographs may qualify as an obstruction of government operations if a law enforcement officer is not able to secure or control a crime scene or under other circumstances.

“This measure strikes a balance between citizen use of recording devices and law enforcement efficacy. It establishes a defense provision to the offense of obstruction of government operations as well as to the offense of violation of privacy in the second degree. In order to come under the exception, the person making a video or audio recording or photograph of a law enforcement officer performing his duties must be in a public place or otherwise in circumstances when the officer has no reasonable expectation of privacy. Also, a person may not impede reasonable actions that the officer may take to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety.

“I hope that the balance struck by the provisions of this measure will prove useful to the public and the law enforcement community alike in these times of advancing technology and pervasive social media. I urge my colleagues to support the measure.”

The motion was put by the Chair and carried, S.B. No. 2439, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2528 (S.B. No. 2483, S.D. 2):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2528 was adopted and S.B. No. 2483, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FIREWORKS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2529 (S.B. No. 2673, S.D. 2):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2529 was adopted and S.B. No. 2673, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2530 (S.B. No. 2804, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2530 was adopted and S.B. No. 2804, S.D. 2, entitled: “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIG ISLAND DAIRY, LLC,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2531 (S.B. No. 2839, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2531 was adopted and S.B. No. 2839, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION

HEALTH BENEFITS TRUST FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2533 (S.B. No. 2193, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2533 was adopted and S.B. No. 2193, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2534 (S.B. No. 2910, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2534 was adopted and S.B. No. 2910, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TIME SHARE COMMISSIONERS OF DEEDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2535 (S.B. No. 2812, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2535 was adopted and S.B. No. 2812, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2536 (S.B. No. 2863, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2536 was adopted and S.B. No. 2863, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CITATIONS FOR MASSAGE THERAPY VIOLATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2538 (S.B. No. 2811, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2538 was adopted and S.B. No. 2811, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PARENTAL RIGHTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2539 (S.B. No. 2787, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2539 was adopted and S.B. No. 2787, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2542 (S.B. No. 2677, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2542 was adopted and S.B. No. 2677, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO NURSING,” having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2544 (S.B. No. 2451, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2544 be adopted and S.B. No. 2451, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in support of this measure.

"The intent of this measure is to deter theft and unauthorized use of public resources and to provide better protection of the State's forest resources. To that end, this measure increases the administrative fines for destroying or harvesting koa trees and other trees and plants under Section 183-5(c), Hawaii Revised Statutes. Instead of a statutorily fixed amount, the new fine proposed will be an amount up to the current market value of the koa tree or other tree or plant destroyed or harvested at that location, and also the amount needed for restoration or replacement of the habitat where the theft took place.

"I urge my colleagues to support this innovative measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2544 was adopted and S.B. No. 2451, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 183, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2545 (S.B. No. 2495, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2545 was adopted and S.B. No. 2495, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2547 (S.B. No. 2294, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2547 was adopted and S.B. No. 2294, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2681, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2681, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2389, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2389, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2247, S.D. 1:

Senator Keith-Agaran moved that S.B. No. 2247, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I rise in support of this measure.

"Although this measure as introduced proposed to create a new section within Hawaii Revised Statutes with respect to assaults committed in the presence of a minor, based on input from the Department of the Prosecuting Attorney of the City & County of Honolulu, your Committee on Judiciary and Labor chosen to revise pre-existing section 706-606.4, as reflected in the Senate Draft 1 before us today. By doing so, we broaden the scope of that statute to include a variety of enumerated offenses committed in the presence of a minor, including assault in the first, second and third degrees, sexual assault in the second and third degrees, in addition to the pre-existing offense of abuse of family of household members.

"This measure represents a valuable tool for law enforcement officials to deter offenders and to protect minors. I urge my colleagues to vote in support."

The motion was put by the Chair and carried, S.B. No. 2247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2577 (S.B. No. 2131, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2577 was adopted and S.B. No. 2131, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2580 (S.B. No. 2607, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2580 was adopted and S.B. No. 2607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT DATA MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2581 (S.B. No. 2181, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2581 was adopted and S.B. No. 2181, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO TREATMENT FOR TERMINALLY ILL PATIENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2582 (S.B. No. 2317, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2582 was adopted and S.B. No. 2317, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2584 (S.B. No. 2687, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2584 was adopted and S.B. No. 2687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2585 (S.B. No. 2240, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2585 be adopted and S.B. No. 2240, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I rise in support of this measure.

"In the wake of the latest dengue fever outbreak on Hawaii island, and due to the recent frightening news of the outbreak of mosquito-borne Zika virus in South America, it is imperative that the Department of Health re-establish a vector control branch. Until the 2009 cross-government personnel cutbacks, a full-time vector control branch existed under the Department, but was eliminated along with other sweeping cost-cutting measures at that time. A program manager and several staff positions are imperative to monitor conditions and to propose and implement measures to protect public health.

"Although the Ige administration signed an emergency proclamation in February to tackle mosquito-borne public health dangers, including temporary funding for eight vector control positions, one entomologist, and one communications position, this measure will ensure that the vector control sector branch within the environmental health administration of the Department of Health will be formally re-established.

"I urge my colleagues to also support this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2585 was adopted and S.B. No. 2240, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH TO REESTABLISH A VECTOR CONTROL BRANCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2586 (S.B. No. 2853, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2586 was adopted and S.B. No. 2853, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2587 (S.B. No. 2854, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2587 was adopted and S.B. No. 2854, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2588 (S.B. No. 2392, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2588 was adopted and S.B. No. 2392, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPIOID ANTAGONISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2590 (S.B. No. 2946, S.D. 2):

On motion by Senator Gabbard, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 2590 was adopted and S.B. No. 2946, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDIGENOUS HAWAIIAN ARCHITECTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2593 (S.B. No. 3011, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2593 was adopted and S.B. No. 3011, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2594 (S.B. No. 2149, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2594 was adopted and S.B. No. 2149, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2596 (S.B. No. 2232, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2596 was adopted and S.B. No. 2232, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2597 (S.B. No. 2366, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2597 was adopted and S.B. No. 2366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT EVIDENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2599 (S.B. No. 2659, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2599 be adopted and S.B. No. 2659, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Gabbard requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard's remarks read as follows:

"Mr. President, I rise in strong support of S.B. 2659, S.D. 2.

"This bill would establish an industrial hemp pilot program under the Department of Agriculture to allow the cultivation of industrial hemp for agricultural and academic research, which would include the commercial sale of hemp as marketing and industry development. This proposal is authorized under the federal Farm Bill. There are 28 states in the nation that have laws in place related to industrial hemp. Industrial hemp has huge potential for our islands. It's used in over 25,000 products and is currently a \$620 million business annually in the U.S.

"S.B. 2659, S.D. 2 builds upon previous research done on hemp in our islands. In 1999, Act 305 was enacted which established a hemp research project that lasted three years. This project took place on a ¼ acre of land in Wahiawā and was financed by a private company and led by David West. As you might remember, in 2014, we passed S.B. 2175 which became Act 56. The bill authorized the Dean of CTAHR to establish a two year hemp remediation and biofuel research project. This hemp research was conducted on a ¼ acre plot of land at the UH Agricultural Extension facility in Waimānalo by Dr. Harry Ako. On April 10, 2015, I took part in the first hemp seed planting at a test plot at that facility and participated in the harvest on July 23rd of that same year. The research was a tremendous success which proved, hemp will grow well here. The sub-tropical fiber variety of the hemp grew to over 10 ft. in 16 weeks.

"I want to see farmers in Hawai'i growing hemp and the Hawai'i branding that comes with that... My vision is for a Cottage industry...Hawai'i branding...shampoo, granola, oil, toothpaste. We're not the only state moving forward, Colorado and Kentucky are leading the way, but with this bill we can catch up fast. As I told fellow Agriculture chairs from around the country at an Agriculture Conference in January, who wants to buy Kentucky hemp products when you can buy ours from paradise!

"Colleagues, please join me in supporting S.B. 2659, S.D. 2. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2599 was adopted and S.B. No. 2659, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2602 (S.B. No. 2888, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2602 was adopted and S.B. No. 2888, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH PROCEDURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2604 (S.B. No. 2914, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2604 was adopted and S.B. No. 2914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT ORDERS TO PROVIDE MEDICAL TREATMENT IN CORRECTIONAL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2605 (S.B. No. 2915, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2605 was adopted and S.B. No. 2915, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2606 (S.B. No. 2249, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2606 be adopted and S.B. No. 2249, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I rise in strong support of this measure which would address the shortage of space in the Wailuku state office building and the old courthouse building.

"Wailuku town is often considered the civic and financial center of Maui. It is comprised of state and county offices, as well as many locally owned businesses, restaurants, and health care facilities. The Mayor of Maui County as well as several individuals submitted testimony in support of this effort to improve the Wailuku facilities.

"The Department of Accounting and General Services has implemented a three-phase program to develop a master plan to address the shortage of space in state managed offices. This master plan will analyze the existing uses of state facilities and office spaces, identify problems due to the lack of space, and evaluate adjacent lands and buildings to determine whether they could be used to reduce the shortage of space. The Wailuku district is currently included in Phase 3 of this master plan.

"This measure is the first step in addressing the shortage of space in our state offices, and I strongly urge my colleagues to support this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2606 was adopted and S.B. No. 2249, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAILUKU PROPERTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2607 (S.B. No. 2501, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2607 was adopted and S.B. No. 2501, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2608 (S.B. No. 2685, S.D. 2):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2608 was adopted and S.B. No. 2685, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2609 (S.B. No. 2494, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2609 was adopted and S.B. No. 2494, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2610 (S.B. No. 2542, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2610 be adopted and S.B. No. 2542, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Tokuda's remarks read as follows:

"I rise in strong support of S.B. 2542, S.D. 2.

"This measure both highlights a huge growing liability we have as a state and presents the possibility for a solution as we continue to struggle against our deferred maintenance backlog and face a constantly increasing list of repair and maintenance priorities for state facilities, buildings, and grounds.

"Until we commit to a plan that identifies how we will take care of the buildings and grounds we are responsible for, and build into our new projects going forward a commitment and plan to care for those facilities, we will always be blindly attempting to band aid and patch up our back logs...never making the kinds of gains needed to instill both confidence in our system or create a solid footing needed to go forward.

"While a modest approach, this bill begins the process in providing more transparency and accountability into our repair and maintenance needs, and lays out a solid path towards full funding for routine repair and maintenance of state-owned buildings, facilities and grounds going forward. It is our sincerest hope that as this measure moves forward, this administration will embrace and adopt this philosophy as a critical component of their financial plan. For your Ways and Means Committee, we view this as foundation to our state's financial stability...going hand in hand with other fiscal measures we passed last session and other measures that have been introduced this year to put our state in a better position not just this biennium, but for years to come.

"We look forward to seeing this measure continue through the process and humbly ask for your support and consideration."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2610 was adopted and S.B. No. 2542, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPAIR AND MAINTENANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2611 (S.B. No. 2560, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2611 was adopted and S.B. No. 2560, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2612 (S.B. No. 2163, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2612 was adopted and S.B. No. 2163, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2613 (S.B. No. 2408, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2613 was adopted and S.B. No. 2408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2615 (S.B. No. 2858, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2615 was adopted and S.B. No. 2858, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2618 (S.B. No. 2864, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2618 was adopted and S.B. No. 2864, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN DISCIPLINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2619 (S.B. No. 2829, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2619 was adopted and S.B. No. 2829, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2620 (S.B. No. 2504, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2620 was adopted and S.B. No. 2504, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION BUSINESS INTERACTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2621 (S.B. No. 2301, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2621 was adopted and S.B. No. 2301, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KEAHOLE MANAGEMENT GROUP LLC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2622 (S.B. No. 2791, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2622 was adopted and S.B. No. 2791, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2623 (S.B. No. 2444, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2623 be adopted and S.B. No. 2444, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in support of this measure.

"This measure requires the Office of Elections to join the Electronic Registration Information Center, a nonprofit organization that helps states improve the accuracy of voter registration rolls. This will help the State to realize the same benefits enjoyed by other member states, such as increased voter registration and access, reduced provisional ballots, shorter lines at polling places, and improved record keeping for election administration offices. This measure also requires the Office of Elections and the county offices to verify the voter registration rolls. Elections in our state will be more carefully administered and public trust in the process will be enhanced because of this measure.

"I urge my colleagues to also support this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2623 was adopted and S.B. No. 2444, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2624 (S.B. No. 2838, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2624 was adopted and S.B. No. 2838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2628 (S.B. No. 2309, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2628 was adopted and S.B. No. 2309, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2629 (S.B. No. 3112, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2629 was adopted and S.B. No. 3112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIETNAM WAR COMMEMORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2972, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 2972, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH MANAGEMENT FOR THE NORTH SHORE OF OAHU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 1000, S.D. 1:

On motion by Senator Wakai, seconded by Senator Baker and carried, S.B. No. 1000, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2679, S.D. 1:

Senator Baker moved that S.B. No. 2679, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in strong support of S.B. 2679, S.D. 1, Relating to Check Cashing.

"The purpose of this bill is to protect Hawai'i consumers from falling into debt traps by continuously borrowing short term, high interest loans – often referred to as pay day or deferred deposit loans. These loans are marketed as a solution for quick, easy to access credit. Many families in our State are living paycheck to paycheck, and may need access to loans like these during times of financial emergency. But research conducted by a variety of agencies and nonprofits shows that instead of being short term loans with a quick turnaround, many of these borrowers get trapped into taking on more and more payday loans in order to pay the exorbitant interest on their current payday loan. Only 2 percent of borrowers can afford to pay off a deferred deposit the first time, and the average deferred deposit loan borrower is in debt for almost six months a year, and pays \$520 in fees for \$375 in credit.

"This measure will protect consumers by creating a better product, one that restricts the exorbitant APR and interest rates that traps consumers into a debt cycle. This bill follows a

national trend among state legislatures by capping the annual percentage rate of these loans at 36 percent. This rate cap will change existing state law that allows check cashers to charge a fee that can amount to an annual percentage rate of 465 percent. The federal government established a rate cap precedent in 2006 when the military capped the interest lenders could charge active duty service members and their families.

“This measure also protects consumers by giving them the right to rescind any postdated check without paying fees, by offering a loan installment plan should the customer default on the loan, protecting against harmful collection practices, and improving the loan disclosure requirements. These measures will cost the State nothing to implement while offering a better product to the state’s consumers.

“Your committee on CPH received testimony in support from the Office of Consumer Protection, the State Auditor, Office of Hawaiian Affairs, and many organizations dedicated to social welfare in Hawai‘i. We received testimony from several lenders that expressed fear that this measure would eliminate the consumers’ access to this loan product. The example from other states like Colorado that have implemented many of these limits shows that despite some closures, most residents still have access to payday lending within ten minutes of their home.

“I urge you to join me in support of S.B. 2679, S.D. 1, in order to offer consumers in our state easy access to short term loans without trapping them in continuous debt cycles. Mahalo.”

The motion was put by the Chair and carried, S.B. No. 2679, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHECK CASHING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2112, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2112, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE USE OF A DOG IN JUDICIAL PROCEEDINGS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2600, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2600, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ETHICS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 3080, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 3080, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THEFT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 3036, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 3036, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMPLOYMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2580, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2580, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIVESTOCK,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2955, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2955, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FIREARMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 3110, S.D. 1:

On motion by Senator Wakai, seconded by Senator Tokuda and carried, S.B. No. 3110, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 3109, S.D. 1:

On motion by Senator Wakai, seconded by Senator Tokuda and carried, S.B. No. 3109, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MANUFACTURING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2680 (S.B. No. 2397, S.D. 1):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2680 be adopted and S.B. No. 2397, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2397, S.D. 1, Relating to Hospital Discharge Planning – a collaborative effort between caregivers, hospitals, and members of the community.

“S.B. 2397, S.D. 1 will require hospitals to adopt and maintain discharge policies, consistent with and complementary to recent updates to federal guidelines, to ensure that patients continue to receive the correct care from their caregivers after discharge from the hospital.

“The purpose of this Act is to ensure that families are supported by ensuring that all patients in an inpatient hospital designate a caregiver who shall be notified prior to the discharge or transfer of their loved one, ensuring the caregiver is involved in the discharge planning process, and that the patient and caregiver are provided a consistent level of instructional support, prior to discharge to facilitate the patient’s transition to the home setting.

“Hawai‘i has the highest percentage of residents over the age of 85 in the United States, and this population is projected to grow to 65 percent over the next 20 years. These individuals are most likely to need long-term supports and services and will

likely rely on family and friends as their caregivers due to financial and resource constraints. The AARP Public Policy Institute estimated that number of family caregivers to be 154,000 in 2013. That means over 10 percent of the entire population of Hawai'i is taking care of an elderly relative or loved one.

"Currently, family caregivers are often left out of crucial discharge planning discussions and receive little or no training on the caregiving tasks they will likely perform when their loved ones return home. This bill allows for collaboration on the part of inpatient health care professionals and at-home caregivers, as well as ensuring discharge instructions are adequately provided. This bill creates continuity of care that is vital for the health of our kūpuna.

"Eighteen states have passed similar legislation in the last two years, with twenty additional states introducing similar legislation this year.

"Testimony received by your CPH committee provided across-the-board support for this bill.

"I urge my colleagues to join me in supporting S.B. 2397, S.D. 1. Let's help protect our kupuna. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2680 was adopted and S.B. No. 2397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCHARGE PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2681 (S.B. No. 2931, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2681 was adopted and S.B. No. 2931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSPECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2685 (S.B. No. 2776, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2685 was adopted and S.B. No. 2776, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2686 (S.B. No. 3105, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2686 was adopted and S.B. No. 3105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE REFERRALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2687 (S.B. No. 2329, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2687 was adopted and S.B. No. 2329, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY INTERESTS IN REAL PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2688 (S.B. No. 2661, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2688 was adopted and S.B. No. 2661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2689 (S.B. No. 2813, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2689 was adopted and S.B. No. 2813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2690 (S.B. No. 2848):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2690 was adopted and S.B. No. 2848, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2691 (S.B. No. 2246):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2691 was adopted and S.B. No. 2246, entitled: "A BILL FOR AN ACT RELATING TO TESTING FOR INTOXICANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2692 (S.B. No. 2873):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2692 was adopted and S.B. No. 2873, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR IMMEDIATE PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2693 (S.B. No. 2788):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2693 was adopted and S.B. No. 2788, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM WATER USERS ADVISORY BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2695 (S.B. No. 2438, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2695 be adopted and S.B. No. 2438, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in strong support of this measure.

"I share the concerns expressed by many stakeholders over the years that the Hawai'i election campaign fund, which provides the resources for publicly funded candidates, is at risk of depletion if it is also the sole source of funding for the day-to-day operations of the Campaign Spending Commission itself. This measure seeks to address that problem by specifying that sufficient funding for the operations of the Campaign Spending Commission are instead appropriated from the general fund.

"I also appreciate the efforts of the Committee on Ways and Means in examining and separating out the cost of ancillary benefits from general operational funding within the Department of Budget and Finance, as reflected in the Senate Draft 2 before us.

"I ask my colleagues to also support this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2695 was adopted and S.B. No. 2438, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2696 (S.B. No. 2196, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2696 was adopted and S.B. No. 2196, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAW ENFORCEMENT OFFICER INDEPENDENT REVIEW BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2697 (S.B. No. 2213, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2697 was adopted and S.B. No. 2213, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2698 (S.B. No. 2026, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2698 was adopted and S.B. No. 2026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2699 (S.B. No. 2998, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2699 was adopted and S.B. No. 2998, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2702 (S.B. No. 2638, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2702 was adopted and S.B. No. 2638, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2706 (S.B. No. 2916, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2706 was adopted and S.B. No. 2916, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2709 (S.B. No. 2855, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2709 was adopted and S.B. No. 2855, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE RESCUE FRAUD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2712 (S.B. No. 2833, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2712 was adopted and S.B. No. 2833, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LOW-INCOME HOUSING TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2717 (S.B. No. 2556, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2717 was adopted and S.B. No. 2556, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ANNUAL REQUIRED CONTRIBUTION FOR THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2721 (S.B. No. 2611, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2721 was adopted and S.B. No. 2611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2722 (S.B. No. 2803, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2722 was adopted and S.B. No. 2803, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL LOAN REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2895, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2810, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2810, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE BY PUBLICATION IN PATERNITY CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2153, S.D. 1:

Senator Keith-Agaran moved that S.B. No. 2153, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in support of this measure.

"This measure opens up Hawai'i's adoption records, allowing adopted individuals eighteen years of age and older unfettered access to their sealed adoption records.

"Recent cultural changes and advances in genetics research have largely diminished the stigma surrounding adoption and illegitimacy. This in turn has given rise to the realization that sealed adoption records are no longer necessary to protect adult adoptees from the circumstances of their birth. Sealing adoption records and conditioning access to records on birthparent approval alone can cause significant negative psychological consequences and additional hardships on an adoptee, including continuing lack of knowledge with respect to family medical history of potentially life-threatening illnesses. Given the rapid advances that can be gained in terms of health from information about one's family history, the state has a fairly compelling interest to allow greater access to relevant information.

"As a sign of changing times and values, I urge my colleagues to support this measure."

The motion was put by the Chair and carried, S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2569, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, S.B. No. 2569, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY COURT OUTREACH PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2554:

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, S.B. No. 2554, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF EXCESS REVENUES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2562, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Tokuda and carried, S.B. No. 2562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC REAL PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2981, S.D. 1:

On motion by Senator Kidani, seconded by Senator Harimoto and carried, S.B. No. 2981, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2559, S.D. 1:

Senator Tokuda moved that S.B. No. 2559, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Tokuda's remarks read as follows:

"I rise in strong support of S.B. 2559, S.D. 1.

"The challenges of homelessness and helping get the most vulnerable in our community into permanent, and in many cases, supportive housing has reached a critical peak with Hawaii ranked highest in the nation per capita for homeless individuals, and addressing this critical issue requires quick action and a multifaceted approach.

"In talking with advocates and the administration, it is clear that an important part of the strategy must be to ensure that the existing \$13 million in general funds that go towards shelter contracts and outreach are managed with fidelity and are geared towards best outcomes for homeless individuals and families.

"While the measure is specific in regards to such things as the establishment of minimum requirements for shelters, financial audits, and performance metrics, this draft does provide the department with the flexibility, the resources, and the additional staffing to work with providers to create workable solutions that will result in better outcomes for people. At the end of the day, the goal is simple...we should be ensuring that shelter beds we pay for are filled so people can get the help they need.

"As I mentioned previously, right now the state spends \$13 million for shelter beds and outreach services, with a flat fee paid regardless of if beds are filled and without any kind of accountability metrics. Looking at the data for FY15, only 87 percent of our total shelter inventory for O'ahu was occupied, with emergency shelters even lower at 81 percent. When you broke it down to those that lacked sufficient bathroom facilities or portioned spaces for sleeping, their

occupancy rates were even lower dropping to 44.7 percent and 77.6 percent.

“The senate draft is recommending taking \$5 million from last year’s emergency and budget reserve fund deposit directing it towards non-recurring projects and programs to assist homeless families and individuals, which could include such things as infrastructure and facilities improvements and repairs at emergency and transitional shelters for the homeless. Also provided are two additional permanent program specialists to assist with contract management oversight and the \$117,471 to establish these positions.

“Empty beds don’t help anyone. We need to make sure that the significant dollars we invest into helping the homeless, and the additional resources we are looking to provide are executed and managed with the upmost fidelity. Only then will we start to see the kind of results the public demands and our most vulnerable people deserve.”

The motion was put by the Chair and carried, S.B. No. 2559, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOMELESSNESS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2737 (S.B. No. 2639):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2737 was adopted and S.B. No. 2639, entitled: “A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2738 (S.B. No. 2624, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2738 was adopted and S.B. No. 2624, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2739 (S.B. No. 2645, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2739 was adopted and S.B. No. 2645, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO WATER AUDITS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2740 (S.B. No. 3037, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2740 was adopted and S.B. No. 3037, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO LIPOA POINT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2742 (S.B. No. 2137, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2742 be adopted and S.B. No. 2137, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Gabbard requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Gabbard’s remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2137, S.D. 2. One of the major challenges facing agriculture in Hawai‘i is that our farmers are aging out. The average age of a Hawai‘i farmer is now 61. This bill is a creative way of having our existing farmers mentor the new generation.

“Specifically, the bill would establish an on-farm mentoring program within the Dept. of Agriculture and would support existing on-farm mentoring programs and a pilot on Maui to teach farmers about methods to improve soil health by using whole farm systems that practice sustainable ag that recycle locally available organic, diverse plant and animal agriculture nutrients, enhanced by fermentation and other ecological processes such as Korean natural farming. It would also direct the Dept. of Agriculture to establish the on-farm mentoring program curriculum in collaboration with the Hawaii Farmers Union United Education Committee

“The latest scientific literature now supports the conclusion that sustainable agriculture methods can be just as productive as conventional agriculture while being less polluting of air and water, requiring less fossil energy, emitting fewer greenhouse gases, supporting greater biodiversity, and posing significantly less risk to human health

“Focusing more on sustainable food production could also have big dividends for feeding Hawai‘i’s people and diversifying our economy. A 2008 CTAHR Study found that doubling our food self-sufficiency would produce \$237.51 million in sales of local produce; create 3,165 related ag and food system jobs; generate \$119.31 million in import replacement; and generate \$8.69 million in state tax revenues.

“Mentoring the next generation of farmers with this whole farm systems approach is a great investment in the future of agriculture in our islands. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2742 was adopted and S.B. No. 2137, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2743 (S.B. No. 2302, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2743 was adopted and S.B. No. 2302, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DARK SKIES PROTECTION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2744 (S.B. No. 2582, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2744 was adopted and S.B. No. 2582, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE KAHO‘OLAWA ISLAND RESERVE COMMISSION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2745 (S.B. No. 2330, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2745 was adopted and S.B. No. 2330, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2746 (S.B. No. 2976, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2746 was adopted and S.B. No. 2976, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2752 (S.B. No. 2896, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2752 was adopted and S.B. No. 2896, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF UNFAIR LABOR PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2756 (S.B. No. 2321, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2756 was adopted and S.B. No. 2321, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2757 (S.B. No. 2755, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2757 was adopted and S.B. No. 2755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A LAW ENFORCEMENT EMPLOYMENT STANDARDS AND TRAINING BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2765 (S.B. No. 2346, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2765 was adopted and S.B. No. 2346, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2766 (S.B. No. 2100, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2766 be adopted and S.B. No. 2100, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in strong support of this measure.

"This measure is proposed in direct response to the dramatically increasing caseload and limited number of district judges available in the second circuit, i.e. Maui County. I note that the Committee on Ways and Means has currently proposed funding at least one new district judge position in one of the second, third, or fifth circuits, to be determined by the Judiciary. It is of course my fervent hope that the second circuit should receive this funding, especially given the difficulty in addressing the caseloads presented in rural Maui, Moloka'i and Lāna'i. In any event, section 604-1, Hawaii Revised Statutes, should be revised to at least allow for a total of four district judges in the second circuit, and this measure makes that necessary statutory revision.

"I request that my colleagues join me in support of this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2766 was adopted and S.B. No. 2100, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2767 (S.B. No. 2652, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2767 was adopted and S.B. No. 2652, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2768 (S.B. No. 2850, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2768 was adopted and S.B. No. 2850, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE INDUSTRY REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2769 (S.B. No. 2859, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2769 was adopted and S.B. No. 2859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2770 (S.B. No. 2667, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2770 was adopted and S.B. No. 2667, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2771 (S.B. No. 2476, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2771 was adopted and

S.B. No. 2476, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2772 (S.B. No. 2217, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2772 was adopted and S.B. No. 2217, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2774 (S.B. No. 2156, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2774 was adopted and S.B. No. 2156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2775 (S.B. No. 2512, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2775 was adopted and S.B. No. 2512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2776 (S.B. No. 2620, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2776 was adopted and S.B. No. 2620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2777 (S.B. No. 2904):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2777 was adopted and S.B. No. 2904, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC MITIGATION BANKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2780 (S.B. No. 2822, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2780 was adopted and S.B. No. 2822, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2781 (S.B. No. 2807, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2781 was adopted and S.B. No. 2807, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO ENTERPRISE TECHNOLOGY SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2782 (S.B. No. 3017, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2782 was adopted and S.B. No. 3017, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2783 (S.B. No. 2448, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2783 was adopted and S.B. No. 2448, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2784 (S.B. No. 2085, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2784 was adopted and S.B. No. 2085, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2786 (S.B. No. 2782, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2786 was adopted and S.B. No. 2782, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2787 (S.B. No. 3126, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2787 be adopted and S.B. No. 3126, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Tokuda's remarks read as follows:

"I rise in strong support of S.B. 3126, S.D. 2.

"As the proud product of our public schools and as a committed parent of two children who go to the same school I attended as a child, I know how critical having a safe and healthy learning and working environment is for our students and educators. This involves a number of factors, but what literally comes to a boiling point at the beginning of each school year is the heat, and how hot it gets in our classrooms.

"Our Governor set an ambitious goal of asking us to air condition 1,000 classrooms by year's end using \$100 million from the Hawaii Green Infrastructure Special Fund. This will provide much needed relief to students and educators in some of our hottest classrooms in communities across our state, and it

can serve as a model for how we provide relief for even more schools and classrooms going forward.

“We agree this must be done, and with the least amount of barriers or encumbrances to ensure that cooling is brought to our students as soon as possible. That being said, ‘cash is king,’ and given concerns that exists in using the funds from the Green Infrastructure Special Fund and the requirements and the debt service requirements the department would be tied to, your Ways and Means Committee amended this measure by changing the means of financing to a \$100 million in general funds.

“While normally this would upset the financial plan significantly, as a result of the onetime, non-recurring \$170 million Medicaid reimbursement the State received this fiscal year, the appropriation can be absorbed. It should be noted that these funds have not been accounted for in the financial plan and will not in any way negatively impact the State’s Medicaid budget.

“If at the end of the day our collective goal is to quickly and efficiently cool our classrooms without passing on debt to future generations, the measure before us accomplishes this. Heat abatement must be a priority and after years of studies, it’s time we put serious money towards implementing solutions.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2787 was adopted and S.B. No. 3126, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2788 (S.B. No. 1311, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2788 was adopted and S.B. No. 1311, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2789 (S.B. No. 2604, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2789 was adopted and S.B. No. 2604, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO A MICROGRID PILOT PROJECT FOR SCHOOLS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2790 (S.B. No. 2878, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 2790 was adopted and S.B. No. 2878, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO YOUTH TRANSITIONING FROM FOSTER CARE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2791 (S.B. No. 2103, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2791 was adopted and S.B. No. 2103, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEARCH WARRANTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2792 (S.B. No. 2318, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2792 was adopted and S.B. No. 2318, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ADDRESS CONFIDENTIALITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2794 (S.B. No. 668, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2794 was adopted and S.B. No. 668, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE REGISTRY OF CLEAN AND SOBER HOMES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2795 (S.B. No. 2104, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2795 was adopted and S.B. No. 2104, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE COLLECTION OF RESTITUTION FOR CRIME VICTIMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2797 (S.B. No. 2630, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2797 was adopted and S.B. No. 2630, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2799 (S.B. No. 2844, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2799 was adopted and S.B. No. 2844, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DISPOSITION OF EXCESS REVENUES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2801 (S.B. No. 2428, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2801 was adopted and S.B. No. 2428, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2804 (S.B. No. 3113, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2804 was adopted and S.B. No. 3113, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2806 (S.B. No. 2570, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2806 was adopted and S.B. No. 2570, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RAPID RE-HOUSING ASSISTANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2807 (S.B. No. 2731, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2807 was adopted and S.B. No. 2731, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2809 (S.B. No. 3070, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2809 be adopted and S.B. No. 3070, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Tokuda's remarks read as follows:

"I rise in support of S.B. 3070, S.D. 1.

"This measure would establish standards and policies by which we appropriate and approve legislative grants as required by Article VII, Section 4 of the Constitution of the State of Hawai'i, in order to ensure transparency and ensure accountability in the use and distribution of these funds.

"An important means by which we are able to serve the public, these grants allow us to partner with nonprofit organizations to meet priority needs in our communities. Operating efficiently, it can provide opportunities to test new approaches and solutions, build capacity and infrastructure, and develop strategies that can be sustained over time. Sustained over time is a key point here in that the funding we provide through grants is not limitless, and an essential component to creating legislative policy that guides the administration of these funds needs to include the ability to maintain these programs and services, and the ability to cover general and administrative expenses independently.

"Improving transparency and creating legislative policy for the administration of the 42F grant process is a critical step in ensuring accountability and upholding our fiduciary responsibility as dictated by our State Constitution. I humbly ask for your support and consideration on this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2809 was adopted and S.B. No. 3070, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2810 (S.B. No. 2983, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2810 was adopted and S.B. No. 2983, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR UKUMEHAME RESERVOIRS,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2815 (S.B. No. 2561, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2815 be adopted and S.B. No. 2561, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Tokuda's remarks read as follows:

"I rise in strong support of S.B. 2561, S.D. 2.

"According to the Department of Business, Economic Development and Tourism Report, 'Measuring Housing Demand in Hawaii, 2015-2025,' Hawai'i will require an additional 64,700 housing units to meet the projected long term housing demand. Of this amount, the demand for additional rental housing units alone will be approximately 22,247 rental units across all income levels over the next decade.

"The need for more units is particularly severe amongst those in the lowest income brackets. Approximately 93-95 percent of rental unit tenants have a household income of less than 140 percent of the area median income (AMI), and the reality for the large number of individuals and families at 60 percent and 30 percent of AMI and below is there are no rental units available with long waiting lists resulting in overcrowding and increased homelessness.

"The reality is we had a housing crisis long before today, but committing to solutions and real goals needs to start now. This sets the benchmark for where we need to be by 2026, with 22,500 new affordable rental housing units developed, and tasks key stakeholders with identifying the barriers and opportunities that exists that will ensure we get to our goal.

"Just as there are many components that go into building a home—from considering the style and structure to the contractors and labor required to build it—tackling our housing crisis will also require the collective vision of a team of individuals with the right knowledge and decision making abilities needed to get the job done. This measure puts in place a Special Action Team on Rental Housing to be administratively attached to the Office of the Lt. Governor and made up of representatives from state and county government, the Legislature, and both the nonprofit and for profit housing community.

"Too often, we commission these studies that scare us with their statistics and then put them on a shelf to collect dust. These are numbers we simply cannot ignore. The reality is our children and our grandchildren will be priced out of this place we call home if we do nothing now. 2026 is a significant year for me in many ways. Our oldest son Matt will turn 18 that year, and thinking about this bill I have to pause and think what will Hawai'i be like 10 years from now? Will our sons be able to continue to make this their home? Will many of us as we age be able to afford to stay?

"The price of paradise doesn't have to be something we accept. This measure isn't the total solution, but it is a significant step in the right direction."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2815 was adopted and S.B. No. 2561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2816 (S.B. No. 2387, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2816 was adopted and S.B. No. 2387, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL EXAMINATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2817 (S.B. No. 3034, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2817 be adopted and S.B. No. 3034, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in support of this measure.

"This bill proposes a state constitutional amendment similar to provisions contained in other states' constitutions that explicitly guarantees certain rights to crime victims or a deceased crime victim's surviving immediate family members.

"Although the Hawai'i Revised Statutes already contains various protections and affords various rights to crime victims by means of chapter 801D, many feel that explicit victim-oriented constitutional protections would provide an additional tool for crime victims and their advocates as they seek justice and closure. A constitutional provision gives victims greater certainty that they will be kept informed about important milestones in a criminal proceeding and in post-sentencing proceedings such as parole hearings. The Senate version of this measure also extends these rights to survivors of deceased crime victims, and not just a legally designated representative of a victim.

"As chair of your Committee on Judiciary and Labor, I am mindful that the rights of accused persons in criminal proceedings are particularly important within the framework of both the United States and the Hawai'i state constitutions and in our system of justice, and rightfully so. I also note that this measure explicitly precludes any legal cause of action by a crime victim or a deceased crime victim's surviving immediate family members to seek compensation against the state or any county, or any of their officers or employees, arising from any incident, alleged or adjudicated. Also, the Legislature will continue to have the authority to enact substantive measures to define terms and procedures that will more effectively guide law enforcement agencies and the courts as they enforce and interpret this new constitutional language.

"It is with these safeguards in mind that I support this measure and urge my colleagues to do likewise. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2817 was adopted and S.B. No. 3034, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF CONSTITUTION OF THE STATE OF HAWAII TO ESTABLISH RIGHTS FOR VICTIMS OF CRIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2598 (S.B. No. 2372, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2598 be adopted and S.B. No. 2372, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Inouye then offered the following amendment (Floor Amendment No. 1) to S.B. No. 2372, S.D. 2:

SECTION 1. S.B. No. 2372, S.D. 2, is amended by making conforming amendments to section 1 for the purposes of clarity and consistency.

SECTION 2. S.B. No. 2372, S.D. 2, is amended by amending section 2 to amend section 264-1(c), Hawaii Revised Statutes, to read as follows:

"(c) All highways, roads, alleys, streets, ways, lanes, [trails,] bikeways, [and] bridges, and trails in the State, opened, laid out, or built by private parties and dedicated or surrendered to the public use, are declared to be public highways or public trails as follows:

(1) Dedication of public highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails shall be by deed of conveyance naming the State as grantee in the case of a state highway, road, alley, street, way, lane, bikeway, bridge, or trail and naming the county as grantee in the case of a county highway, road, alley, street, way, lane, bikeway, bridge, or trail. The deed of conveyance shall be delivered to and accepted by the director of transportation in the case of a state highway, road, alley, street, way, lane, bikeway, bridge, or the board of land and natural resources in the case of a state trail. In the case of a county highway, road, alley, street, way, lane, bikeway, bridge, or [county] trail, the deed shall be delivered to and accepted by the legislative body of a county[.]; and

(2) Notwithstanding legal ownership, [Surrender] surrender of public highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails shall be deemed to have taken place if ~~[no]~~:

(A) No act of ownership by the owner of the highway, road, alley, street, [bikeway,] way, lane, [trail, or] bikeway, bridge, or trail has been exercised for five years [and when, in the case of a county highway, in addition thereto, the legislative body of the county has, thereafter, by a resolution, adopted the same as a county highway or trail]; or

(B) A county undertakes repair and maintenance of a highway, road, alley, street, way, lane, bikeway, bridge, or trail pursuant to a county maintenance and repair program, that highway, road, alley, street, way, lane, bikeway, bridge, or trail; In every case where the road, alley, street, bikeway, way, lane, trail, bridge, or highway is constructed and completed as required by any ordinance of the county or any rule, regulation, or resolution thereof having the effect of law, the legislative body of the county shall accept the dedication or surrender of the same without exercise of discretion.] provided that driving on the private highway, road, alley, street, way, lane, bikeway, bridge, or trail shall not, on its own, constitute an act of ownership. The county shall accept without exercise of discretion all surrendered highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails, except where the State has notified the county within thirty days of the surrender that it will accept the surrendered highway, road, alley, street, way, lane, bikeway, bridge, or trail. Any occupant or owner of abutting land may notify the county of a highway, road, alley, street, way, lane, bikeway, bridge, or trail that the resident or landowner believes qualifies for surrender under this subsection. Following receipt of the notice, the county shall accept the highway, road, alley, street, way, lane, bikeway, bridge, or trail as surrendered and record its ownership with the state bureau of conveyances, unless the county establishes other proof of ownership within six months of the notice."

SECTION 3. S.B. No. 2372, S.D. 2, is amended by changing the effective date to July 1, 2050.

Senator Inouye moved that Floor Amendment No. 1 be adopted, seconded by Senator Gabbard.

Senator Inouye rose to speak in support of the amendment as follows:

“Mr. President, what the amendment says is that notwithstanding the legal ownership, the county that undertakes repair and maintenance on any highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails pursuant to a county maintenance and repair program, that highway, road, and, as mentioned, trail shall be deemed to be surrendered to that county; and the floor amendment is circulated on our desks.”

The motion to adopt Floor Amendment No. 1 was put by the Chair and carried.

Senator Inouye then moved that Stand. Com. Rep. No. 2598 be received and placed on file, seconded by Senator Gabbard and carried.

By unanimous consent, S.B. No. 2372, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO PRIVATE ROADS,” was placed on the calendar for Third Reading on Thursday, March 10, 2016.

Stand. Com. Rep. No. 2747 (S.B. No. 2693, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2747 be adopted and S.B. No. 2693, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Thielen then offered the following amendment (Floor Amendment No. 2) to S.B. No. 2693, S.D. 2:

SECTION 1. Senate Bill No. 2693, S.D. 2, section 10, is amended to read as follows:

“SECTION 10. This Act shall take effect on July 1, 2050, and shall apply to taxable years beginning after December 31, 2016.”

Senator Thielen moved that Floor Amendment No. 2 be adopted, seconded by Senator Kim.

Senator Thielen rose to speak in support of the amendment as follows:

“Thank you, Mr. President. The purpose of the amendment is to provide an opportunity for further discussion in order to strengthen the ability of the state to enforce our tax code and assure collection of revenues due to the state.”

The motion to adopt Floor Amendment No. 2 was put by the Chair and carried.

Senator Thielen then moved that Stand. Com. Rep. No. 2747 be received and placed on file, seconded by Senator Baker and carried.

By unanimous consent, S.B. No. 2693, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was placed on the calendar for Third Reading on Thursday, March 10, 2016.

S.B. No. 2429, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2429, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FANTASY COMPETITIONS,” was recommitted to the Committee on Judiciary and Labor.

THIRD READING

MATTERS DEFERRED FROM FRIDAY, MARCH 4, 2016

Stand. Com. Rep. No. 2510 (S.B. No. 2029):

Senator Tokuda moved that Stand. Com. Rep. No. 2510 be adopted and S.B. No. 2029, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

“I’m all for campaign spending reform, and I’m all for enforcement of the laws. I’m just afraid that we continue to raise fines, particularly on manini problems, like late filing and things like that, and there’s a great deal of discretion with the campaign spending to increase these fines inordinately. I had a recent experience of attending a couple of hearings and I was not very happy with the way they were conducted.

“I wish the campaign spending office and the Office of Elections would put more of their effort into running proper elections. And I’m just afraid if we increase the fines and there’s more money, there’ll be more likelihood to fine people, again, on the small things, not on things that everybody could agree, ‘Yes, that was a violation and, yes, that should be punished.’ So, in this instance, I’m forced to vote ‘no.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2510 was adopted and S.B. No. 2029, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Taniguchi). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2518 (S.B. No. 2793, S.D. 1):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2518 was adopted and S.B. No. 2793, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO BROADBAND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2519 (S.B. No. 2123, S.D. 1):

On motion by Senator Baker, seconded by Senator Kidani and carried, Stand. Com. Rep. No. 2519 was adopted and S.B. No. 2123, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ZONING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Espero). Noes, 2 (Ruderman, Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2522 (S.B. No. 2385, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2522 be adopted and S.B. No. 2385, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure as follows:

“As I said in committee, you know, the State of Hawai’i is becoming more and more the nanny state. We’re telling everybody what they have to do. When we talk about childcare facilities, they’ve already done these things: Most of them have changed not only their diet but also beverages long time ago. But the idea that we have to try to force people and mandate them, I think, reflects poorly on the state government. We have

other things to do. We should allow people to be responsible; if they're not responsible, then we take action against those who are not. But mandates against everyone, I think, harms our image. Thank you."

Senator Ruderman rose to speak in support of the measure as follows:

"While I share the previous speaker's concerns, I think, with the state with the number one diabetes problem in the nation, as well as our problem with childhood obesity, I think it's appropriate to take steps like this to protect our children's health."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2522 was adopted and S.B. No. 2385, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGES FOR CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2554 (S.B. No. 3102, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2554 was adopted and S.B. No. 3102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

At 9:55 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:56 a.m.

Stand. Com. Rep. No. 2635 (S.B. No. 2566, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2635 was adopted and S.B. No. 2566, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2638 (S.B. No. 2343, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2638 was adopted and S.B. No. 2343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2643 (S.B. No. 2876, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2643 be adopted and S.B. No. 2876, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Thielen rose to speak in support of the measure with reservations as follows:

"I understand the motivation for the bill is to be able to pass 'no smoking' regulations for the public areas in the public housing lands, but my concern is the method that this bill uses. It exempts public lands under public housing from the chapter 171 definition of 'public lands.' All the other agencies that are exempted from public lands have their own agency rules and regulations that govern the development of those

lands, and I don't believe the public housing agency does, so that would leave these lands unregulated by chapter 171 for the development, which is going to raise some concerns given that we may be giving them authority to do mixed-use developments in the future. So, I hope to be able to work with the public housing agency to find amendments that can achieve their goal on the 'no smoking' regulations, but not through this manner. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2643 was adopted and S.B. No. 2876, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Thielen). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2647 (S.B. No. 2244, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2647 be adopted and S.B. No. 2244, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"Mr. President, I rise in support of this measure, which will bring the retirement benefits for newly appointed judges and justices more in line with other beneficiaries of the Employees' Retirement System.

"In 2013, judges and justices received very significant increases in their salaries, of approximately \$50,000 per year per judge or justice, based on the recommendations of the 2007 Salary Commission. The salaries have continued to increase 2 percent per year since then and will continue to do so through 2018. At that time, a circuit court judge will be making \$205,080 per year, and a supreme court justice will be making \$227,664 per year.

"I do not think anyone begrudges the initial overdue increases to the salaries of judges and justices. But for new judges and justices to accrue retirement benefits based on the same percentage calculation as their predecessors, or other important government employees who make significantly less remuneration, does not seem fair. This is especially so in light of ERS' difficult circumstances going forward.

"Despite testimony to the contrary from the Judiciary, I do not think that rebalancing the retirement benefit calculation in this manner will result in any disincentive for qualified persons to place themselves in consideration for nomination to the bench in the future.

"I do note that the Committee on Judiciary and Labor worked further on this measure after its public hearing, and has made revisions to the measure to take into account the service of newly appointed judges who had previously accrued benefits as a public employee under the ERS.

"For these reasons I urge my colleagues to also support S.B. 2244, S.D. 1. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2647 was adopted and S.B. No. 2244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara, Nishihara). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2649 (S.B. No. 2369):

By unanimous consent, action on Stand. Com. Rep. No. 2649 was adopted and S.B. No. 2369, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII RENEWABLE RESOURCES, LLC," was deferred until Thursday, March 10, 2016.

Stand. Com. Rep. No. 2652 (S.B. No. 2113, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2652 was adopted and S.B. No. 2113, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Kim). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2654 (S.B. No. 2715, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2654 was adopted and S.B. No. 2715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSPECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Ihara). Noes, 2 (Gabbard, Harimoto). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2656 (S.B. No. 2388):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2656 was adopted and S.B. No. 2388, entitled: "A BILL FOR AN ACT RELATING TO THE JOHN A. BURNS SCHOOL OF MEDICINE SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2135:

Senator Tokuda moved that S.B. No. 2135, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Baker requested that remarks in opposition to the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in opposition to S.B. 2135, Relating to Taxation.

"There are no safe tobacco products and no safe level of exposure to tobacco smoke. Likewise, cigars are not a safer alternative to cigarettes. The U.S. Surgeon General has declared that cigar smoke contains the same toxic substances as cigarette smoke, with varying concentrations of these ingredients found in different types and sizes of cigars. Tobacco-related health conditions remain the leading cause of preventable death and disease in Hawai'i costing the State \$526 million annually in healthcare costs directly attributed to smoking.

"This measure would lower the excise tax rate on large cigars, replacing the current rate with the lesser of a rate of either 50 cents per cigar or 50 percent of its wholesale price.

There is neither public health nor fiscal justification for giving cigars of any size preferential tax treatment.

"Cigar smoking is strongly correlated to numerous cancers, heart disease, and premature death even for those who do not inhale. A large cigar contains as much tobacco as an entire pack of cigarettes. Like all other tobacco products, cigars should be subject to taxation to reduce the costly implications of smoking.

"Large cigars are already taxed at a 20 percent lower rate than other tobacco products. Creating a still larger tax cap for large cigars will establish a loophole that will negatively impact the health of our communities.

"Extant low prices also increase the number of youth who use cigars and subsequently become addicted to. While cigarette smoking is declining across the nation, total consumption of all cigars increased dramatically between 2000 and 2014. Young adults now have the highest cigar smoking rate with 15.9 percent smoking cigars in the past month, compared to 6.6 percent of adults who did so. The most recent Youth Risk Behavior data for Hawai'i showed that state tax revenue for cigar sales actually rose for the first time in recent years.

"By lowering or capping these taxes we are sending the wrong public health message. Hawai'i has been a consistent leader on tobacco control and this bill is a step backwards for our State.

"This measure doesn't just affect one company, it will reduce the tobacco tax for all imported cigars thus erasing the advantage the proponent thinks might accrue to his company. This is not a true 'Made in Hawai'i' product since virtually all of the added value is done off-shore.

"I strongly oppose S.B. 2135 and I invite my colleagues to join me in opposition to this bill."

The motion was put by the Chair and carried, S.B. No. 2135, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Ihara, Kidani, Nishihara, Taniguchi). Noes, 4 (Baker, Espero, Harimoto, Thielen). Excused, 2 (English, Riviere).

S.B. No. 2419:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2419, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Ihara, Kim). Noes, 1 (Slom). Excused, 2 (English, Riviere).

At 10:02 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:03 a.m.

THIRD READING

S.B. No. 2523, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (English, Riviere).

S.B. No. 2121, S.D. 1:

On motion by Senator Nishihara, seconded by Senator Keith-Agaran and carried, S.B. No. 2121, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Ihara). Noes, none. Excused, 2 (English, Riviere).

S.B. No. 2384, S.D. 1:

Senator Baker moved that S.B. No. 2384, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of S.B. 2384, S.D. 1, Relating to Licensing Inspections, which requires the Department of Health to conduct unannounced visits and relicensing inspections for state-licensed care facilities and medical marijuana dispensaries.

"The Department of Health is responsible for licensing, certifying, and monitoring several types of facilities, including care facilities and medical marijuana dispensary facilities, to ensure a standard of quality.

"The Department has supported that relicensing or recertification surveys be unannounced in order to maximize the effectiveness of the inspections for these care homes or dispensaries. These visits are consistent with all other relicensing inspections of health care facilities and are in an important safeguard for the public.

"The facilities are all responsible to provide some level of care to vulnerable individuals. These individuals are sometimes unable to register their complaints or seek remedies to correct improper treatment. If the Department was to encounter something during a survey that may be out of compliance, the health care facility operator has the ability to respond and dispute. The Department has never closed a facility due to the inability of a health care facility operator to fix a deficiency.

"Unannounced inspections and visits are an important aspect of consumer protection for patients in the State's care facilities and an improved safeguard for the public.

"I ask my colleagues to join me in support of S.B. 2384, S.D. 1."

The motion was put by the Chair and carried, S.B. No. 2384, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING INSPECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Espero, Kim). Noes, 1 (Ruderman). Excused, 2 (English, Riviere).

S.B. No. 2257, S.D. 1:

On motion by Senator Gabbard, seconded by Senator Nishihara and carried, S.B. No. 2257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (English, Riviere).

S.B. No. 814, S.D. 1:

Senator Kidani moved that S.B. No. 814, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Harimoto.

Senator Slom rose to speak in opposition to the measure as follows:

"I have nothing against the naming per se except that I think the community has expressed objections or the desire to make that decision themselves, and I think that they should have that choice. Thank you."

Senator Kidani rose to speak in support of the measure as follows:

"While Senate Bill 814 would require the Board of Education to name the new high school now under construction in Kihei, Maui, in honor of the late U.S. Representative from Hawai'i, Patsy Takemoto Mink, the bill calls for the school to be named the Patsy Takemoto Mink Kihei High School. It was changed from the South Maui High School, and I will also note that there is already a public charter school named Kihei High School.

"Congresswoman Mink was born on Maui, represented Hawai'i's 2nd congressional district that includes Maui, and was a life-long champion for educational opportunity as the best way for everyone to improve their lives and realize their potential.

"Representative Mink was a staunch advocate for peace, social justice, and equal opportunity. Her legacy of national and international leadership on these issues is an example to which we can all aspire. Her hand in Title IX stands as the most visible monument to her fight for justice, and I note that this act is officially titled the Patsy Takemoto Mink Equal Opportunity in Education Act.

"It is the right thing to do to name an educational institution in honor of Congresswoman Mink, and it is the right thing to do to so name a school in her memory on her home island of Maui. Thank you, Mr. President."

Senator Baker rose to speak in strong support of the measure as follows:

"I would ask that the remarks of the chair of Education be inserted into the Journal as my own, and I'd like to add an additional clarification." (The Chair so ordered, by reference only.)

"Yes, there was some opposition from some of my constituents in South Maui because I think they misunderstood A) the process, and B) the fact that there is already a legal Kihei High School. It's been incorporated; it's been that name for 16 years; it is a charter school, and they use that as part of their title, but if you look at their IRS filings, their bank account, and all of the other organizing documents, they are Kihei High School.

"This is a way to sort of bridge both goals, to both honor Congresswoman Patsy Mink, who was born and raised on Maui; she was from H-Poko. She has left a wonderful legacy, not only in education, but for people of color to aspire. She was a trailblazer.

"But more importantly, the other alternative to naming the high school would be to undergo guidelines by the Department of Education, which do not necessarily allow community input. This is a way for the community to participate and take an action; they can engage in our public hearings. You don't get that with the Department of Education. As a matter of fact, the last two public schools that were named on Maui, the principals of the new schools sought input for a Hawaiian name from a

cultural advisor but did not engage the community, and both of those schools, while having very fine names, did not have a public community process.

“So, I think this is an opportunity for the public to participate further, and I hope now that members of my community who were upset with the fact that some wanted the new school to be named after Patsy Mink, rather than being named Kihei High School, understand how we’ve actually accomplished both in a way that’s legal. And I hope my colleagues will join me in supporting this measure. Mahalo.”

Senator Thielen rose to speak in support of the measure as follows:

“Colleagues, Congresswoman Mink also did a great thing for education. I remember when I was in junior high school, I watched my brothers come home from high school, where they had gone into shop, and they were able to use the wood lathe and make bowls, and my parents used those bowls to hold fruit on the counter. And I couldn’t wait until I got into high school so I could go to shop and I could make a bowl that my family could use, too.

“And I still remember that first day, walking into shop class, and the instructor – they had separated the class back then, into girls and boys, so it was the first year where girls were going to be allowed to take shop because, formerly, we had to be in home ec. So, first quarter, we did home ec, boys did shop; second quarter, we switched. And I walked into that classroom, and the teacher handed us a box of leather scraps and said we would not be able to use any of the machines because we were girls, and we couldn’t be trusted to use the machines because we would hurt ourselves. We didn’t even get the original pieces of leather; we got the scraps that were left over from the boys’ projects. Then, in the third quarter, the school decided that, because the girls weren’t using the shop, we should just stay in home ec for the rest of the year. And we never got to go back into it. I grew up with this kind of discrimination, and I’m not even that old!

“And thanks to Congresswoman Mink, she changed the way that schools operated; she changed the way athletics were operated; she changed the way that programs were operated, so girls could grow up with the exact same opportunities as boys. And I think it is a very fitting thing to have her name adorn one of the high schools in our state. Mahalo.”

Senator Inouye rose to speak in support of the measure as follows:

“Mr. President, may I request that the words of the Education chair be inserted into the Journal as if they were mine? Thank you.” (The Chair so ordered, by reference only.)

The motion was put by the Chair and carried, S.B. No. 814, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EDUCATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 2684, S.D. 1:

Senator Baker moved that S.B. No. 2684, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure as follows:

“This is one of our hot topics right now: network transportation. Particularly, we’re talking about companies like Uber and Lyft. Everybody wants to make sure that they are insured; that’s not the issue. The issue here is inequality. They’re requiring more of the non-network companies than the

cabs. This is a classic battle here and, really, the way it should be solved is taking requirements and regulations off that are burdensome from cabs and making an equal playing field, but instead, what we’re doing is we are pitting one form of transportation against another. We’ve got the old versus the new. We should be enhancing our transportation; this bill does not do that. Thank you.”

Senator Baker rose to speak in strong support of the measure as follows:

“I have some written remarks that I’d like to have inserted, but I believe that it’s necessary to address the misinformation we just heard from our Minority Leader. First of all, this is just dealing with insurance requirements, and it’s the same insurance requirements that we provide for other car users and drivers in this state. It makes sure that our consumers are protected; it makes sure that the drivers understand what Uber has promised they will have to cover them as well as what they must have for those gap times.

“I think it’s a fair bill; it is very much in line with what Uber and Lyft and the other TNCs have agreed with nationwide. It’s slightly different, but only because Hawaii’s insurance laws are slightly different. The only thing that we do differently, which I think is fair, is to require that their carrier – their insurance carrier, which is a surplus line carrier – must be registered and licensed to do business in the State of Hawai‘i. That’s what we require for everybody else – fair is fair. This is really a very fair and balanced bill, and I ask my colleagues to join me in supporting it. Mahalo.”

The Chair having so ordered, Senator Baker’s additional remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2684, S.D. 1, Relating to Motor Vehicle Insurance.

“The intent of this measure is to establish motor vehicle insurance requirements for transportation network companies and their drivers in order to address gaps in coverage for drivers and passengers.

“Transportation network companies are entities that connect passengers with nearby available drivers using a digital network or software application service. The potential gaps in motor vehicle coverage associated with this model have led 29 states to enact legislation to establish insurance requirements covering transportation network company activity.

“This measure protects transportation network company drivers and their passengers by delineating responsible insurance regulations for the industry in Hawai‘i. This includes requiring primary insurance coverage that explicitly covers TNC activity, providing clear guidelines specific liability protections and requiring claims cooperation by these companies.

“The incidence and popularity of TNCs has increased significantly in Hawai‘i in recent years. We must ensure, therefore, that these services protect both the drivers they employ and the passengers they serve, so that our residents can utilize this transportation option in confidence and safety.

“I ask that my colleagues join me in support of S.B. 2684, S.D. 1. Mahalo”

The motion was put by the Chair and carried, S.B. No. 2684, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2532 (S.B. No. 3108, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 2532 be adopted and S.B. No. 3108, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kidani.

Senator Slom rose to speak in opposition to the measure as follows:

“We all want safe water. We are all concerned about leaking storage tanks and so forth, and that should be our concern: safety. The part of the bill that I find objectionable is the fact that there will be no renewal of existing permits, and that affects the storage facilities of our main petroleum carriers. The whole idea is to make sure that we enforce existing laws, that we make sure that safety is paramount, but not disrupt the business operations. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2532 was adopted and S.B. No. 3108, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Inouye). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2537 (S.B. No. 2446, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2537 be adopted and S.B. No. 2446, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in support of the measure with reservations as follows:

“With reservations, Mr. President, only because of the magnitude of the fees. I understand they have not been increased for a while, but to go in this multiple, I think, is excessive. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2537 was adopted and S.B. No. 2446, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NOTARY PUBLIC FEES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2540 (S.B. No. 2689, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2540 be adopted and S.B. No. 2689, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2689, S.D. 2, Relating to Chapter 245, Hawai’i Revised Statutes, which seeks to increase the permit and license fees for businesses that sell tobacco products, ESD, and E-liquids.

“Licensure and permitting fees for tobacco products have remained unchanged since 1995. Hawai’i has the lowest wholesaler and dealer license fee in the nation at \$2.50 a year, and one of the lowest permitting fees at \$20 a year. These fees do not accurately reflect the danger these products pose to individuals, nor are they at an adequate amount to support highly effective regulation. As these permitting and licensure fees have stagnated, tobacco industry expenditures in marketing

and advertising have continued to rise. Comparatively, the City and County of Honolulu Liquor Commission charges \$2,640.00 annually for a Wholesale General Standard liquor license.

“With the passage last year of state legislation raising the age to purchase electronic smoking devices and other tobacco products to 21, Hawai’i has become a model for the country in taking positive action. To continue this trend this measure will adopt fees that will better support the administrative costs of implementing the regulations for tobacco, ESD, and E-liquid sales and more accurately reflect the danger to consumers.

“The recent emergence of electronic smoking devices (ESDs) presents new challenges for the Department of Taxation. Twenty-nine percent of ninth and tenth graders have tried ESD making Hawai’i one of the highest rates of adolescent ESD-only use in existing studies. Locally, the Department of Taxation is unable to approximate not only how many sellers of ESD there are, but their locations.

“Future legislation that would target tobacco usage among young adults would benefit from a database of said information.

“Requiring licenses and permits to sell have proven to be an effective tool for ensuring tobacco wholesalers and retailers comply with laws and regulations for responsible sales, thereby limiting the negative public health consequences associated with tobacco and ESD use. Tobacco use after all is the single largest cause of preventable death in our country. It is past time to raise these permit and license fees on products that lead to disease, disability, and death.

“I ask my colleagues to join me in supporting S.B. 2689, S.D. 2.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2540 was adopted and S.B. No. 2689, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CHAPTER 245, HAWAII REVISED STATUTES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2541 (S.B. No. 2688, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2541 be adopted and S.B. No. 2688, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in support of S.B. 2688, S.D. 2, Relating to the Sale of E-liquid.

“This measure will require E-liquid containers sold in the state to be child resistant and to include a warning label for consumers.

“Poison experts warn that concentrated nicotine in liquid form is significantly toxic, even in small doses. Poisonings related to e-liquid containers can occur when nicotine is inhaled or absorbed through the skin or eyes.

“Furthermore, many liquids for electronic smoking devices are offered in flavors and scents that are appealing to children. According to testimony provided by the Department of Health, between 2013 and 2015 the Hawai’i Poison Center received 39 calls about children under six years old who had ingested liquid nicotine; 69 percent were younger than two years old. Almost half of these children were treated in a hospital emergency

department. Acute nicotine poisoning can cause severe abdominal pain, respiratory failure, and death.

“There are currently no packaging requirements for the sale of e-liquid containers in the State of Hawai‘i. By creating packaging and warning label requirements for e-liquid containers we will be better able to protect young children from inadvertent exposure to the toxic chemicals found in e-liquids. Warning labels are also essential to informing consumers about the risks inherent in using a highly addictive substance.

“I ask my colleagues to join me in supporting S.B. 2688, S.D. 2 – for the sake of protecting our keiki and making sure Hawai‘i consumers are aware of the dangers associated with liquid nicotine.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2541 was adopted and S.B. No. 2688, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE SALE OF E-LIQUID,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2543 (S.B. No. 2615, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2543 be adopted and S.B. No. 2615, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Kidani requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Kidani’s remarks read as follows:

“Mr. President, I rise in support of this bill.

“S.B. 2615 would prohibit persons licensed to provide professional counseling from engaging in sexual orientation change efforts on minors under the age of 18 or advertising the availability of such programs to minors.

“A review by the American Psychological Association has determined that sexual orientation change efforts can pose critical health risks to lesbian, gay, and bisexual individuals to the extent that their well-being is seriously impaired.

“This bill would prohibit conduct of such efforts on minors, and subject licensed professionals who engage in such conduct to disciplinary action as determined to be appropriate by the respective licensing board.

“We believe that the Department of Commerce and Consumer Affairs should identify the professional licensing boards under its purview to which this proposed statute would apply so that those boards can be specifically included in the final version of this bill.

“I urge passage on Third Reading so that discussion of this important issue may continue. Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2543 was adopted and S.B. No. 2615, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MINORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Kim). Noes, 2 (Gabbard, Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2546 (S.B. No. 3038, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2546 be adopted and S.B. No. 3038, S.D. 2, having been read

throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran’s remarks read as follows:

“I rise in strong support of this measure.

“This measure, as suggested by the Department of Labor and Industrial Relations, has been amended to limit its application only to counties with a population of less than 200,000 people. Yesterday, 88 sugar workers on Maui were laid off – the first of approximately 660 of the 675 workers who will be gradually let go as sugar operations close on Maui. Only 15 of the 675 sugar workers are expected to remain by the end of this final sugar harvest. In Maui County, the transition of Maui Memorial Medical Center, Kula Hospital, and Lanai Community Hospital may likewise adversely affect workers.

“This measure seeks to ameliorate the immediate economic effects upon these employees, and others similarly situated on neighbor islands, by providing a temporary extension of unemployment insurance benefits in a fiscally responsible manner. As done in prior extended benefit legislation related to earlier plantation closures, this measure requires unemployed individuals to enroll in an approved training or retraining course to be eligible for additional unemployment insurance (UI) benefits. Also, the temporary program would terminate if the balance of the unemployment compensation trust fund balance is below the adequate reserve fund.

“Some of my colleagues have expressed concerns regarding the fact that this legislation will likely aid mainly workers in Maui County but employers in all our communities will continue making contributions into the unemployment compensation trust fund. However, worker access to our UI program is not geographically determined.

“The Federal-State UI system helps people who have lost their jobs by temporarily replacing part of their wages while they look for work. Created in 1935, UI is a form of social insurance in which taxes collected from employers are paid into the system on behalf of working people to provide them with income support if they lose their jobs. Workers are eligible for temporary financial assistance to workers when they are unemployed through no fault of their own and who otherwise meet the requirements of Hawai‘i’s employment security law. UI is not a program based on whether a worker was employed on a particular island or county. UI is a program that covers all employees. As the Department of Labor and Industrial Relations notes on its website, ‘unemployment insurance benefits are paid as a matter of legal entitlement and past employment.’

“Certainly S.B. 3038 is only one of several measures moving through the Legislature that will assist workers being displaced by the closure of sugar on Maui and other closures that have been announced. As this bill progresses, I’m happy to push for the possibility of extended UI benefits to all counties that may be affected by large layoffs.

“I am cautious that what we’ve seen in the recent recession is that unemployment has changed. Nearly 3 million Americans have been out of work for more than six months, the traditional definition of long-term unemployment. That may be down from a peak of 6.8 million in 2010, but as a share of total joblessness, long-term unemployment remains higher than at the peak of previous recessions. Some commentators suggest the problem appears to be at least partially structural as the amount of time the typical person remains out of work has

been trending upward for decades. See Ben Casselman, 'Unemployment has changed. Unemployment benefits haven't.' <http://fivethirtyeight.com/features/unemployment-has-changed-unemployment-benefits-havent/>

"So your Maui delegation is mindful that offering benefits for longer periods isn't enough to deal with the increasing frequency of long-term unemployment. We do need to pursue several avenues concurrently to prevent people from falling into long-term joblessness and to help those who do anyway, including boosting funding for job-training and search-assistance programs as proposed in other measures under consideration this session.

"This bill provides the option of extended benefits, if needed. Since the measure is limited in scope and contains adequate safeguards, I urge my colleagues to lend it their support."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2546 was adopted and S.B. No. 3038, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Thielen). Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 2375, S.D. 1:

On motion by Senator Inouye, seconded by Senator Gabbard and carried, S.B. No. 2375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2522, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 2816, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, S.B. No. 2816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2578 (S.B. No. 2886, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2578 was adopted and S.B. No. 2886, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGE OF CONSENT FOR ADOLESCENT MENTAL HEALTH SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Espero, Kim, Thielen). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2579 (S.B. No. 2802, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2579 was adopted and S.B. No. 2802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING ON PRIVATE LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2583 (S.B. No. 2076, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2583 be adopted and S.B. No. 2076, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"I fail to see the benefits from this bill. I see that this is just, in my opinion, another way of exerting money from a profession or from an operation that we already have going on. Again, safety and health concerns should be the major emphasis, and I don't see that in the bill. Thank you."

Senator Baker rose to speak in strong support of the measure as follows:

"As some of my colleagues know, under some of the federal rules that have passed, it's going to make it very, very difficult for companies that offer durable medical equipment to be able to supply them to the neighbor islands. What this bill will do is to not only help keep them in business, but it will ensure that the companies that are coming in from the mainland have to have hours of service for Hawai'i; they have to be able to deliver; they have to understand how long it's going to take if they're going to ship something to the neighbor islands; and it really ensures that we're going to be able to make sure that people have access to oxygen and other kinds of durable medical equipment, without which their quality of life and their very lives may be in jeopardy.

"The small fee that's on this measure enables a clerk in the Office of Health Care Assurance to keep track of and to monitor and facilitate the efforts of providing durable medical equipment to our residents, particularly on the neighbor islands. We are going to be terribly disadvantaged – even O'ahu is going to be disadvantaged – with the new rules that are out. This is an attempt to fix that problem. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2583 was adopted and S.B. No. 2076, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2589 (S.B. No. 2668, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2589 was adopted and S.B. No. 2668, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2591 (S.B. No. 2323, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2591 be adopted and S.B. No. 2323, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"Thank you, Mr. President. In keeping with my consistent policy of opposing mandates on insurance policies, I'll be voting 'no.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2591 was adopted and S.B. No. 2323, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE OF HEALTH SCREENINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2592 (S.B. No. 2928, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2592 was adopted and S.B. No. 2928, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX REPORTING FOR SPECIAL EVENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2595 (S.B. No. 2355, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2595 be adopted and S.B. No. 2355, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

"Mr. President, I rise in opposition to the bill mainly because the already-approved permitted-use provision can be taken away in this bill. Thank you."

Senator Thielen rose to speak in support of the measure as follows:

"Mr. President, this bill is in response to a court decision that came out several years ago, saying that the Land Use Commission had no authority to enforce conditions that the Commission had imposed on any boundary amendment. Last year, we tried to get through a bill that would allow the Land Use Commission the authority to enforce or modify those conditions, if necessary, due to a change in circumstances, and that didn't pass in large part because of the concern that developers had that the city and counties should be responsible for enforcing conditions.

"The problem is, since that discussion took place, at least the City and County of Honolulu and possibly other counties are on record that they're not going to move forward to enforce conditions of state concern. Therefore, this bill, Senate Bill 2355, was written to very narrowly construe the Land Use Commission's ability to enforce conditions that are of direct state concern only. So, for example, if there's a condition that state infrastructure must be provided, such as a school, a state highway, or other state facilities, the counties are not going to move forward to enforce the failure of the developer to comply with those conditions. And so this measure would give the Land Use Commission the ability to make sure those requirements will be met.

"The other area is conditions that promote or protect specific state policies, and that would include things like the preservation of state agricultural lands; protecting or enhancing state marine and terrestrial environment; or protecting traditional and cultural practices, including archeological features, burial grounds, or access, and these are areas that are of exclusive state concern, and, again, the counties will not be enforcing those conditions. So, this bill attempts to address the concerns that were raised last year and to very narrowly tailor the Land Use Commission's ability to meet these state policies. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2595 was adopted and S.B. No. 2355, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2600 (S.B. No. 2815, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2600 be adopted and S.B. No. 2815, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Slom rose to speak in opposition to the measure as follows:

"This bill seeks to make the state actually liable and precludes any tortious action against state-licensed professional employees. I think that we continue to escape individual responsibility in our state, not hold people accountable for their actions, and also indicate that the state is more and more deep pockets, and that's why people sue and get rewards from the state. Thank you."

Senator Keith-Agaran rose to speak in support of the measure as follows:

"Thank you, Mr. President. This bill merely restores the qualified immunity that state employees have long enjoyed. And so I have some other written remarks I'd like to insert into the Journal in support."

The Chair having so ordered, Senator Keith-Agaran's additional remarks read as follows:

"Mr. President, I rise in support of this bill.

"This measure restores and clarifies qualified immunity when a professionally licensed government employee such as a doctor or lawyer, acting within the scope of his or her government service, is sued for acts or omissions. The recent case of *Slingluff v. State*, 317 P.3d 683 (Haw. Ct. App. 2013) created uncertainty as to whether governmental acts and professional acts were one and the same when a governmental professional is acting within the scope of employment. This measure clarifies that the state will bear exclusive tort liability for negligent or wrongful acts by these persons. In so doing, it is my hope that any adverse impact arising from *Slingluff* on the ability of government to avail itself of licensed professional services from our employees will be avoided.

"For these reasons I support the bill and urge my colleagues to do likewise."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2600 was adopted and S.B. No. 2815, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Kim, Thielen). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2601 (S.B. No. 2894, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2601 was adopted and S.B. No. 2894, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2603 (S.B. No. 2898, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2603 was adopted and S.B. No. 2898, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE STATE TO COMPLY WITH THE AFFORDABLE CARE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2614 (S.B. No. 2425, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2614 be adopted and S.B. No. 2425, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Kidani requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Kidani's remarks read as follows:

"Mr. President, I rise in strong support of this bill.

"As you all know, the State Ethics Commission issued an advisory opinion last year that found ethical violations in the longstanding practice of public school teachers receiving free travel and other benefits from tour companies when they chaperone students on educational trips. We strongly believe that this advisory opinion is flawed, and S.B. 2425 is our answer to allow teachers to continue what they have been doing to the benefit of their students. The Commission's opinion may be based on a subjective and overly broad application of the State Ethics Code, and has had the unintended effect of depriving students of valuable learning opportunities by making it difficult for teachers to afford activities that are largely contingent upon their participation. Our bill specifies certain conduct that may be exempt from the Code that should allow educational trips and other opportunities to continue unquestioned.

"Colleagues, I urge your support of S.B. 2425. Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2614 was adopted and S.B. No. 2425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Kim). Noes, 3 (Ihara, Slom, Thielen). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2616 (S.B. No. 2934, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2616 was adopted and S.B. No. 2934, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2617 (S.B. No. 2940, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2617 was adopted and S.B. No. 2940, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Ihara, Kim). Noes, 2 (Slom, Thielen). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2625 (S.B. No. 2535, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2625 be adopted and S.B. No. 2535, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Ruderman rose to speak in opposition to the measure as follows:

"Thank you. This bill was written by one developer with a terrible track record of safety, performance, and legal compliance, to the detriment of the county, its citizens, and future geothermal development. It did not include any input from the impacted communities or the county that has experience dealing with it or the Civil Defense Agency that responds to emergencies created by this one company. This is a case that defines preemption of county authority. PGV – that's Puna Geothermal Venture – wrote the bill. It accomplishes everything that they failed to get in county council and in court. It was requested by PGV to bypass a lawsuit that's currently in progress. Their motion to dismiss the lawsuit included many of the same arguments presented in support of this bill. It was denied by our circuit court, and the case is now pending. The same arguments were presented in council to oppose the nighttime drilling ban unsuccessfully. Now PGV wants you to give them a free pass to avoid established laws and an ongoing court case.

"Why do we need county authority? Act 97 in 2012 removed all county authority; it removed the geothermal resource subzones. And we've been trying to fix that in fits and starts most of the years since then. An unsigned memo was delivered to my desk this morning that represents this bill as restoring some county authority; it leaves out a couple of important items. It says that we have county authority over setback lines, minimum and maximum lot sizes, flood control and grading ordinances. But it takes away county control over emergency response, monitoring, health and safety, and location of such facilities in three of the four zoning categories. But we get control over grading and flood control. It takes away more than it restores, and it takes away **all** of the most important items. Current county laws on the books that are preempted by this bill are the nighttime drilling ban and a fracking ban passed unanimously by the Hawai'i County Council. The county can do things of value that the state has not done: a health study, authorize the USGS groundwater test to check on toxicity of wells, and proved monitoring plan and emergency response plan. This kind of facility needs monitoring.

"I'm taking your time today because, unlike most of the bills before us, hundreds of people in my neighborhood have been poisoned over a dozen different occasions, and everybody thinks there's nothing wrong, and we should remove safeguards and double down. The state has not done an adequate job doing any, and it does no meaningful monitoring of this facility.

"Hydrogen sulfide is the second most poisonous gas occurring in nature; only cyanide is more poison. Unlike almost everywhere else in the world, geothermal steam is water vapor. It's safe. Even so, geothermal plants everywhere else in the world are located five to ten miles from any residences. Not only in Hawai'i have we located a geothermal plant close to residences, but in Hawai'i, unlike almost everywhere else, our geothermal resource is water vapor with hydrogen sulfide, nickel, mercury, cadmium, and lead. It doesn't occur almost anywhere else, so the double whammy of the most poisonous resource in the world with an inappropriate location has caused 95 percent of the problems that you've ever heard about about

geothermal. And yet we want to take location authority away from the county who has the most experience with it.

“The Department of Health is in charge of monitoring our air quality. Hydrogen sulfide is heavier than air: It flows downhill except in very windy conditions. The Department of Health has one – **one** – air sampler in the area around PGV. It’s up on a hill on a six-foot pole to monitor a heavier-than-air gas that’s deadly poisonous. If the wind is off by three degrees, it won’t read anything. If the wind is relatively still, it won’t read anything. So, it looks at the meter and says, ‘There was no problem,’ after every disaster. The Department of Health asks PGV to self-report; PGV has three samplers around its facility. They are all on regular power; they all go down in a power outage. PGV has never self-reported a single emergency. DOH is currently out of compliance on an 18-month-old expired air pollution permit as we speak. Independent monitors provided by the county to their civil defense crews and our community have shown remarkably high levels of hydrogen sulfide on many occasions that PGV denies and does not report. Our county paid for and accepted a study by Peter Adler, a well-known mediator, identifying the need for more and better monitoring, and the county has been acting on it, not the state.

“By the way, PGV, which is contracted for 38 megawatts, averaged 24 megawatts all of last year. They’ve never reached their capacity, just for those of you who think that this is a perfect technology. It’s important to know that. They’re on their twelfth well right now; they were supposed to have three wells. It’s a facility – because it’s located on an active volcano – that is prone to repeated failures.

“Nighttime drilling is a very small thing that the county gave to the residents, the nighttime drilling ban, to relieve some of the nuisance. PGV testified before our committee that they could not comply with the nighttime drilling ban for technical and safety reasons. They started off on both the county council and in court saying that they couldn’t do it for money reasons – it just would cost them more money. When that failed to gather sympathy, they moved to the ‘We cannot for technical reasons.’ After that point, I was in a public meeting with plant manager Mike Kaleikini, where he told us they could, for technical and safety reasons, comply with the county-passed nighttime drilling ban, but chose not to for monetary reasons. They didn’t tell us the truth in the committee when asked about this.

“Original testimony was 68 to 3 opposed in terms of public testimony. In later hearings, some supportive testimony was received, but none from Puna, the only people who live with it. In Puna, you can track the level of support for geothermal versus proximity to the plant: It’s almost a perfect match. There are two possible explanations: Puna people are crazy and they’re whiners, which is the preferred explanation by most people; or Puna people have experience with this facility unlike anyone else.

“I’m going to mention a couple of Puna people briefly to let you know that this is about real human beings, your neighbors. There’s a young Hawaiian woman named Renee; she doesn’t want her name used. She joined a protest and got arrested in one of the activities, and she has never been a protester in her life, and she was not involved in the geothermal fight. But on the night of one of the blowouts, her son came down with asthma – which is now a chronic condition for him he’ll live with the rest of his life – and that night of the blowout, she had a miscarriage. So, she came out and got herself arrested at the next action; she’s not a protester. A friend of mine named Phil was trapped in the hurricane blowout, which I’ll describe in a minute. It took him two months to recover his lung function enough to go back to work; he’s a scuba diving instructor. He’s a very fit young man, has never been involved in any kind of geothermal protest. He was trapped in his home and poisoned – took him two months to go back to work. Another friend of

mine named Mike was knocked unconscious for 14 hours in the same event. He could not be revived. It’s a classic hydrogen sulfide knockdown; he could not get to the hospital because all the roads were blocked.

“A year and a half ago, Hurricane Iselle came through the community. It knocked down a lot of trees and a lot of power lines. PGV had an uncontrolled and unabated release for hours. In the vicinity of the plant, every single road was blocked by fallen trees. Civil Defense came on the radio and said, ‘There’s been an uncontrolled release at PGV. Please evacuate if you feel uncomfortable if you smell the gas.’ Evacuation was physically impossible. Now, I ask those of you, colleagues – I know a lot of you are busy; you’re doing other things; I’m talking too long – I ask you for one minute to imagine being trapped in your home, or your friend or anyone being trapped in their home, hearing and smelling and feeling a poisonous gas release without any physical ability to get away from it. Is that a tolerable situation? Is that a situation that deserves less monitoring and less control than we have now?

“This is the night of Iselle: The power was out; all four monitors that I just described weren’t working. They’re not monitors; a monitor is something that has a feedback mechanism and some kind of alarm generation to sound. These are air samplers; there are no monitors. The air samplers were all not working, so Department of Health and PGV can go back to its records and say, ‘Hey, we didn’t see any hydrogen sulfide concentrations. We’re not aware of any problem,’ while this happened to people. Two days later, while all these meters were still out, PGV took advantage of the situation to perform a well cleanout – which is a very dirty process that lets off a lot of hydrogen sulfide – while the meters weren’t working. This is the kind of company we’re dealing with; they don’t act in good faith toward their community. The county civil defense responded; county civil defense crews recorded hydrogen sulfide readings a thousand times above safe while the state recorded zero. The county is, in fact, responsible for the consequences; ought it not to have input into the process to prevent future disasters?

“One of my colleagues in committee felt that if we give all this authority to the Department of Land and Natural Resources, that the public can testify at the BLNR and that’s sufficient public input. I want to remind everyone who lives on O’ahu that 99.9 percent of such residents cannot come over to testify at the Board of Land and Natural Resources. It in no way takes the place of testimony at your county council among your elected officials. The bill gives the county input over building, grading, and flood control, but not siting, not health and safety. By the way, Maui will be next to face this issue; I think you’ll want local control at that time.

“When presented with the inconvenient truths about geothermal in Hawai’i, most people reply with, ‘We must do future development safely.’ We all agree on that. This is the opposite tack; this is magical thinking to believe that less local control will result in better outcomes when local control is all there is on the ground in reality. So many are mystified at the resistance to geothermal in Hawai’i when it’s so accepted elsewhere. I explained earlier the difference between our geothermal steam and everywhere else and the location problems that this bill will exacerbate. This bill was written by and for one company. Granted, that’s not so unusual; sometimes it’s appropriate. This is not about where to put a 7-Eleven or a housing development. It’s about a poisonous industrial plant that changes the nature of the entire area, therefore must be sited correctly, with health and safety assured first of all!

“What’s needed for geothermal to proceed is a normal, rational permitting process. This is the opposite of what this bill does. County permitting must be fully restored; then we can avoid the problems that came with bad planning and move

forward with health and safety, as we all want. I hope we'll be back next year to do the right things for the right reasons. It is four to five years, minimum, right now, before any new geothermal plant is built. PGV just withdrew from its proposal to HELCO to build a plant, and there are no proposals on the table before us. That means they have to go through contracts, funding, PUC approval, permitting process; it's a minimum of four years. PGV testified to our committee that they don't need this bill; they're in full legal compliance without this bill, and passing this bill this year instead of the right one next year will affect no geothermal developer. I think we ought not to repeat the debacles of the Superferry and the TMT and learn our lesson – that the way to proceed with large, controversial programs is in compliance with the law, with community input, and with a fair process that does not get bogged down in legal challenges.

“DBEDT, which is certainly a geothermal supporter, in testimony, supports the reestablishment of county authority to provide the appropriate framework to balance economic, technical, environmental, and cultural considerations. OHA, which is not only a geothermal supporter, but they invested a half a million in geothermal last year and get 20 percent royalties – there can be no more enthusiastic geothermal supporter – notes that this bill appears to nullify local procedures in place in Hawai'i and Maui Counties without replacing them with alternative procedural safeguards. Sierra Club, which is in support of geothermal energy, feels the decision is best suited to the communities directly affected by that decision: 'We are concerned that this bill undermines the counties' ability to participate in geothermal resources development and exploration. Any major project needs the support of its surrounding neighbors. We've all seen what can happen when a major project fails to gain community support before proceeding. Geothermal projects are no different.' This is Sierra Club still: 'County involvement in the vetting of geothermal proposals is crucial for ensuring a project is properly sited and the public is fully informed. Local residents are more familiar with the particularities than a state-level regulatory agency.' Darryl Oliveira, chief of Hawai'i County Civil Defense, says the county supports the repeal of Act 97; I repeat, this bill does the opposite. It enshrines the mistakes of Act 97. This is Darryl Oliveira speaking, who responded to the emergency I just described: 'We believe the oversight of geothermal permits belongs in the county in which such activity takes place. Placing the permit authority with county government supports home rule and assures that those most impacted by any geothermal-related activities have a reasonable opportunity to participate in hearings and voice their concerns for such projects.' I hope that next year, when we once again try to correct this problem, that the experts will be included. The experts include the one community that has lived with it, the county that regulates it, and the Civil Defense Agency that cleans up its mess, all of whom are in opposition to this bill.

“Your spiritual teachings probably teach you some form of the following things: Do unto others as you would have them do unto you; compassion and kindness are essential core values. These phrases are really the same thing. Here in this house, democracy is our sacred duty. This bill is anti-democratic in that it favors a single company over the proven needs of the people. I urge you to care about your neighbors and care about fair process and ensure that future geothermal developments don't go the way of the Superferry, because laws are followed rather than bypassed.

“Most importantly, even for those without concerns for health and safety, of county needs, or of home rule issues, but for those of you who want to see geothermal development proceed in Hawai'i: If this is your goal, this bill harms you. Why didn't we see any of the other geothermal developers, some of whom are very vocal, come out in support of this bill? They were silent. If this was good for geothermal development

in general, wouldn't they be in support? It didn't happen because this was a bill that benefits one company only while placing obstacles on all future developers. Geothermal planners, to even get funding, need a clear, unclouded permitting process that will not be challenged and tied up in court for years. If you want geothermal to have a hot future in Hawai'i, this bill is the wrong direction. It will have a chilling effect on all future geothermal development. I urge you to please kill this very bad bill. Thank you for your time.”

Senator Inouye rose to speak in support of the measure as follows:

“For the reasons of the previous speaker, let me say that this measure clearly clarifies that the regulation of geothermal resources development and exploration is reserved to the state unless delegated to the county by statute. It requires the rules, the BLNR, regarding mining operations, development, and exploration, including drilling conditions and restrictions, to be uniform throughout the state. Let me say that the counties still have authority to regulate and retain police and zoning authority over geothermal activities, as delegated by statute. I also have circulated comments on home rules that's on your desk.

“Oversight of this renewable energy resource must be under the control of the state, specifically DLNR and the Department of Health. We have already given approval – this body, as well as our sister house – for future development of this firm power on DHH Lands, and oversight is extremely important: to have one entity responsible for the health and safety of our people.

“If we're talking about complaints of the neighbors at the site next to the geothermal plant, folks seem to be moving into this area instead of leaving, as noted in my research of building permits in Hawai'i County from 1991 to 2012. Case in point: 117 new dwelling permits had been obtained within a one-mile radius of the PGV plant and over 500 permits obtained for renovations or additions to existing structures within the one-mile radius. Not only were people building, but adding to existing dwellings or improvements. Hawai'i County receives over \$500,000 a year that is used for relocation or purchasing of property within the one-mile area if a resident so chooses. And in the past, some have done so, and my research also concludes that after receiving relocation monies, a few have returned to the area.

“I ask for your 'yes' vote today, as we move toward our island-state becoming self-sufficient in its energy needs going forward. Mahalo; I ask for your vote. Thank you, Mr. President and colleagues.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2625 was adopted and S.B. No. 2535, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO GEOTHERMAL,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16; Ayes with Reservations (Espero, Shimabukuro). Noes, 8 (Chun Oakland, Green, Harimoto, Ihara, Kim, Ruderman, Slom, Thielen). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2626 (S.B. No. 2603, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2626 was adopted and S.B. No. 2603, S.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR EARLY LEARNING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2627 (S.B. No. 3073, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2627 be adopted and S.B. No. 3073, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Kahele rose to speak in strong support of the measure as follows:

“Mr. President, this bill further reaffirms and establishes a school of aviation at the University of Hawai‘i at Hilo. As an island state, aviation, air travel, but more importantly, education – opportunities in science, technology, engineering, and mathematics – are matters of statewide concern. Our two biggest industries, tourism and the military, both depend on aviation and are therefore implicitly identified as a matter of statewide concern. Existing law in chapter 304A, Hawai‘i Revised Statutes, related to the University of Hawai‘i, establishes community colleges, construction academy, teacher education college, Hawaiian language college, school of law, nursing and dental hygiene school, and other schools and programs. Article X, Section 6, of the Hawai‘i State Constitution provides that the Board of Regents shall have exclusive jurisdiction over the internal structure, management, and operation of the University, and in the next sentence in this section, and I quote, ‘Shall not limit the power of the Legislature to enact laws of statewide concern,’ and further provides that ‘the Legislature shall have the exclusive jurisdiction to identify laws of statewide concern.’

“In testimony before the Senate Committee on Higher Education and the Arts on this measure, the chancellor of the University of Hawai‘i at Hilo stated, and I quote, ‘For the past two years, I have been working with the late Senator Gilbert Kahele to establish an aeronautical science program at the University of Hawai‘i at Hilo. Together, we have had to work through a number of issues in trying to develop plans for the program to be successful and financially sustainable. Beginning with comprehensive studies of opportunities and options, we have developed a four-year curriculum for the degree program.’

“UH Hilo, Mr. President, is in the final stages of selecting a high-quality private flight provider for the program and is on the verge of program approval by the Board of Regents this June. This is the result of years of work by UH Hilo and this body’s passage of Senate Concurrent Resolution 156 in 2012 and Senate Bill 1221 in 2013, which became Act 272, establishing a four-year collegiate accredited world-class aviation program at UH Hilo. Thus, Mr. President, Senate Bill No. 3073, S.D. 2 is in accord with Article X, Section 6, of the constitution and is of statewide concern. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2627 was adopted and S.B. No. 3073, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

S.B. No. 3084, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 3084, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CESSPOOLS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 2964, S.D. 1:

Senator Keith-Agaran moved that S.B. No. 2964, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran’s remarks read as follows:

“I rise in strong support of this measure.

“This bill is the result of the report of the Penal Code Review Committee established by House Concurrent Resolution No. 155, S.D. 1, of 2015. As noted in the committee report, the Penal Code Review Committee was composed of a wide variety of stakeholders from the law enforcement, public safety, and judicial communities, as well as advocates for victims’ rights, the rights of incarcerated persons, and legal service providers.

“The provisions contained in this bill represent the consensus opinion of a majority of these participants, and cover a wide range of subjects within the Hawai‘i Penal Code as well as certain other statutes within the Hawai‘i Revised Statutes touching on the administration of justice. To the extent that there was some divergence of opinion on certain areas, most notably the thresholds for theft crimes and the penalties for methamphetamine trafficking, the Penal Code Review Committee attempted to strike a balanced approach by revising additional statutes to address perceived consequences. As a participant in the Penal Code Review Committee myself, I wish to note my gratitude to the principal organizing members from the Judiciary for their hard work and the clarity with which they approached a complicated task.

“Although your Committee on Judiciary and Labor only made minor technical changes to the bill as introduced, I note that we did attempt to resolve the issue of how to treat persons currently in the process of adjudication in the event that certain new penalties contained in this measure do become law.

“I urge my colleague to also support this measure. Thank you.”

The motion was put by the Chair and carried, S.B. No. 2964, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF JUSTICE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Kim, Slom, Thielen). Noes, none. Excused, 1 (Riviere).

S.B. No. 2925, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 2925, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TAX ADJUSTMENTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2682 (S.B. No. 2583):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2682 was adopted and S.B. No. 2583, entitled: “A BILL FOR AN ACT RELATING TO COMPOSTING TOILETS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2683 (S.B. No. 2426):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2683 was adopted and S.B. No. 2426, entitled: "A BILL FOR AN ACT RELATING TO STUDENT MEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2684 (S.B. No. 2442, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2684 was adopted and S.B. No. 2442, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH DAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chun Oakland, Riviere).

Stand. Com. Rep. No. 2694 (S.B. No. 2398, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2694 was adopted and S.B. No. 2398, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Baker, Dela Cruz, Espero, Kidani, Kim, Nishihara, Wakai). Noes, 2 (Harimoto, Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2700 (S.B. No. 3101, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2700 be adopted and S.B. No. 3101, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"I absolutely support public-private partnerships; we've had them for years. The fact that we have to study and spend money to find out more, I think, is inappropriate. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2700 was adopted and S.B. No. 3101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE PARTNERSHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Taniguchi). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2701 (S.B. No. 2493, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2701 was adopted and S.B. No. 2493, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2703 (S.B. No. 2162, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2703 be adopted and S.B. No. 2162, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in support of the measure with reservations as follows:

"My understanding – and I'd be very happy to be corrected – is that there is only one practitioner that this bill could apply to. That practitioner charges \$500 an hour. If there's something different, I'd like to hear it. Thank you."

Senator English rose to speak in support of the measure as follows:

"To respond to the previous speaker: That was in testimony, saying that because we have so few who can translate specific types of legal documents, that's the going rate. But when we have more practitioners, the prices should come down. So, it's not just one person, but there are many people who can do it, just one person willing to do it right now."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2703 was adopted and S.B. No. 2162, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2704 (S.B. No. 2666, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2704 be adopted and S.B. No. 2666, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in strong support of S.B. 2666, S.D. 2, Relating to Insurance.

"The purpose of this measure is to prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating with respect to gender identity.

"Unrestricted access to comprehensive health care for transgender individuals is necessary and long overdue. Section 1557 of the Affordable Care Act denies federal funding to any health care that denies coverage based on race, color, national origin, gender, sexual orientation, age, or disability, and here in Hawai'i we must likewise support our transgender residents and ensure their access to quality care.

"Research conducted by the John Hopkins Bloomberg School of Public Health suggests that reassignment surgery and hormones are not significantly more expensive than the cost of treatment for depression, substance abuse and HIV/AIDS, issues that impact the transgender community at much higher rates than the general population. It is unconscionable to deny the transgender community health services based on their gender identity, thereby restricting access to treatments and procedures unrelated to sexual reassignment surgery. The ACLU of Hawai'i reports that health insurance plans in our state are using policy exclusions to deny coverage merely because the patient's file notes that they are transgender.

"We received overwhelming support on this bill from HMSA, which currently holds the majority market share among state health insurers, supports the intent of this measure, as do numerous medical practitioners, members of the LGBT community, and multiple civil rights organizations.

"I urge my colleagues to join me in supporting this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2704 was adopted and S.B. No. 2666, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2705 (S.B. No. 2912, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2705 be adopted and S.B. No. 2912, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Thielen rose to speak in support of the measure with reservations as follows:

“I support the program, but I notice there’s a wholesale exemption from the chapter 92: Public Agency Meetings and Records. I understand that there may be times that a group would need to go into executive session, but our judiciary operates in public, and I don’t support that wholesale exemption here. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2705 was adopted and S.B. No. 2912, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Thielen). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2707 (S.B. No. 2954, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2707 was adopted and S.B. No. 2954, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FIREARMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2708 (S.B. No. 3033, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2708 was adopted and S.B. No. 3033, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SELF-STORAGE FACILITIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2710 (S.B. No. 2411, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2710 be adopted and S.B. No. 2411, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran’s remarks read as follows:

“I rise to speak in favor of this measure.

“Law enforcement men and women protect our homes, our businesses, our families, and our very lives. We know that they are on the front lines dividing law abiding citizens from those who would violate the laws we dedicate our legislative careers to create.

“However, we in Hawai’i are not immune from abuses by law enforcement professionals.

“An increasing number of jurisdictions – including Kaua’i County – are addressing the issue of body-worn cameras and vehicle cameras for use by law enforcement officers. Body-worn cameras and vehicle cameras are valuable for collecting evidence by police officers for use in court, as well as resolving incidents of alleged misconduct by officers. Implementation of this measure will increase public safety and assist law enforcement agencies with training, assessment, and disciplinary decisions.

“This measure comprehensively addresses various issues that arise in the course of implementation of body-worn and vehicle cameras. It is well-crafted and I urge my colleagues to also lend it their support. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2710 was adopted and S.B. No. 2411, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT CAMERAS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2711 (S.B. No. 2943, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2711 was adopted and S.B. No. 2943, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESEARCH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Kim). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2713 (S.B. No. 2462, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2713 was adopted and S.B. No. 2462, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HONOKOHAU SMALL BOAT HARBOR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Inouye). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2714 (S.B. No. 2271, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2714 was adopted and S.B. No. 2271, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2715 (S.B. No. 2738, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2715 was adopted and S.B. No. 2738, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2716 (S.B. No. 2496, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2716 be adopted and S.B. No. 2496, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran's remarks read as follows:

"I rise in strong support, Mr. President.

"This bill is a further revised version of the bill that proceeded to conference last year, and establishes an elections-by-mail system for the entire state. I note that, based on the readiness and expertise offered by the county clerk of the City & County of Honolulu, we have decided to propose a two-step phase-in, with the County of Kaua'i proceeding first in 2018, and all other counties to follow in 2020.

"I note that elections-by-mail requires us to adjust some of our thinking and terminology with respect to voting. Polling places will be re-named 'voter service centers' and will be very limited in number, so as to more properly describe their role as places that provide help to voters who have already received their ballots by mail, but require extra assistance or wish to personally drop off their ballots for whatever reason. Registration services will also be available at voter service centers. The measure also envisions that more numerous 'places of deposit' will eventually become available, which will be simple and secure drop-off points for persons who do not wish to use mail to return ballots but do not require extra assistance or wish to travel to voter service centers.

"I also note that this measure allows for electronic transmission of mail-in ballots under certain exigent circumstances, as is already allowed for overseas and certain military voters. This, among other provisions, will facilitate voting in the event that a mailed ballot is spoiled or otherwise unusable.

"Finally, I note that the trend to mail-in voting is clear and strong, based on the popularity of the current temporary and permanent absentee voting systems. It is my hope that elections by mail will save money, result in increased voter participation, and allow the county clerks and Office of Elections to more efficiently carry out their duties in this most important of civic undertakings.

"I urge my colleagues to vote in support of this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2716 was adopted and S.B. No. 2496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2718 (S.B. No. 2690, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2718 be adopted and S.B. No. 2690, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of S.B. 2690, S.D. 2, Relating to Chapter 245, Hawai'i Revised Statutes.

"Tobacco use is the single most preventable cause of disease, disability, and death in the United States. In the case of Hawai'i, it poses a heavy burden on not only the health care system, but economy as well. Tobacco products produce a complex

chemical mixture of more than 7,000 compounds when burned, causing a wide range of diseases including cancer, heart disease, and other serious illnesses, and premature death. Smoking has cost the State more than \$500 million in direct health care expenditures and around \$300 million in lost productivity. This is detrimental to the state.

"Hawai'i has a substantial interest in reducing the number of individuals of all ages who use tobacco products, as tobacco use in Hawai'i causes approximately 1,400 deaths per year among adults. This measure will increase the excise tax on cigarettes and little cigars and allocates a portion of the revenue for tobacco prevention, education and cessation programs.

"Research has shown increasing the cost of cigarettes has the propensity to reduce the rate of smoking by adult and youth smokers. The excise tax on cigarettes has not been raised in the past five years. Raising the excise tax on cigarettes and little cigars sold in the State and allocating the increased taxes collected to research and smoking cessation programs and education in the State will protect individuals of all ages, especially adolescents, from tobacco dependency and the illnesses and premature death associated with smoking.

"The revenue generated from this measure will allow new knowledge about the prevention of adolescent smoking, provide innovative clinical trials to help prevent and treat cancer, and even continue research into natural products from organisms that may be used to treat cancer.

"An increase can produce long-term improvements in health and make further progress towards a Hawai'i that is free from the burden of tobacco. I ask my colleagues to join me in supporting S.B. 2690, S.D. 2."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2718 was adopted and S.B. No. 2690, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2719 (S.B. No. 2797, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2719 was adopted and S.B. No. 2797, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2720 (S.B. No. 2396, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2720 was adopted and S.B. No. 2396, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 2420:

Senator Keith-Agaran moved that S.B. No. 2420, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Slom rose to speak in opposition to the measure as follows:

"This has been a controversial bill. We've had a lot of testimony; all the testimony that I remember was in opposition

to the bill. We do a very thorough process in the vetting of judges. I think that's been proven by the quality of judges that we have on the bench now. To require the judges to go through this process again on renewal, I think, is excessive and time-consuming. And I don't see what the purpose is, because if we've done our job in the Senate in the first place, then we have made sure that we have gotten the best justices that we can under the circumstances. Thank you."

Senator Keith-Agaran then offered the following amendment (Floor Amendment No. 3) to S.B. No. 2420:

SECTION 1. Senate Bill No. 2420 is amended by amending Section 5 to read as follows:

"SECTION 5. This amendment shall take effect on January 7, 2019."

Senator Keith-Agaran moved that Floor Amendment No. 3 be adopted, seconded by Senator Shimabukuro.

Senator Keith-Agaran rose to speak in support of the amendment as follows:

"The proposed amendment would defect the effective date to allow us to consider any changes that the House would make to the proposed amendment."

Senator Ruderman rose and stated:

"Thank you, Mr. President; I rise in opposition to the bill. I believe the Judicial Selection Committee is the better authorized, the better qualified body to review the performance of judges that we've already approved."

Senator Baker interjected on a point of order, stating:

"Mr. President, point of order. I believe the discussion that's before the body would be on the floor amendment and not on the substance of the original bill."

Senator Ruderman responded:

"Forgive me, I'm out of order. Thanks."

The motion to adopt Floor Amendment No. 3 was then put by the Chair and carried.

By unanimous consent, S.B. No. 2420, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE TIMEFRAME TO RENEW THE TERM OF OFFICE OF A JUSTICE OR JUDGE AND REQUIRE CONSENT OF THE SENATE FOR A JUSTICE OR JUDGE TO RENEW A TERM OF OFFICE," was placed on the calendar for Third Reading on Thursday, March 10, 2016.

S.B. No. 2454, S.D. 1:

Senator Tokuda moved that S.B. No. 2454, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"You know, for many years, we had the luxury of having the highest income tax rates in the country. We still have rates that are very regressive and hurt our public. We don't have the figures that we're actually going to decide on, but I think every indication is that it would be an increase in rates, so I'm opposed to it. Thank you."

Senator Tokuda rose to speak in support of the measure as follows:

"Thank you. We've been working with DOTAX throughout the interim to try and identify the most administratively efficient and revenue-neutral way to eliminate and reduce the tax burden on our most vulnerable residents. While this will restore the higher-earner income rates that previously were in effect, which can safely estimate at about 3 percent of the total population, it will eliminate or reduce taxes for the lowest brackets making up about 10 percent of our total state population. Costing \$49 million to provide this kind of relief, it is likely that it will not be a hundred percent revenue-neutral; that being said, providing the relief will greatly impact the life of countless families, individuals, kūpuna, and children, who are barely, if even, making it by in our state. I humbly ask for your support of this measure."

Senator Thielen rose to speak in support of the measure as follows:

"A few years ago, when I was first elected to this body and I sat on the Ways and Means committee, I was horrified to learn that we actually charge an income tax to people who were living in poverty, and so I want to thank the current chair of the Ways and Means committee for working during the interim to find a way in which we can alleviate the burden for so many people in our state and provide a much more equitable and less regressive tax system."

Senator Slom rose to speak in rebuttal as follows:

"Thank you. Just to make it clear: I certainly want to remove the regressivity of the income tax, just like we should, but don't, on the general exercise tax. The problem is, when we're talking about looking at the DOTAX figures that were quoted – \$49 million for relief, \$47 million for increases – what we're doing is, we're continuing to increase at a lower, lower level of what we used to call the middle class. And we're throwing more and more people into poverty; that's why we have more homelessness; that's why we have more people on welfare. We're doing it to our citizens ourselves, and it's because of our high tax burden. So the fact that you lower it on one portion but you raise it on another is going to have an impact, and it's had an impact. And so that's why I say what we should be doing is lowering our taxes, improving our economy, and having more general welfare from that benefit rather than from the tax manipulation. Thank you."

The motion was put by the Chair and carried, S.B. No. 2454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 2547, S.D. 1:

Senator Tokuda moved that S.B. No. 2547, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"Well, look, here we go again! Here's a bill that's now going to have a surcharge on everybody who files a tax return. When are we going to give tax relief, not more taxes? We have a small population in this state; we need to improve and expand our tax base, not go back to the same people and tax them even more for all kinds of things every time. That's what this bill does. Thank you."

The Chair remarked:

"Thank you. Further discussion? If not, Senator Slom, I was remiss in not welcoming you back in full strength."

The motion was put by the Chair and carried, S.B. No. 2547, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Thielen). Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 2923, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 2923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Ihara). Noes, 1 (Slom). Excused, 1 (Riviere).

S.B. No. 83, S.D. 1:

Senator Tokuda moved that S.B. No. 83, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose to speak in opposition to the measure as follows:

"Boy, did we have a hearing on this bill, right? And we had the room filled: We had every coach; we had the athletic director; we had every student. Look, we all support athletics, but as I said then and I say again: The number one responsibility of the University of Hawai'i – my college of choice – is education, not athletics. We have an athletic program that continues to run a deficit. They have to solve that problem by taking funds from the HTA and then worrying about, 'Oh, are these funds going to offset funds to a Hawaiian program or to this program or that program?' We're setting agencies against each other. The problem is at the university, particularly at Mānoa. Now, this bill would allow for \$3 million to go to the statewide system; they're going to squabble over it. Three million dollars is not going to solve anybody's problem. The problem has got to be solved with changes that are made in the athletic administration and program at the university. This will not do it and harms the Hawai'i Tourism Authority. Thank you."

Senator Tokuda rose to speak in support of the measure as follows:

"Thank you. This measure represents an opportunity for us to look at creative and sustainable approaches to support UH athletics and the unique fiscal challenges they face as a result of travel costs and team subsidies that are in line with the uses of the Tourism Special Fund, which specifically identifies promotion, development, and coordination of sports-related activities and events as a tourism-related activity.

"While some may view this as pitting one institution against another over this \$82 million pot, as was brought out in our hearing and in looking at their financials, there is room to provide some level of support to our UH athletes without jeopardizing nonprofit and county grants or impacting existing marketing efforts. In the end, I know this bill will have a tough road ahead, but let me be clear: It was never the intention for this to be about UH versus the Tourism Authority. In fact, I would hope it could be viewed and embraced as an authentic way to share Hawai'i with others, whether it happens when our boys and girls compete with pride and aloha when they travel abroad, or if we just let Hawai'i happen when visiting teams are brought here and they witness for themselves the pride we have as a state for our school and our athletes. Not many other places you can go where you sing the state song at games and everyone is able to join in.

"We spend millions each year on marketing efforts for Hawai'i: ads, promotions, social media, events, celebrity endorsements for Asia. All this represents is a chance for us to diversify our sports marketing strategy in a truly unique and authentic way: through our people. Thank you."

Senator Kim rose to speak in opposition to the measure as follows:

"Mr. President, if this is what we call creative and innovative, I beg to differ. I think this is a cop out to say that we're being creative in looking for funds. I mean, the state scoops a lot of TAT every year. We cap what the Tourism Special Fund gets; we cap what the counties get; the rest goes into our general fund, so we have the rest of the tourism money. If we think that the UH is bringing in visitors, then we should give them some of that money. Why pit two agencies against each other? Doesn't make any sense.

"Also, this bill directs the executive to include this in their budget in the event that they feel that this should be included in the next biennium. We should be having the separation between the executive, the judiciary, and the legislative branch; we are already at odds with the judiciary telling us how much money to allot to DHHL, and yet we're directing the governor what to put in his budget! So, I think that there are many problems with this bill and, therefore, please note my 'no' vote. Thank you."

The motion was put by the Chair and carried, S.B. No. 83, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19; Ayes with Reservations (Chun Oakland, Espero, Ihara). Noes, 5 (Harimoto, Kim, Ruderman, Slom, Thielen). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2736 (S.B. No. 2805, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2736 was adopted and S.B. No. 2805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2741 (S.B. No. 2563, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2741 was adopted and S.B. No. 2563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2748 (S.B. No. 3092, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2748 was adopted and S.B. No. 3092, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2749 (S.B. No. 2231):

Senator Tokuda moved that Stand. Com. Rep. No. 2749 be adopted and S.B. No. 2231, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

“As I’ve said during committee hearings on various bills for after-school activities: We have a limited amount of money. The money should go to in-class, in-school educational activities. When everybody has studies about how the after-school programs enrich the youth and all of that, my response is, we already have those programs. They’re called Boys Club, Girls Club, Boy Scouts, Girl Scouts, Junior Achievement, athletics. We have all these programs, but yet every year we have new providers come by, and they want the state to support their after-school programs. I think we’ve got our priorities; our priorities should be set; they should be educational, and they should be in the classroom first. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2749 was adopted and S.B. No. 2231, entitled: “A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2750 (S.B. No. 2780, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2750 was adopted and S.B. No. 2780, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2751 (S.B. No. 2800, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2751 was adopted and S.B. No. 2800, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2753 (S.B. No. 2857, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2753 was adopted and S.B. No. 2857, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TOWING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Espero). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2754 (S.B. No. 2956, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 2754 was adopted and S.B. No. 2956, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FIREARMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2755 (S.B. No. 2315, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2755 be adopted and S.B. No. 2315, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Thielen rose to speak in support of the measure with reservations as follows:

“I had voted ‘no’ in committee hearing because I’m concerned about the measure, that it actually would imply that women are fragile and need special treatment. That argument is being used in other states around the United States to deny women access to important rights. But I have spoken with the coalition member who is supporting this and hope to be working on some amendments that would help bring it into alignment, I think, in a better manner. So, I would support the bill moving forward at this point for further amendments. Thank you.”

Senator Baker requested that remarks in strong support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker’s remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2315, S.D. 2, Relating to Jury Duty.

“The purpose and intent of this measure is to give mothers who are breastfeeding or expressing breast milk the choice to be exempted from jury duty.

“Breastfeeding has been shown to be beneficial for mothers and their infants. However, for many mothers, especially those who are working, breastfeeding can be difficult to begin and hard to maintain.

“Jury duty can be burdensome to breastfeeding mothers. Mother-child separation is a serious challenge to consistent breastfeeding. Also women who serve on a jury may not have access to clean, private facilities to express breast milk, as most courthouses lack such accommodations.

“Supportive policies can help women continue breastfeeding. Twelve states in addition to Puerto Rico and American Samoa have already adopted similar legislation. By giving the women of Hawai‘i a choice to not serve on a jury while breastfeeding, as proposed by this measure, we embrace such policy that can benefit our breastfeeding mothers and children.

“I ask my colleagues to support the health and wellbeing of our state’s mothers and keiki by joining me in support of S.B. 2315, S.D. 2. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2755 was adopted and S.B. No. 2315, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO JURY DUTY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Slom, Thielen). Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2758 (S.B. No. 2083, S.D. 1):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2758 be adopted and S.B. No. 2083, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Ruderman rose to speak in opposition to the measure as follows:

“There’s no one more concerned than I about smoking around kids; I have lifelong asthma as a result of my mom smoking before they knew what it meant. But I can’t support this bill for two reasons. I think it’s unenforceable: How can you really know when someone’s driving down the highway if there’s someone smoking with a kid in their car? I mean, sometimes you can and sometimes you just have to suspect it. And that leads to another reason for police to pull over

anybody they want. It leads to inconsistent and preferential enforcement and further police intrusion into our private lives. For those reasons, I cannot support it.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2758 was adopted and S.B. No. 2083, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Kim, Ruderman, Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2759 (S.B. No. 2961, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 2759 be adopted and S.B. No. 2961, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

Senator Keith-Agaran requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Keith-Agaran’s remarks read as follows:

“Thank you, Mr. President. In support.

“This bill reflects the ongoing dialogue that our changing workplace demographics require.

“We have a greying population and a workforce that reflects a changing attitude about the balance between family obligations and company loyalty. Workers value a family’s ability to provide care to their loved ones without fearing financial setbacks or potential job loss. For employees at firms of less than 100 employees, the decision of whether one receives unpaid maternity leave, paternity leave, or leave to take care of an aging and ill parent or spouse is completely dependent on one’s employer. Most people working in Hawai‘i cannot take unpaid leave and still maintain financial stability. It is clear that our current unpaid family leave law needs to be revised and updated to provide better benefit to workers and our laws should reflect our changing workplace demographics.

“As the Commission on the Status of Women testified, paid family leave has been identified as one of the major means to closing the gender wage gap, which is not set to close in Hawai‘i until 2058. The Commission asserts that a lack of paid family leave ensures inequality for women, who continue to disproportionately serve as family caregivers while also serving as the sole or primary breadwinner in two-thirds of working families.

“And employers may well benefit from a paid leave law by retaining experienced and skilled employees who would not need to contemplate leaving a job to tend to an ill family member. Further, employees relieved of the stress of making the choice between caring for an ill family member or performing their jobs may well feel more loyal and productive.

“S.B. 2961, S.D. 2 continues the dialogue on whether Hawai‘i, given its unique implementation challenges, can move forward in the near future to adopt a paid family leave law.

“I urge my colleagues to support this bill.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2759 was adopted and S.B. No. 2961, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO FAMILY LEAVE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Riviere, Ruderman).

Stand. Com. Rep. No. 2760 (S.B. No. 3076, S.D. 2):

On motion by Senator Inouye, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2760 was adopted and S.B. No. 3076, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO STATEWIDE COMMUNITY PLAN,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Riviere, Ruderman).

Stand. Com. Rep. No. 2761 (S.B. No. 3077, S.D. 1):

On motion by Senator Inouye, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 2761 was adopted and S.B. No. 3077, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STATEWIDE COMMUNITY PLANNING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Slom). Excused, 2 (Riviere, Ruderman).

Stand. Com. Rep. No. 2762 (S.B. No. 3000, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2762 was adopted and S.B. No. 3000, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2763 (S.B. No. 2077, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2763 was adopted and S.B. No. 2077, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO SEPARATION BENEFITS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2764 (S.B. No. 2313, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2764 was adopted and S.B. No. 2313, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO EQUAL PAY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2773 (S.B. No. 2773, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2773 was adopted and S.B. No. 2773, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE ALOHA+ CHALLENGE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2778 (S.B. No. 2906):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2778 was adopted and S.B. No. 2906, entitled: “A BILL FOR AN ACT RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2779 (S.B. No. 2394):

Senator Tokuda moved that Stand. Com. Rep. No. 2779 be adopted and S.B. No. 2394, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Ruderman rose to speak in opposition to the measure as follows:

“I oppose all mandatory medical procedures. I’m not an anti-vaxxer; I believe in appropriate vaccines where they’re clearly indicated. And I have faith in vaccines that have a 10- or 20-year track record of safety and efficacy on the exact formulation that’s being given. These vaccines change every year, and what’s more, their preservative formula changes frequently.

“A healthcare worker knows when they have the flu – they stay home; they don’t go to work when they have the flu. More importantly, I don’t think we should be compelled to inject anything into our bodies, and I oppose all mandatory health procedures.

“I represent a large proportion of the population that does not buy hook, line, and sinker the pharmaceutical model of health. And I also share the concerns of many of my constituents, and constituents statewide, that the pharmaceutical industry is a multi-billion-dollar industry with **unhealthy** ties to our political system, and these mandatory vaccines are an inappropriate money grab that we’re being used as tools for for the invasion of our civil liberties. I oppose this bill. Thank you.”

Senator Slom rose to speak in opposition to the measure as follows:

“I echo many of the sentiments of the previous speaker from Puna, but as you know, Mr. President, you sent me on a special assignment on the weekend, and I researched healthcare providers very closely. And it was very interesting because I talked to these providers and I noticed that there was an inordinate number of masks among personnel. And I asked them why, and they said because they had declined the flu vaccine because of prior experiences that they had themselves, and their healthcare facility required them to wear a mask because they had declined that.

“Look, we’ve had all kinds of incidents where we’ve gone through vaccines; we know that the flu vaccine is produced 9 to 12 months in advance and it’s a hit-and-miss proposition. But here, again, we’ve got the state trying to force people and mandate people to do something. I thought our own bodies, that was the important thing, the important issue. If you can’t educate people and you have to force them to do something, then something’s wrong. This is wrong, Mr. President, and I urge my colleagues to really consider this and to listen to the words of the people who have already come forward and testified to us. Thank you.”

Senator Baker rose to speak in strong support of the measure as follows:

“I would just note that Senator Slom obviously had a very good experience in one of our healthcare facilities that does what would be an alternative if someone did not want to take the influenza vaccine, which would be to use a mask. And since this came from healthcare facilities asking for this, I think it’s something that we need to consider and continue to move forward.

“I would also note that there are exemptions for religion. If you have – for influenza, in particular, since it’s made from eggs – if you have an egg allergy, you cannot take it. So, there are exemptions already built in, both to the statute and to the underlying law.

“And I would also note, finally, that this is a CDC best practice. We want our healthcare workers to walk the wellness walk as they encourage others to do. I have some additional written remarks I’d like to have included in the Journal. Mahalo.”

The Chair having so ordered, Senator Baker’s additional remarks read as follows:

“Mr. President, I rise in strong support of S.B. 2394, Relating to Influenza Immunization.

“The purpose of this Act is to require annual influenza vaccinations for health care workers in hospitals who have direct contact with patients while establishing exemptions from such requirements under certain conditions.

“Since 1981, the Centers for Disease Control and Prevention has recommended that all health care workers receive an annual influenza vaccination. Influenza season is associated with high patient admittance numbers in hospitals, it is critical for health care workers in hospitals who have contact with patients or contaminated materials to stay healthy. Vaccination programs help health care personnel carry out their professional duty to provide care to all patients without causing harm through influenza transmission.

“The flu can be a serious and potentially lethal disease. Young children, pregnant women, the elderly, and individuals with certain medical conditions are particularly at-risk for developing serious complications from the flu. Because these vulnerable populations are often treated in hospitals, it is especially important for the health care workers in acute care facilities who directly care for these high-risk patients to get vaccinated annually.

“While this measure will provide for exemptions to the mandate, it will significantly increase the rate of immunization among hospital employees who have extensive contact with, and very high probability of transmitting, the influenza virus. The safety and health of Hawai’i’s hospital patients are at the heart of this legislation.

“I strongly urge my colleagues to support S.B. 2394. Mahalo.”

Senator Green rose to speak in support of the measure as follows:

“I’ll be blunt: As a healthcare worker myself, I always get the flu shot. Flu pandemics, which could occur if we don’t adequately immunize our society, could kill a lot of people, particularly seniors and children, which would be terrible. It is terrible to get the flu, and also the idea behind this bill, which I think is a smart one, is to make sure that we decrease the number of flu cases in health workers so that they don’t further spread it to vulnerable patients in the hospital. All the masks in the world can’t guarantee that we’re not going to spread the flu, and it’s a very fragile population in the hospital if someone’s in the hospital for other reasons. So really, what we’re asking of the healthcare community is for them to be extra mindful of the people they care for. So I strongly support this bill, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2779 was adopted and S.B. No. 2394, entitled: “A BILL FOR AN ACT RELATING TO INFLUENZA IMMUNIZATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Chun Oakland). Noes, 3 (Kim, Ruderman, Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2785 (S.B. No. 2767, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2785 was adopted and S.B. No. 2767, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2793 (S.B. No. 2544, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2793 be adopted and S.B. No. 2544, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"You know, we passed a professional employer organization bill a couple of years ago, and now what we're basically doing is using this for, again, a revenue source, increase in fees. We don't have to increase the fees; there's been no problems or no added cost in the regulations. Thank you."

Senator Baker rose to speak in support of the measure as follows:

"These fees will go to hire DLIR workers to make sure that the PEOs are actually registered and reporting appropriately. The hook for a PEO – and the reason it's important to make sure that only the PEOs that are registered and licensed and following the appropriate statutes – is that PEO's can take advantage of a general excise tax exemption. That's the carrot, and so it's important that we have staff in DLIR to be able to monitor and to appropriately enforce a measure that is giving a company an advantage and a tax break. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2793 was adopted and S.B. No. 2544, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2796 (S.B. No. 2924, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2796 be adopted and S.B. No. 2924, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"This bill has to do with privacy and disclosure of information from our income tax forms. As the Legislature, we can't even get information as to who has benefited from tax credits that the taxpayers of this state have provided. But this bill will allow other information to be shared with the attorney general, with other departments, and so forth. We've already got problems with hacking of information and loss of data privacy, and now we're going to expand this use. I don't think it's proper; I don't think it's necessary. Law enforcement can always get the information they require by warrants and by court action. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2796 was adopted and S.B. No. 2924, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF TAX RETURN INFORMATION," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2798 (S.B. No. 3081, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2798 was adopted and S.B. No. 3081, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2800 (S.B. No. 2618, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 2800 be adopted and S.B. No. 2618, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"There was no stronger supporter of the Superferry than me. We never had anything like it, and my guess is we're not going to have anything like it again. The reason was, unlike all the other proposals for 50 years before that, this was a private proposal. It was implemented; it worked for 11 months. I had the pleasure of riding that ferry five times, twice with my vehicle. The people of the island of Hawai'i, they could not wait until the next one was coming. But that was private money. The only thing that we put up was changes to the pier on Maui; that was not going to be necessary for the island of Hawai'i because the second vessel was different.

"All of the proposals since that time have talked about what we talked about, as I said, for 50 years earlier: a government ferry, most without vehicle service, most with greater limitations. So, I'm all for a ferry; I'm all for private investment. But we're not going to see it again because, just like with the telescope and with other contracts, Hawai'i has a bad reputation of honoring its contracts and not allowing people to get together as they did on the true Superferry. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2800 was adopted and S.B. No. 2618, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2802 (S.B. No. 2724, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2802 be adopted and S.B. No. 2724, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Thielen rose to speak in support of the measure with reservations as follows:

"I support the concept of applying prevailing wages to certain private leases on state lands for large projects, but the concern I have about the existing language on this bill – and I'm hoping we'll be able to make some amendments moving forward – is it would apply to existing leases, which is, I think, retroactive and unfair for the contracting parties. And then, also, the concern I have is it would apply to all state leases, including small operators, like farmers on state lands who may be putting up greenhouses and the like. So, it's a little too expansive, and I'm hoping to see it narrowed. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2802 was adopted and S.B. No. 2724, S.D. 2, entitled:

“A BILL FOR AN ACT RELATING TO PREVAILING WAGES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Ihara, Thielen). Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2803 (S.B. No. 3072, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2803 be adopted and S.B. No. 3072, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Kahele rose to speak in strong support of the measure as follows:

“Mr. President, this bill establishes a one-jurisdiction, autonomous overall authority entity to manage and allocate statewide resources to improve the state’s airport facilities, its operations, and its long-overdue modernization. Currently, the Department of Transportation has grown into a very large state department responsible for our highways, our harbors, and our airports. Over the last 25 years, there’s been a progressive migration to the airport authority model at the top 100 U.S. airports. Airport authorities now operate more of the top 100 U.S. airports than any other governance model. Only three states in our country directly operate top 100 U.S. airports. Hawai’i is one of those three states and operates 5 airports in the top 100, which are Honolulu, Kahului, Lihu’e, Kona, and Hilo.

“Two points I’d like to make, Mr. President, that highlight this bill. One is governance independence: An appointed board broadly selected from the community and this body, leveraging some of our brightest civic and business leaders, would restrict direct political influence in decision-making and remove the management discontinuity that results from appointments and coincides with the terms of elected officials. The point I’d like to make here is that we need to treat our airports like a business. And, like my colleague from Puna, who is a very, very successful businessman, continuity and, more importantly, leadership is essential.

“The second point I’d like to make is employment: As a successor employer to the state, this authority would recognize all existing employee agreements and bargaining units. All staff would be transferred on terms and conditions at least as good as under state employment and would enable them to provide training better suited to the specific needs of the enterprise.

“The collective effect of this bill would enable this authority to manage airports as businesses, to provide continuity of leadership, hire and reward top talent, and implement policies and procedures that are specifically tailored for the needs of this enterprise, which translates directly to efficiency for the state, our taxpayers, our visitors from abroad, and travelers within our state. Thank you, Mr. President.”

Senator Kim rose to speak in opposition to the measure as follows:

“Mr. President, while an authority may provide all of the benefits that were mentioned by our previous speaker, I think that this measure adds a layer of bureaucracy to the already heavy bureaucratic airport administration. I have seen too many authorities where it becomes very political, and, in effect, what happens is that all of the operations get hidden under the authority. And what we need at the airport is more transparency and accountability. I could go on and on about the various procurement problems, failed projects, and lack of transparency that have been occurring at the airports for decades, and I’m afraid that more of this will happen with an authority that we’re

going to have to go through them now to get the answers instead of directly to the officials.

“Additionally, this grows government; it will cost taxpayers more at a time when we can least afford it. And already, in a few more bills, we’re going to see where DOT is asking for an increase in the gas and automobile taxes and fees, and I predict that they will be asking for more money if, in fact, there is another authority. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2803 was adopted and S.B. No. 3072, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO AN AIRPORT AUTHORITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Harimoto, Kim, Ruderman, Slom, Taniguchi). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2805 (S.B. No. 2799, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2805 be adopted and S.B. No. 2799, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

“Mr. President, I rise to vote ‘no,’ and the only reason is because this creates another special fund. Thank you.”

Senator Gabbard rose to speak in support of the measure as follows:

“Colleagues, we’re losing a battle here. Our islands continue to be plagued by invasive species that damage our economy, wreak havoc on our environment, and negatively impact our quality of life. Coconut rhinoceros beetles, coqui frogs, little fire ants, miconia, albizia – the list goes on and on. The Hawai’i Invasive Species Council’s recent 2016 report to the Legislature pointed out that the estimated annual cost of damages if the brown tree snake reached our shores would be \$2.14 billion and \$200 million if the red imported fire ant landed here. Inaction on miconia would result in \$672 million in annual damages and \$194 million for little fire ants in Hawai’i County alone.

“The LRB just completed an update in January on the invasive species problem, entitled ‘Can’t See the Forest for the (Albizia) Trees: An Invasive Species Update.’ This report highlights some very alarming facts: Approximately 17 invasive species become established in Hawai’i annually. Hawai’i receives more invasive species than anywhere else, and there are more established invasive species than native ones in Hawai’i for many categories of species. The LRB report also made key recommendations that directly relate to this bill at hand. They are: that the Legislature should give consideration to amending the organizational structure of the Hawaii Invasive Species Council to provide clearer authority to direct interagency coordination and provide resources and support for priority actions necessary to fight against invasive species. Next, the Legislature should provide sufficient funding and resources needed to increase capacity of agencies to engage in preventative actions throughout the state.

“And this is exactly what we’re doing with this measure. This bill would restructure the HISC into a new entity, the Hawai’i Invasive Species Authority, attached administratively to the Department of Ag. It would also fund 10 positions for the new Authority and provide them with funds to provide grants to those agencies and organizations that are doing the work on this important issue. Creating this Authority would elevate the invasive species issue and provide more resources to better coordinate efforts across the various agencies. So, I ask that you join me in supporting this bill. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2805 was adopted and S.B. No. 2799, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2808 (S.B. No. 2691, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2808 be adopted and S.B. No. 2691, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Baker requested that remarks in support of the measure be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Baker's remarks read as follows:

"Mr. President, I rise in support of S.B. 2691, S.D. 2, Relating to Chapter 245, Hawai'i Revised Statutes, which defines electronic smoking devices and establishes requirements for retailers, wholesalers, and dealers of electronic smoking devices or e-liquid related to permits, reports, and records.

"Tobacco use in Hawai'i causes approximately 1,400 deaths per year among adults and poses a heavy burden on Hawai'i's health care system. Research has shown that a tax or price increase has the propensity to reduce the usage of a tobacco producer by adult and youth users. As the price of cigarettes increases, smokers may turn to less expensive tobacco products including electronic smoking devices.

"The growth of the electronic smoking device industry, both with adults and those under 18, necessitates further regulations to protect consumers, such as requiring retailers of electronic smoking devices or e-liquid to obtain a retail tobacco permit or wholesale license.

"Toxicologists warn that e-liquids pose significant risks to public health, particularly to children. In addition to acute poisoning risks, exposure to nicotine has been shown to both harm maternal and fetal health during pregnancy. The usage of ESDs has been associated with symptoms like airway obstruction, increased heart rate, palpitation, and increased diastolic blood pressure. They have also been proven to be a fire hazard with ESD batteries known to explode.

"The FDA has not approved ESDs as smoking cessation devices, as they lack credible evidence and the risks they pose are still unknown. Tobacco products produce a complex chemical mixture of more than 7,000 compounds when burned, causing a wide range of diseases including cancer, heart disease, and other serious illnesses, and premature death.

"Taxes on e-liquid and disposable ESDs should be similar to the tax rates already imposed on cigarettes. E-liquid and disposable ESDs are only currently taxed at the base GET, even though their use carries similar health risks to cigarettes. Higher prices on e-liquids and disposable electronic smoking devices will encourage users of electronic smoking devices to quit, sustain cessation, prevent youth initiation, and reduce consumption among those who continue to use.

"I ask my colleagues to join me in supporting S.B. 2691, S.D. 2."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2808 was adopted and S.B. No. 2691, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 245, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Inouye, Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2811 (S.B. No. 3099, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2811 was adopted and S.B. No. 3099, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2812 (S.B. No. 2987, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2812 was adopted and S.B. No. 2987, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Kim). Noes, 1 (Thielen). Excused, 1 (Riviere).

Stand. Com. Rep. No. 2813 (S.B. No. 2557, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 2813 was adopted and S.B. No. 2557, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Riviere).

Stand. Com. Rep. No. 2814 (S.B. No. 2938, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 2814 be adopted and S.B. No. 2938, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Slom rose to speak in opposition to the measure as follows:

"Well, I see we've saved the worst for last! Earlier, my colleague from Puna was talking about a double whammy; this bill's a triple whammy. It would increase the state portion of the gasoline tax; it would increase the state portion of the motor vehicle weight tax; it would increase the state portion of the motor vehicle registration, keeping in mind that the City and County of Honolulu also has a gasoline tax, a motor vehicle weight tax, and a registration tax, all of which were raised last year but are not precluded from being raised again.

"Look, what we've done in this Legislature is to compound the problems and the status of living of our citizens. We're making it more expensive at every turn. We call taxes 'fees,' but fees still add up and they must be paid, and I'd like to say that we're nickel-and-diming people to death, but we're not. We're five-dollar and fifty-dollar people to death. All of these things add up. The cost of registering a car on O'ahu now averages about 375 bucks. This is going to put it over \$400.

"And the justification is that the money needs to go into the depleted State Highway Fund. Okay, fair enough - if the highway fund were being used to repair roads, expand roads, and so forth. It's not. With the amount of money that we've had and the amount of money that we've spent, we should have the best roads in the country. But instead, as we know, we've got the worst roads in the country, and we're not doing anything for expansion because all the emphasis is on rail.

"So, what is this all about? We'll do what we've done before: raise the taxes, put more money in the funds, and then, when the funds increase, we'll simply raid the funds and put them in

general excise tax. I wish more of my colleagues would say no on this very bad measure. Thank you.”

Senator Tokuda rose to speak in support of the measure as follows:

“Thank you. Colleagues, it’s never easy to consider increases to taxes or fees, let alone a package of three, which is why, when the Ways and Means committee considered this measure, we did so while looking at the totality of broad-based tax increase proposals before us, and understanding the regressivity and burden each bore on our people, we moved forward only this particular measure.

“Since last session, we have noted our strong concerns over the health of this particular fund, which is responsible for providing matching dollars for federal aid we receive to maintain our heavily used roadways; to cover a hundred percent of the maintenance costs if federal funds are not available and in emergency situations, like what we’ve been seeing in Ka’a’awa; and to provide for the daily function and operation of our Highways Division, for such things as the Freeway Service Patrol to Hawai’i Belt Road improvements and various multi-use and contraflow lanes statewide. Making these targeted increases will provide the resources necessary to provide important support for special maintenance projects and highway operations statewide.

“I agree with the previous speaker: It’s never easy to consider these particular increases. Well over a decade ago, there was the past trend to take from this particular fund in excess of what was required; we did look into that. But in well over a decade, that has not been the particular case, and I know in this particular Legislature, we have made sure that these particular funds were available to match those federal dollars that we need to make sure that the repairs that we want to make in all of our districts and our communities can be done. It’s also important to note that it’s there so that when we have emergency situations that happen in all of our communities, we have the resources necessary to do these particular repairs. All efforts were made by DOT to minimize impacts, and while we recognize that this will still be an additional cost on drivers, providing for these repairs, being able to cover these emergencies, and keeping day-to-day operations going are essential, and I would humbly ask for your support and consideration of this measure.”

Senator Kim rose to speak in opposition to the measure as follows:

“Mr. President, I oppose saddling Hawai’i’s drivers with not one, not two, but three vehicle tax increases and fees. And this will go on some of our constituents who can barely make ends meet. According to DOT, these increases will raise \$70 million. But before we enact any tax increase – in this case, three increases of this proportion – taxpayers expect us to first ensure that DOT is spending the federal dollars that they already have timely and efficiently. Records show that DOT has \$650 million in unspent federal funds for highway improvements. Back in 2010, DOT had \$940 million in unspent federal funds, and during those years, they let our roads deteriorate. The average span for resurfacing roadways is 8 to 12 years; well, DOT let Hawai’i highways go un-resurfaced for 14 to 16 years while we had \$940 million sitting in the fund. Evidence shows that poorly maintained roads constrain mobility, significantly raise vehicle operating costs and increase accident rates, and end up costing us more to rehabilitate our roads.

“Second, we need to hold DOT accountable for wasteful and irresponsible spending, and we have not done that. I’m going to share the Ciber saga with you today. September 2008: DOT awards Ciber Inc. an \$8.1 million fixed cost – and I say ‘fixed cost’ – contract and a consultant to manage this contract for

\$5.9 million. And this is for a Financial Accounting System Transportation that they call ‘FAST.’ Justification for this contract was that it would improve our cash flow by billing the federal highway administration on a weekly basis instead of a monthly basis. I’m not sure how they could justify procuring this \$14 million system that would get them federal funds reimbursed weekly instead of monthly when they hadn’t even spent the \$805 million that they had in their account at that time. This contract had an 18-month completion date of March 2010. Of course, they didn’t meet that date. April 2010, one month later after the due date: FAST failed the integration test. And then, in June of 2010, ‘go-live’ number one failed. And despite these two failures and not meeting the 18-month completion date, DOT, in September of 2010, exactly 24 months later, they amend Ciber’s contract for an additional \$2.7 million, increasing Ciber’s contract amount from \$8.1 million to \$10.9 million. Who increases a contract or contractor by one-third more when this contractor is past due and failed all the tests? Okay, two-and-a-half years go by – June 30, 2013: The system fails to pass the federal highway certification review. And then, in July 2013, ‘go-live’ number two fails again. So after five-and-a-half years, approximately \$11.2 million is paid out by DOT for a non-functioning system.

“Now, I’m not making this up; if you guys want any of the documentation, I can provide it. So, to throw good money after bad, in November of 2013, DOT hires another consultant, Gartner, first for \$190,000 to perform a health check and then for \$1.5 million in March of 2014. And what did we get for this \$1.6 million in additional funds? What we got was Gartner’s recommendation that the state should pay Ciber another \$2.9 million more above their fixed contract just to salvage the system. Finally – finally – somebody comes to their senses, and the DOT director, along with the AG, says, ‘Enough,’ and we file a lawsuit. Of course, Ciber also sues the state for \$17 million, which is where we’re at today. This means for the past eight years, since 2008, DOT has managed to maintain anywhere from \$950 million to \$650 million in federal surpluses without the system. Conclusion: DOT paid out \$13.8 million for a system they obviously didn’t need, and, according to Ciber, DOT still owes them another \$4 million.

“Sure, this happened on a previous administration’s watch, but transportation officials responsible are still with DOT today. To this day, no one has been reprimanded or held accountable, and, rather, some of those involved have been promoted. The only people who are being penalized are the taxpayers. FAST is just one example of the waste and lack of accountability for taxpayers’ money.

“I do have more examples, but instead, I’m going to share with you part of BIA’s testimony. They say, ‘We believe that there needs to be more accountability on how these funds are expended, including how projects are prioritized in the use of highway funds. Increases in taxes and fees without some assurance or game plan on how the projects will be identified, prioritized, and implemented would be irresponsible at this time.’ The *Star-Advertiser* editorial said, ‘The biggest problem facing Hawaii’s woeful state roads clearly is not the lack of funds. It is poor usage of proven road-maintenance techniques and millions of already allocated federal dollars. State politicians and transportation officials should not be asking taxpayers to pay more than we already do for such inefficiency. They should improve their performance first.’ And I agree. For these reasons, I will be voting ‘no.’ Thank you.”

Senator Slom rose to speak in rebuttal as follows:

“Thank you. I want to thank the good senator from Kalihi. The remarks and the statements that she made were all brought up in public hearing. And what it shows is that we spend money for studies; we spend money for consultancies; we spend money for all kinds of things, but we don’t see the relationship among

and between all of them, and we should because, again, as was pointed out, it's the taxpayers' money.

"The final thing I wanted to add was, I was reminded that, I think, the governor, where this bill emanated from, was quoted as saying at one point that we need to increase the gasoline taxes because the cars are becoming too efficient. That's really sad news; I thought that's what we were trying to do. It's kind of like the UH Cancer Center saying, 'Doggone it, we're going to lose money because people are stopping smoking!' You know, we can't have it both ways, and yet we do. But we take it out on the taxpayers. So, I think the best thing to do is vote 'no' on this bill. Thank you, Mr. President."

At 12:05 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 p.m.

Senator English rose to speak in support of the measure as follows:

"Nobody likes to raise taxes. In fact, when we considered this in the Ways and Means committee, there were three major tax bills before us: one to raise the general excise tax by 1 percent, another one to raise it for long-term care, and this one. And the other two were deferred, realizing the huge impact that this would have on the general taxpayers.

"You know, I live in Hāna, and I drive – to get home, it's about 100 miles back and forth every trip, and I travel quite a bit, so I know the cost of paying for all these taxes. I don't necessarily like it, but I also realize, Mr. President, that unless the department has a certain amount in reserves, we no longer qualify for the federal matching.

"And let me explain the federal matching because it's not a dollar-for-dollar match: The matching that we get is anywhere from, we put in 20 percent and the federal government puts in 80 percent. Another formula would be: We put in 30 percent; the federal government puts in 70 percent, depending on the types of projects. Without this particular reserve, we no longer have access to the federal funds coming in. And if we don't have access to those federal funds, you think it's bad now? It's going to get quite a bit worse. So, none of us want to do this, but the reality is that if we don't, we will not get the huge federal matching that comes from Washington.

"I've heard some members say that we have some of the worst roads in the nation; I really beg to differ with that. I've seen a number of states, and many of you have, and we have some damn good roads compared to other states. We just got back from Louisiana, and I can tell you that the meaning of a dirt road in the middle of town, well, it had new definition for me. The meaning of an old... I mean, I thought the Hāna Highway was bad before we fixed it; in the middle of New Orleans, there were roads that were worse than the Hāna Highway before it was paved. So, for someone to say that we have the worst roads in the nation is not backed up by any statistics, not backed up by any real numbers; it's just sort of guessing. The fact of the matter is, we have some pretty good roads. And in order to keep those roads maintained, we need to keep the federal funds coming.

"So I wanted to point this out, that this is not a one-for-one match; it's actually a very large match that we get from the federal government. So, I urge our members to support this, even though reluctantly, because we do need that federal money coming in. Thank you."

Senator Inouye rose to speak in support of the measure as follows:

"I'd like the words of the chair of Ways and Means and the immediate speaker into the Journal as if they were mine. Also,

to remind our colleagues as well, Mr. President, is that we have to understand that you always need to have backups, and DOT is always called to clean up the act. Such an example is disaster. Who came to take care of the roads that fell into the waters on the North Shore? Who came to take care of the disaster in my district in North Kohala in December of 2014, when the floods damaged some of the roads and the communities around it as well? If we continue to deplete the resources of our highway system, who can we ask to take care of it as well? And surely not our general fund. So, as previous speakers mentioned, you need backups for unforeseen circumstances, and the DOT already had told us the needs of their budgets as well, so we need to make sure that we support their efforts in the time of need, and this is the time to do it. Thank you, Mr. President, colleagues. Hope you support the effort."

Senator Espero rose to speak in opposition to the measure as follows:

"Reluctantly, I'll be voting 'no' on this measure. First of all, the point that it's a triple tax is something that I've been hearing from some of my constituents, and it's regressive for those of us who have constituents who have to drive 10, 15, 20 miles-plus one way and then back to work. And the weight tax, for my district, where there are many young families and many young families that have vans and/or they have the four-door trucks – again, they can't downsize. They need these big vehicles. The registration – I even get pretty fed up when I see a \$300 bill every year, and now it's going to go up to \$400. I'd like us to defer this measure until Thursday. Let's see if we could amend it. Let's see if we can maybe discuss it in a day or two, and if not, then so be it; we all understand.

"And I understand that in my district we have benefited from DOT improvements, but we've also waited. I recently pulled out a newspaper article on the Leeward Bikeway; this is a project I've been working on since I got into office 16 years ago. And one newspaper article mentioned that it should begin by the end of 2001. Here we are, 2016, still waiting. Several years ago, we had the groundbreaking for a PM zipper lane – PM zipper lane that would probably go from somewhere, Pearl Harbor, to West O'ahu, and I know millions of dollars were spent on that PM zipper lane, but then DOT said, 'Wait a minute. We're going to change that; we're not going to do the PM zipper lane, at least not now. We're going to widen the road,' which they did. And it has benefited us today, but at a cost of wasting millions of dollars.

"I do believe that we can do a better job in DOT administration, and there are more efficiencies in the DOT that can be made. And at this time, again, I'd like us to either consider an amendment or recommit this bill for another day or, maybe, colleagues, consider voting 'no.' Thank you."

Senator Ruderman rose to speak in opposition to the measure as follows:

"I fully support the need for the Department of Transportation to be well-funded, and I fully support investments in our roads. And I like the fact that this is a fee relevant to usage – how it's people using the roads paying this fee. The reason I can't support it is, I can't support anything that puts an additional burden on our poorest people. I represent the largest district in the state and the poorest district in the state, and this affects poorest people disproportionately. I'm not afraid of tax increases. I think we should fund our roads through tax increases that are not regressive. I voted 'yes' on a bill a few minutes ago that will cost me, personally, about \$60,000 a year. I'm willing to pay my fair share; I think that those of us who can, share my willingness to do so, but I don't think we ought to put further burdens on the poorest among us. Thank you."

The Chair remarked:

“And, Senator Ruderman, when you referred to ‘the largest,’ you’re referencing geographic district, right? And the distance to drive?”

Senator Ruderman responded:

“Yes, I was referring to geographic size, so distance, driving, and the need to drive. Thank you for clarification, Mr. President.”

Senator Thielen rose to speak in opposition to the measure as follows:

“Thank you. In referencing the remarks from my colleague from Hāna, I think most people in the state understand that in order to get better roads, we do need to pay for them. And our roads are not in great shape. The director of the Department of Transportation, whom I like and respect, has come forward with a very comprehensive tax package to increase the money that goes into the roads. What’s missing is the second half of the equation: What are we going to get for that money? We don’t have anything in front of us; we’re asked to take it on an article of faith that that’s going to translate into improved roads. But as you heard from my colleague in Kalihi, there’s a lot of decisions that can be made and have been made in the past which have not utilized this money to improve roads, where we’ve seen projects pushed back time and time and time again. I don’t think it’s fair to ask people to take on faith that this three-way tax increase is going to translate into improvements on the roads, and what I shared with the director of the department is, instead, I think they need to come back with a proposal next year that is going to lay out what the public is going to be getting in exchange for this increase in revenues, what changes are going to be put in place in the Department of Transportation so that we can hold them accountable and he, as the chair of the department, can hold his workers accountable as well to deliver on what’s being promised. But as it stands, with the tax increase by itself, I cannot support it.”

Senator Galuteria rose to speak in support of the measure as follows:

“Thank you, Mr. President. Colleagues, the Department of Transportation is tasked with providing a safe, efficient, and effective land transportation system for the movement of Hawai‘i’s people and the movement of all of our goods. The state highway system, however, has not kept pace with the state’s economic situation, the state’s growing economy, the land use development patterns, and the increased demand for travel. Unless tax and related revenues are increased, the state’s roads will continue to deteriorate as the demand for travel continues to increase while the costs to manage, construct, and administer the system increase. In contrast, an increase in tax and related revenues will provide safer infrastructure, enhancements for all users, and will positively impact – as the Majority Leader suggests – the department’s ability to qualify state matching funds for the highway federal aid program. Please vote in favor. Thank you.”

Senator Kim rose to speak in rebuttal as follows:

“Thank you, Mr. President. Certainly, I understand that we need reserves; I understand that we need funds, but that’s what all the taxes we’re paying now are for. The problem that I have is that we’ve depleted our fund because of inefficiencies. We’ve depleted our funds because DOT has not worked efficiently and transparently with our monies. If we’re going to go through another Ciber, another \$14 million – those are the monies that we should be using for matching funds; those are the monies we could be using for disasters. DOT said in their testimony they need \$5 million to \$10 million every year because of unexpected problems that arise. Well, \$5 million to \$10 million

– they’re raising \$70 million with these taxes, so we need to make sure that we have improved efficiencies before we go after even more dollars, and I ask for a Roll Call vote, Mr. President. Thank you.”

Senator Tokuda rose to speak in rebuttal as follows:

“Thank you. I absolutely understand the concerns that individuals have about these particular increases. I absolutely hear the need that we have to make sure that there are plans in place to be able to provide for the increased funds that we are looking to have. Right now, I do know as well, in terms of the kinds of plans that the Department of Transportation has for these particular monies, in addition to the daily operations and maintenance efforts that they do – freeway patrols, other things like that – the state maintenance plans, which is the matching monies from the federal government, at the very least they have plans statewide out until calendar year 2018. I’m already looking at some right now. They could actually have beyond that and including capital improvement projects up until 2018, so they do have laid-out plans in terms of priorities and where they would go next if they actually have monies available.

“Right now, they don’t have matching monies or federal monies available to go out to those particular projects, so they have them phased out into the future years, which, again, is why, if we don’t have those monies, you can’t actually get to those particular projects; and they have them phased out progressively based upon when they actually think they’ll be able to bring in those particular resources with the matched money from the state.

“So, you’re absolutely right to say that we need to have plans in place. You’re absolutely right to demand that there be some strategy behind the funds that they want to bring in, and there are those particular funds based upon the research that they’ve done in terms of where the need particularly exists, but also to plan for emergency situations that may come up that we don’t plan for, like what we’ve seen on the North Shore and in other particular cases, like the zipper lane and other things. So thank you very much.”

Senator Ihara rose to speak in opposition to the measure as follows:

“Mr. President, I support the need to provide more funds to maintain our highways, and I would like to have more consideration on the necessity for these increases. However, this may be my and our last and only vote on this bill. This is a clean bill; the House may pass it, and if the House passes it unamended, we may not see this bill again. I feel uncomfortable in voting conclusively for it at this time, because it’s a clean bill. I would prefer – I understand there is not the support to amend the bill to a defective date, and without a defective date on this bill, I reluctantly will be voting against it. Thank you.”

At 12:26 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 p.m.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2814 was adopted and S.B. No. 2938, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO TRANSPORTATION,” having been read throughout, Roll Call vote having been requested, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16; Ayes with Reservations (Chun Oakland, Dela Cruz, Gabbard, Kahele, Shimabukuro, Wakai). Noes, 8 (Espero, Green, Harimoto, Ihara, Kim, Ruderman, Slom, Thielen). Excused, 1 (Riviere).

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of Senate concurrent resolutions offered on Friday, March 4, 2016:

- S.C.R. No.: Referred to:
- S.C.R. No. 61 Committee on Education, then to the Committee on Public Safety, Intergovernmental, and Military Affairs
- S.C.R. No. 62 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
- S.C.R. No. 63 Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Water, Land, and Agriculture
- S.C.R. No. 64 Committee on Commerce, Consumer Protection, and Health, then to the Committee on Ways and Means
- S.C.R. No. 65 Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means
- S.C.R. No. 66 Committee on Government Operations, then to the Committee on Ways and Means
- S.C.R. No. 67 Committee on Higher Education and the Arts, then to the Committee on Ways and Means
- S.C.R. No. 68 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- S.C.R. No. 69 Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of Senate resolutions offered on Friday, March 4, 2016:

- S.R. No.: Referred to:
- S.R. No. 33 Committee on Education, then to the Committee on Public Safety, Intergovernmental, and Military Affairs
- S.R. No. 34 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, then to the Committee on Ways and Means
- S.R. No. 35 Jointly to the Committee on Economic Development, Environment, and Technology and the Committee on Water, Land, and Agriculture
- S.R. No. 36 Jointly to the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Economic Development, Environment, and Technology, then to the Committee on Ways and Means
- S.R. No. 37 Committee on Government Operations, then to the Committee on Ways and Means

- S.R. No. 38 Committee on Higher Education and the Arts, then to the Committee on Ways and Means
- S.R. No. 39 Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- S.R. No. 40 Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Judiciary and Labor

**RE-REFERRAL OF A
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

- S.C.R. No.: Re-referred to:
- S.C.R. No. 44 Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Education, then to the Committee on Ways and Means

At this time, Senator Sлом rose to speak on a point of personal privilege as follows:

“I want to thank my colleagues again for last Friday. You know, I plan this – I try to do something once a year so that I get your sympathy and love and comfort, and you never withhold it. That’s why it is a privilege and an honor to serve in the Senate, not only for the people of this state, but also for my colleagues. Mr. President and staff and particularly Senator Green, who’s – I think he’s taking his educational credits to try to get more doctoring in – everyone that’s concerned. To the outside public, we have our political differences and so forth, but they don’t understand, as the late Senator Kahele did understand, what a special place this is and that, when there is a problem or a need for one of us, we are all united together. And I want to appreciate that.

“I also want to appreciate those of you who forced me into an ambulance; it was the first time I was in an ambulance since I was five. And for the lawyers among you who chased the ambulance, thank you. For those of you who were telling them to go faster, thank you. I did find out today, though, if I do croak, I want Senator Ruderman to give my eulogy because that’ll ensure that everyone will get a sound sleep after that. You folks are the best, you really are.

“And today’s session, I thought, was terrific, Mr. President. I thought it was one of the best we’ve had in recent years, and why? Because we had more open debate on the issues, and that benefits the public. They have a right to know why we support or oppose a measure. They have a right to know the unintended consequences of bills that we pass. We have an awful lot of them that we have to go through every year, but we owe that to the public. We owe it to ourselves. And I think most of you did enjoy what we did today. I know that my life would not be the same without the senator from Kīhei, Maui. Sometimes I wake up in the middle of the night, shrieking, ‘Rosalyn! Rosalyn!’ But all of you are very special. Some of you, I know, are unhappy that I am back, in my old form. They like me quieter and all that. But I want to tell you again how much I do appreciate all of you and appreciate being in this body. And thank you, Mr. President.”

Senator Galuteria rose and stated:

“Point of clarity: Would you ask the previous senator if he would provide us with guidance on who he prefers provide him with mouth-to-mouth resuscitation in the event it is needed? Thank you.”

The Chair then announced that both Minority and Majority caucuses were invited to join him for lunch in the Majority Caucus room.

ADJOURNMENT

At 12:37 p.m., on motion by Senator Green, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Thursday, March 10, 2016.