

## FORTY-SIXTH DAY

**Tuesday, April 12, 2016**

The Senate of the Twenty-Eighth Legislature of the State of Hawai'i, Regular Session of 2016, convened at 10:11 a.m. with the President in the Chair.

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

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

At this time, Senator Riviere welcomed a group of third-, fourth-, and fifth-grade students from Trinity Lutheran School in Wahiawā, who were seated in the gallery with Liz Riviere, third-grade teacher and wife of Senator Riviere, fourth-grade teacher Jacque Womack, fifth-grade teacher Heather Klemp; as well as third-grade chaperones Stacy Lee, Karen Guevara, Anne Porter, and Holli Aspland; fourth-grade chaperone Diane Grey; and fifth-grade chaperones Patrick Aspland, Allison Glover, and Gordon Lau.

Senator Gabbard introduced Michelle Kalantzis, mother of Senator Gabbard's intern, George Kalantzis.

Senator Tokuda recognized the following staff members of the Committee on Ways and Means, and thanked them for their hard work: Committee Clerk Calvin Azama, Budget Chief Sabrina Nasir, CIP Specialist Erin Conner, Benjamin Fischberg, Lee Leonard, Michelle Parke, Heather Schulz, Chris Tu, Bills Chief Ben Park, Deputy Bills Chief Sarah Beamer, Alec Ikeda, Caroline Oshiro-Otsuka, Lena Phomsouvanh, Angely Vallarta, and Tyler Watkins. Senator Tokuda also recognized members of her office staff: Darlene Tsukazaki, Nicolas Ayabe, Allen Awaya, Kate Stanley, and Vaughn Tokashiki.

**MESSAGE FROM THE GOVERNOR**

The following message from the Governor (Gov. Msg. No. 18) was read by the Clerk and was placed on file:

Gov. Msg. No. 18, letter dated April 4, 2016, transmitting proposed changes to the Fiscal Year 2017 Executive Supplemental Budget for the Department of Hawaiian Home Lands.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 468 to 502) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 468, informing the Senate that on April 8, 2016, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1111, H.D. 2 (S.D. 1);  
 H.B. No. 1541, H.D. 1 (S.D. 1);  
 H.B. No. 1608, H.D. 1 (S.D. 1);  
 H.B. No. 1669, H.D. 2 (S.D. 1);  
 H.B. No. 1684, H.D. 2 (S.D. 1);  
 H.B. No. 1733, H.D. 2 (S.D. 2);  
 H.B. No. 1852, H.D. 1 (S.D. 1);  
 H.B. No. 2030, H.D. 1 (S.D. 2);  
 H.B. No. 2059, H.D. 2 (S.D. 1);  
 H.B. No. 2077, H.D. 2 (S.D. 2);  
 H.B. No. 2198, H.D. 2 (S.D. 1);  
 H.B. No. 2277, H.D. 1 (S.D. 1);  
 H.B. No. 2593, H.D. 1 (S.D. 1);  
 H.B. No. 2626, H.D. 1 (S.D. 2); and  
 H.B. No. 2744, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 469, returning S.B. No. 2107, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 470, returning S.B. No. 2333, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 471, returning S.B. No. 2541, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 472, returning S.B. No. 2838, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 473, returning S.B. No. 2841, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 474, returning S.B. No. 2887, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 475, returning S.B. No. 2934, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

Hse. Com. No. 476, returning S.B. No. 1311, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 1311, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 477, returning S.B. No. 2121, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2121, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 478, returning S.B. No. 2163, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2163, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 479, returning S.B. No. 2315, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2315, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 480, returning S.B. No. 2451, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2451, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 183, HAWAII REVISED STATUTES," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 481, returning S.B. No. 2494, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2494, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 482, returning S.B. No. 2501, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2501, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 483, returning S.B. No. 2551, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2551 (H.D. 1) entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 484, returning S.B. No. 2556, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2556, S.D. 1 (H.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," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 485, returning S.B. No. 2557, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2557, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 486, returning S.B. No. 2559, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2559, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 487, returning S.B. No. 2561, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2561, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 488, returning S.B. No. 2570, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2570, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE RAPID RE-HOUSING ASSISTANCE PROGRAM," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 489, returning S.B. No. 2659, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2659, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 490, returning S.B. No. 2660, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2660 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 491, returning S.B. No. 2724, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2724, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PREVAILING WAGES," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 492, returning S.B. No. 2829, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2829, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 493, returning S.B. No. 2850, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2850, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE INDUSTRY REGULATION," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 494, returning S.B. No. 2854, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2854, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 495, returning S.B. No. 2861, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2861, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE JOINT FORMULARY ADVISORY COMMITTEE," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 496, returning S.B. No. 2906, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2906 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 497, returning S.B. No. 2910, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2910, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE COMMISSIONERS OF DEEDS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 498, returning S.B. No. 2912, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2912, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO

THE STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 499, returning S.B. No. 2928, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2928, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX REPORTING FOR SPECIAL EVENTS," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 500, returning S.B. No. 2998, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 2998, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 501, returning S.B. No. 3109, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 3109, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING," was deferred until Thursday, April 14, 2016.

Hse. Com. No. 502, returning S.B. No. 3110, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 8, 2016, was placed on file.

By unanimous consent, action on S.B. No. 3110, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred until Thursday, April 14, 2016.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce, Consumer Protection and Health, presented a report (Stand. Com. Rep. No. 3600) recommending that the Senate advise and consent to the nomination of MIKE HASHIMOTO to the Board of Acupuncture, in accordance with Gov. Msg. No. 704.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3600 and Gov. Msg. No. 704 was deferred until Thursday, April 14, 2016.

Senator Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 3601) recommending that the Senate advise and consent to the nominations to the Center for Nursing Advisory Board of the following:

JULIO ZAMARRIPA, in accordance with Gov. Msg. No. 694; and

SUSAN YOUNG, in accordance with Gov. Msg. No. 695.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3601 and Gov. Msg. Nos. 694 and 695 was deferred until Thursday, April 14, 2016.

Senator English, for the Committee on Tourism and International Affairs, presented a report (Stand. Com. Rep. No. 3602) recommending that the Senate advise and consent to the nomination of EDUARDO TOPENIO, JR. to the Hawai'i Sister State Committee, in accordance with Gov. Msg. No. 651.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3602 and Gov. Msg. No. 651 was deferred until Thursday, April 14, 2016.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM FRIDAY, APRIL 8, 2016

S.B. No. 2607, S.D. 2 (H.D. 2):

By unanimous consent, action on S.B. No. 2607, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO STUDENT DATA MANAGEMENT," was deferred until Thursday, April 14, 2016.

S.B. No. 2886, S.D. 2 (H.D. 2):

By unanimous consent, action on S.B. No. 2886, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO AGE OF CONSENT FOR ADOLESCENT MENTAL HEALTH SERVICES," was deferred until Thursday, April 14, 2016.

S.B. No. 911, S.D. 2 (H.D. 2):

By unanimous consent, action on S.B. No. 911, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO LATEX," was deferred until Thursday, April 14, 2016.

S.B. No. 2240, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2240, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH TO REESTABLISH A VECTOR CONTROL BRANCH," was deferred until Thursday, April 14, 2016.

S.B. No. 2317, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2317, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Thursday, April 14, 2016.

S.B. No. 2372, S.D. 3 (H.D. 1):

By unanimous consent, action on S.B. No. 2372, S.D. 3 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ROADS," was deferred until Thursday, April 14, 2016.

S.B. No. 2383, S.D. 2 (H.D. 2):

By unanimous consent, action on S.B. No. 2383, S.D. 2 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CONNECTOR," was deferred until Thursday, April 14, 2016.

S.B. No. 2387, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2387, S.D. 2 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL EXAMINATIONS," was deferred until Thursday, April 14, 2016.

S.B. No. 2395, S.D. 1 (H.D. 2):

By unanimous consent, action on S.B. No. 2395, S.D. 1 (H.D. 2), entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," was deferred until Thursday, April 14, 2016.

S.B. No. 2540 (H.D. 1):

By unanimous consent, action on S.B. No. 2540 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Thursday, April 14, 2016.

S.B. No. 2630, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2630, S.D. 1 (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO

PUBLIC SAFETY,” was deferred until Thursday, April 14, 2016.

S.B. No. 2670 (H.D. 1):

By unanimous consent, action on S.B. No. 2670 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSTS,” was deferred until Thursday, April 14, 2016.

S.B. No. 2672, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2672, S.D. 1 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,” was deferred until Thursday, April 14, 2016.

S.B. No. 2731, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2731, S.D. 1 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO SCHOOLS,” was deferred until Thursday, April 14, 2016.

S.B. No. 2915, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2915, S.D. 2 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT,” was deferred until Thursday, April 14, 2016.

S.B. No. 2954, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2954, S.D. 2 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO FIREARMS,” was deferred until Thursday, April 14, 2016.

S.B. No. 2971 (H.D. 1):

By unanimous consent, action on S.B. No. 2971 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,” was deferred until Thursday, April 14, 2016.

S.B. No. 3072, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 3072, S.D. 2 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO AN AIRPORT AUTHORITY,” was deferred until Thursday, April 14, 2016.

S.B. No. 3077, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 3077, S.D. 1 (H.D. 1), entitled: “A BILL FOR AN ACT RELATING TO STATEWIDE COMMUNITY PLANNING,” was deferred until Thursday, April 14, 2016.

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 3484 (Gov. Msg. Nos. 710 and 711):

Senator Baker moved that Stand. Com. Rep. No. 3484 be received and placed on file, seconded by Senator Kidani and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Real Estate Commission of the following:

BRUCE FAULKNER, term to expire June 30, 2020 (Gov. Msg. No. 710); and

SCOTT ARAKAKI, term to expire June 30, 2020 (Gov. Msg. No. 711),

seconded by Senator Kidani.

Senator Baker rose to speak in strong support of the nominees as follows:

“Thank you, Mr. President. I rise in strong support of Governor’s Messages 710 and 711, two very fine individuals who are returning to the Real Estate Commission: Bruce Faulkner and Scott Arakaki. I ask my colleagues to join me in voting to confirm them. Thank you.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3485 (Gov. Msg. Nos. 715, 716, 717, 718, 719, 720, 721, 722, 723, and 724):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3485 be received and placed on file, seconded by Senator Riviere and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Rehabilitation Council of the following:

ANN LEMKE, term to expire June 30, 2019 (Gov. Msg. No. 715);

HOWARD LESSER, term to expire June 30, 2016 (Gov. Msg. No. 716);

HOWARD LESSER, term to expire June 30, 2019 (Gov. Msg. No. 717);

JODI ASATO, term to expire June 30, 2019 (Gov. Msg. No. 718);

JOHN KUWAYE, term to expire June 30, 2016 (Gov. Msg. No. 719);

JOHN KUWAYE, term to expire June 30, 2019 (Gov. Msg. No. 720);

SCOTT MURAKAMI, term to expire June 30, 2016 (Gov. Msg. No. 721);

SCOTT MURAKAMI, term to expire June 30, 2019 (Gov. Msg. No. 722);

SHIRLEY SYPERT, term to expire June 30, 2016 (Gov. Msg. No. 723); and

SHIRLEY SYPERT, term to expire June 30, 2019 (Gov. Msg. No. 724),

seconded by Senator Riviere.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

At this time, Senator Chun Oakland introduced the following newly confirmed members of the State Rehabilitation Council, who were present in the gallery: Shirley Sypert, after-school music teacher on O’ahu, and Jodi Asato, program manager for the Assistive Technology Resource Centers of Hawaii (ATRC), who was accompanied in the gallery by Barbara Fischlowitz-Leong, executive director for ATRC.

**THIRD READING**

H.B. No. 1029, H.D. 1, S.D. 1:

On motion by Senator Taniguchi, seconded by Senator Wakai and carried, H.B. No. 1029, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 254, H.D. 2, S.D. 1:

Senator Baker moved that H.B. No. 254, H.D. 2, 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 H.B. 254, H.D. 2, S.D. 1, Relating to Medicines, which allows for the regulation of biosimilar medicines to ensure patient safety and access to medicines at lower prices.

"The bill ensures that when an FDA-approved, lower-cost, interchangeable biological product is substituted by a pharmacist for a brand name biologic, records will be kept, and the pharmacist will then communicate to the patient and obtain the patient's approval for the substitution and then the prescribing physician will be notified within 24 hours of the precise drug that was dispensed.

"Biological drugs, often classified as specialty drugs, tend to be complex and high in cost. Increasingly, these specialty drugs are driving the rise in the cost of prescription drugs. Biosimilars offer an opportunity for patients and providers to access specialty, high-cost drugs but at lower costs, almost like generics versus brand names for traditionally developed pharmaceuticals. This bill will improve access to newly approved biosimilars which are an important treatment option for consumers and practitioners, and ensure their appropriate use.

"The first approval of a biosimilar in the United States was just last year with the expected approval of many more in the future. Biosimilars go through an extensive review process and manufacturers are required to submit immense studies and data demonstrating a products' efficacy and ensuring it is for safe for use by consumers. Advances in medical treatment have transformed the way we fight certain diseases.

"Let Hawai'i be at the forefront of ensuring patient safety and medical advancement. I ask my colleagues to join me in support of H.B. 254, H.D. 2, S.D. 1."

The motion was put by the Chair and carried, H.B. No. 254, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1176, H.D. 2, S.D. 1:

Senator Baker moved that H.B. No. 1176, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Keith-Agaran.

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 to support H.B. 1176, H.D. 2, S.D. 1, Relating to E-Liquid, which establishes safe and responsible packing requirements for e-liquid containers.

"Under the new federal Child Nicotine Poisoning Prevention Act, liquid nicotine can be sold only in child-resistant bottles and containers that are packaged to meet the same standards as set in the Poison Prevention Packaging Act of 1970. While this law provides a strong first level of safety regulations, it lacks a warning label requirement which would make explicit the

dangers of the contents. This bill would proactively strengthen Hawai'i requirements to protect children and residents against poisoning from the nicotine contents of e-cigarettes or electronic smoking devices (ESDs).

"Toxicologists warn that e-liquids pose significant risks to public health, particularly to children, and many of the e-liquids for ESDs are offered in flavors and scents that are appealing to them. From 2013 to 2015, the Hawai'i Poison Center received 39 calls about children less than 6 years old for unintentional liquid nicotine exposure, and the majority of these children were less than 2 years old. Accidental ingestion continues to be a real threat to the health and safety of Hawai'i's children and families.

"By creating packaging and warning label requirements for e-liquid containers, we will be able to protect our keiki from inadvertent exposure to the toxic chemicals found in e-liquids. Let us continue the trend of being a model for the country in taking positive action towards electronic smoking devices and other tobacco products. I urge my colleagues to join me in support of H.B. 1176, H.D. 2, S.D. 1. Mahalo"

The motion was put by the Chair and carried, H.B. No. 1176, H.D. 2, 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 (Slom).

H.B. No. 2281, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, H.B. No. 2281, 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 (Slom).

H.B. No. 2218, H.D. 1, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 2218, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING HAWAII INCOME TAX LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2465, H.D. 1, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 2465, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1527, H.D. 1, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 1527, H.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

H.B. No. 2415, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 2415, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO NON-GENERAL FUNDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2638, H.D. 1, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 2638, H.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

H.B. No. 1561, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, H.B. No. 1561, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1578, H.D. 2, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, H.B. No. 1578, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3464 (H.B. No. 2319, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3464 was adopted and H.B. No. 2319, H.D. 1, S.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3465 (H.B. No. 2326, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3465 was adopted and H.B. No. 2326, H.D. 1, S.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3466 (H.B. No. 2335, H.D. 1, S.D. 1):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3466 be adopted and H.B. No. 2335, H.D. 1, S.D. 1, 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 H.B. 2335, H.D. 1, S.D. 1, Relating to Physician Discipline.

“This measure streamlines disciplinary procedures to better protect Hawaii’s patients and consumers. It authorizes the Hawaii’s Medical Board to impose equivalent disciplinary action as that taken in another state against a physician that is now licensed in Hawaii.”

“Under existing statute, the Hawaii’s Medical Board can impose reciprocal discipline on a Hawaii’s licensee only in very limited circumstances. Without this law, a physician that has been banned from practicing in another state may continue to practice in Hawaii. This protection ensures that Hawaii’s patients will not be at risk of receiving medical treatment from a licensee who was the subject of serious discipline elsewhere.

“The safety of Hawaii’s medical consumers is paramount. If another state has deemed someone unfit and unsafe to be licensed in their state, then our state should be able to evaluate whether or not they are fit to provide care in our state. This is in the best interest of our community.

“I urge my colleagues to join me in supporting H.B. 2335, H.D. 1, S.D. 1. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3466 was adopted and H.B. No. 2335, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3468 (H.B. No. 799, H.D. 2, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3468 was adopted and H.B. No. 799, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE UNIFORM AERONAUTICS ACT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3469 (H.B. No. 2165, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3469 was adopted and H.B. No. 2165, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3471 (H.B. No. 2088, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3471 was adopted and H.B. No. 2088, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3472 (H.B. No. 2550, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3472 was adopted and H.B. No. 2550, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3473 (H.B. No. 2051, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3473 was adopted and H.B. No. 2051, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3474 (H.B. No. 2569, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3474 was adopted and H.B. No. 2569, H.D. 2, S.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3475 (H.B. No. 2524, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 3475 was adopted and H.B. No. 2524, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TEACHER INCENTIVES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3476 (H.B. No. 2680, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3476 was adopted and H.B. No. 2680, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KALOKO RESERVOIR,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3477 (H.B. No. 2681, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3477 was adopted and H.B. No. 2681, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAILUKU RESERVOIR #6,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3478 (H.B. No. 2715, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3478 was adopted and H.B. No. 2715, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3480 (H.B. No. 2416):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3480 was adopted and H.B. No. 2416, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3481 (H.B. No. 2363, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3481 was adopted and H.B. No. 2363, H.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3482 (H.B. No. 2264, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3482 was adopted and H.B. No. 2264, H.D. 1, S.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3483 (H.B. No. 2204, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3483 was adopted and H.B. No. 2204, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3486 (H.B. No. 2090, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3486 was adopted and H.B. No. 2090, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND COURT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3491 (H.B. No. 1170, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3491 was adopted and H.B. No. 1170, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LAND RESOURCES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3493 (H.B. No. 2017, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3493 was adopted and H.B. No. 2017, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO WORKERS’ COMPENSATION TREATMENT PLANS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3494 (H.B. No. 2166, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3494 was adopted and H.B. No. 2166, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3495 (H.B. No. 2305, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3495 was adopted and H.B. No. 2305, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DWELLING UNIT REVOLVING

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

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

Stand. Com. Rep. No. 3496 (H.B. No. 1878, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3496 was adopted and H.B. No. 1878, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3497 (H.B. No. 1772, H.D. 2, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 3497 be adopted and H.B. No. 1772, H.D. 2, S.D. 1, 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 strong support of H.B. 1772, H.D. 2, S.D. 1, Relating to Oral Health.

“The purpose and intent of this measure is to appropriate the necessary funds to the Department of Human Services to restore basic adult dental benefits to Medicaid and QUEST integration enrollees. These benefits were previously terminated in 1996.

“Dental care and oral health services are vital to the overall health and well-being of Hawaii’s residents. In 2000, the Surgeon General characterized good oral health as ‘a prerequisite for people’s general health and quality of life.’ Poor oral health brings negative effects to both children and adults in all settings – home, school, work, and social environments.

“The Department of Health’s 2015 report ‘Hawai’i Oral Health: Key Findings’ indicates that only 52 percent of low income adults visited a dentist during 2012, and only 27 percent of pregnant women on Medicaid or QUEST visited a dentist during their pregnancy from 2009 to 2011. In 2012, there were more than 3,000 emergency room visits due to preventable dental problems, resulting in aggregate hospital charges for dental emergency visits of \$8,500,000. The Department of Human Services estimates that a \$4.8 million appropriation would be needed to re-establish the program and provide dental benefits to approximately 200,000 adults.

“An oral health crisis exists in the State, and restoring basic adult dental benefits to Medicaid and QUEST integration enrollees is a significant step towards resolving it. By restoring these benefits we not only treat and prevent many oral diseases, but we can also save the State money and change lives.

“I wholeheartedly support the appropriation and ask my colleagues to join me in support of H.B. 1772, H.D. 2, S.D. 1. Let’s help Hawai’i smile. Mahalo”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3497 was adopted and H.B. No. 1772, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ORAL HEALTH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3498 (H.B. No. 1874, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3498 was adopted and

H.B. No. 1874, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3499 (H.B. No. 2559, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 3499 was adopted and H.B. No. 2559, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3500 (H.B. No. 1599, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3500 was adopted and H.B. No. 1599, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3501 (H.B. No. 1943, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3501 was adopted and H.B. No. 1943, H.D. 1, S.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3502 (H.B. No. 2389, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3502 was adopted and H.B. No. 2389, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3503 (H.B. No. 801, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3503 was adopted and H.B. No. 801, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SUNSTRONG LLC, A RENEWABLE ENERGY DEVELOPER SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3504 (H.B. No. 2007, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3504 was adopted and H.B. No. 2007, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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



Stand. Com. Rep. No. 3505 (H.B. No. 2018, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3505 was adopted and H.B. No. 2018, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCESSES AND SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3506 (H.B. No. 2544, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3506 was adopted and H.B. No. 2544, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3508 (H.B. No. 2646, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3508 was adopted and H.B. No. 2646, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3509 (H.B. No. 2093, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3509 was adopted and H.B. No. 2093, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3510 (H.B. No. 2219, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3510 was adopted and H.B. No. 2219, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3511 (H.B. No. 2289, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3511 was adopted and H.B. No. 2289, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY-BASED ECONOMIC DEVELOPMENT TECHNICAL AND FINANCIAL ASSISTANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3512 (H.B. No. 2669, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3512 was adopted and H.B. No. 2669, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST TRUTAG

TECHNOLOGIES, INC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3513 (H.B. No. 1749, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3513 was adopted and H.B. No. 1749, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3514 (H.B. No. 2042, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3514 was adopted and H.B. No. 2042, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER CONSERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3515 (H.B. No. 2657, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3515 was adopted and H.B. No. 2657, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3516 (H.B. No. 2040, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3516 was adopted and H.B. No. 2040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3518 (H.B. No. 2036, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3518 was adopted and H.B. No. 2036, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3519 (H.B. No. 1041, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3519 was adopted and H.B. No. 1041, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3521 (H.B. No. 2424, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3521 was adopted and H.B. No. 2424, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3522 (H.B. No. 1999, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3522 was adopted and H.B. No. 1999, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3523 (H.B. No. 2060, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3523 was adopted and H.B. No. 2060, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3524 (H.B. No. 2179, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3524 be adopted and H.B. No. 2179, H.D. 1, 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 support of H.B. 2179, H.D. 1, S.D. 2.

"Colleagues, the Aha Moku Advisory Committee was established by the Legislature in 2012 and is attached to the Department of Land and Natural Resources. It's mandated to bring the voices of the ahupua'a communities forward on issues related to natural and cultural resources. Through advising BLNR and DLNR regarding land and water issues, Aha Moku seeks to strengthen communications between DLNR and the native Hawaiian community.

"Recently, Aha Moku completed draft Administrative Rules and is busy with its outreach efforts in the moku of our islands.

"OHA has stepped up to help fund their operations and Aha Moku has also received funds from the Molasses Spill Settlement with Matson. But funding from the Legislature is needed for the Committee to continue doing its important work.

"Please join me in supporting this bill. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3524 was adopted and H.B. No. 2179, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AHA MOKU ADVISORY COMMITTEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3526 (H.B. No. 1654, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3526 was adopted and H.B. No. 1654, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3527 (H.B. No. 1752, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3527 was adopted and H.B. No. 1752, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3528 (H.B. No. 2267, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3528 was adopted and H.B. No. 2267, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY IN SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3529 (H.B. No. 1814, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3529 was adopted and H.B. No. 1814, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3530 (H.B. No. 2453, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3530 was adopted and H.B. No. 2453, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3531 (H.B. No. 2205, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3531 was adopted and H.B. No. 2205, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3532 (H.B. No. 2266, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3532 was adopted and H.B. No. 2266, H.D. 2, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3534 (H.B. No. 1756, H.D. 3, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3534 be adopted and H.B. No. 1756, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Keith-Agaran.

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 H.B. 1756, H.D. 3, S.D. 2, Relating to Nursing.

“H.B. 1756, H.D. 3, S.D. 2 requires all applicants for nurse licensure, renewal, reactivation or restoration to submit electronic fingerprints for the purpose of state and federal criminal history record checks, beginning July 1, 2019, which begins the licensing biennium. This measure also authorizes the Board of Nursing to develop and adopt rules to implement required criminal history record checks.

“It is in the best interest of the nursing workforce in Hawai‘i to ensure safe and quality nursing services are provided to patients, which include sick, disabled, elderly, and other vulnerable populations across the continuum of healthcare and in all regions of our State. While nearly all jurisdictions require applicants for nurse licensure to self-report any criminal history upon application for licensure, data reflects that many nurses with criminal histories fail to do so. An undocumented criminal history in an applicant’s background could violate the public trust and jeopardize the safety of patients. Electronic fingerprint-based background checks have proven to be an effective tool to identify past criminal behavior and ensure ongoing patient safety.

“The utility and benefit of fingerprint background checks in ensuring the public’s safety has been recognized and supported nationally. The National Council of State Boards of Nursing (NCSBN) has proposed a standard, for all states to adopt, to require a biometrics-based state and federal criminal background check for all nursing applicants with support from the American Nurses Association and the Council of State Governments. In spite of these nationwide developments, Hawai‘i is one of the last 12 states to adopt this requirement. This measure is supported by the Board of Nursing, the Center for Nursing and the various nursing organizations in Hawai‘i. It was a result of their efforts that this measure was introduced.

“In the interest of nurses in Hawai‘i coming into compliance with the national standards established by the NCSBN and ensuring safe and quality nursing services to patients in Hawai‘i, I urge my colleagues to join me in supporting H.B. 1756, H.D. 3, S.D. 2. Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3534 was adopted and H.B. No. 1756, H.D. 3, 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 (Slom).

Stand. Com. Rep. No. 3535 (H.B. No. 52, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3535 was adopted and H.B. No. 52, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE SELECTIVE SERVICE REGISTRATION AWARENESS AND COMPLIANCE ACT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3536 (H.B. No. 767, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3536 was adopted and H.B. No. 767, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3537 (H.B. No. 1787, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3537 was adopted and H.B. No. 1787, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3538 (H.B. No. 2472, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3538 was adopted and H.B. No. 2472, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3539 (H.B. No. 2121, H.D. 3, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3539 was adopted and H.B. No. 2121, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LEGAL SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3541 (H.B. No. 2308, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3541 was adopted and H.B. No. 2308, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3543 (H.B. No. 2161, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3543 was adopted and H.B. No. 2161, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE DISABILITY COMPENSATION DIVISION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3544 (H.B. No. 1689, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3544 was adopted and H.B. No. 1689, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3545 (H.B. No. 970, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3545 was adopted and H.B. No. 970, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3546 (H.B. No. 2231, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3546 was adopted and H.B. No. 2231, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY COOPERATIVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3547 (H.B. No. 1736, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3547 was adopted and H.B. No. 1736, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE KONA INTERNATIONAL AIRPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3548 (H.B. No. 1853, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3548 was adopted and H.B. No. 1853, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3552 (H.B. No. 2707, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3552 be adopted and H.B. No. 2707, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

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 H.B. 2707, H.D. 1, S.D. 2, which seeks to improve the operation and oversight of the State's medical marijuana program.

"The bill will allow advanced practice registered nurses to certify patients for medical marijuana use and requires the collection of data from the medical marijuana industry in order to provide data to better inform future decisions.

"APRNs are uniquely qualified because they already have prescriptive privileges that include scheduled controlled substances. APRNs already have the authority in five states to recommend medical marijuana – California, Maine, New Mexico, New York, and Washington.

"As Hawai'i seeks to expand its medical marijuana program through the use of highly regulated and monitored dispensaries, more patients are anticipated to consider medical marijuana as a viable treatment especially for chronic pain and to diminish side effects of many cancer treatments. This approach will not only ensure safer access to medicine, but boost the economy with career opportunities and new jobs.

"Ensuring the safest, most efficient and responsible operation of medical marijuana dispensaries and safe access for qualifying patients is in the best interest of the State. I ask my colleagues to join me in support of H.B. 2707, H.D. 1, S.D. 2."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3552 was adopted and H.B. No. 2707, H.D. 1, S.D. 2,

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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3553 (H.B. No. 1996, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3553 was adopted and H.B. No. 1996, H.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3554 (H.B. No. 1997, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3554 was adopted and H.B. No. 1997, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3555 (H.B. No. 2226, H.D. 2, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3555 was adopted and H.B. No. 2226, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3556 (H.B. No. 2647, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3556 was adopted and H.B. No. 2647, H.D. 2, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3557 (H.B. No. 2671, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3557 was adopted and H.B. No. 2671, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE DATA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3561 (H.B. No. 2343, H.D. 2, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3561 was adopted and H.B. No. 2343, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIREMENTS FOR CHILD CARE PROVIDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3562 (H.B. No. 2350, H.D. 2, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3562 was adopted and H.B. No. 2350, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN," having

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

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

Stand. Com. Rep. No. 3564 (H.B. No. 900, H.D. 2, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3564 was adopted and H.B. No. 900, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3565 (H.B. No. 2252, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3565 be adopted and H.B. No. 2252, H.D. 1, 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 H.B. 2252, H.D. 1, S.D. 2, Relating to Discharge Planning.

"The purpose of this measure is to ensure that each hospital patient has the opportunity to designate a caregiver whose contact information will be noted in the patient's health record, who will be notified prior to the patient's discharge from the hospital and who will receive information and instructions regarding patient care after discharge. The caregiver may be a family member or a friend who will be assisting with patient care and follow-up once the patient is discharged from the hospital.

"Hawaii's population of older adults continues to increase. In 2012, Hawai'i had 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 the most likely to need long-term care supports and services and will likely rely on family and friends as their caregivers due to financial and resource constraints.

"While strong home- and community-based resources such as respite care, non-medical transportation services, and home-delivered meals are important to help caregivers and their loved ones, medical support is equally as important. Coordination among primary care providers along with preventive care will enable many seniors and other individuals with chronic or debilitating conditions to remain in their homes longer. However, in the event of an acute episode, hospitals must provide assistance to patients and their caregivers in order to prepare them for discharge and to help them transition back to their homes.

"H.B. 2252, H.D. 1, S.D. 2 is a very important measure to help our kūpuna remain in their homes as long as possible and also to help their caregivers provide appropriate care for their loved ones. I ask my colleagues to join me in voting for H.B. 2252, H.D. 1, S.D. 2. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3565 was adopted and H.B. No. 2252, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3566 (H.B. No. 545, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3566 was adopted and H.B. No. 545, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3568 (H.B. No. 1982, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3568 was adopted and H.B. No. 1982, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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 (Slom).

Stand. Com. Rep. No. 3572 (H.B. No. 939):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3572 was adopted and H.B. No. 939, entitled: "A BILL FOR AN ACT RELATING TO AMENDING IDENTITY OF REGISTRANT'S PARENT ON A BIRTH CERTIFICATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3574 (H.B. No. 1747, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3574 was adopted and H.B. No. 1747, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3577 (H.B. No. 2340, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3577 was adopted and H.B. No. 2340, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORDS CHECKS UNDER THE CHILD PROTECTIVE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3578 (H.B. No. 2049, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3578 was adopted and H.B. No. 2049, H.D. 2, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3579 (H.B. No. 1851, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3579 be adopted and H.B. No. 1851, H.D. 1, 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 to support H.B. 1851, H.D. 1, S.D. 2, Relating to the Public Utilities Commission.

"This measure permits a Commissioner to attend a public hearing of the Public Utilities Commission virtually via teleconference or videoconference in certain circumstances. It also allows a member of the Commission who is a resident of a county other than the City and County of Honolulu to receive per diem compensation, and allows the appointing authority to use a person's island of residence as a criterion when determining an individual's qualification to serve as one of the three PUC commissioners.

"Technological advances offer a wealth of opportunities to participate and work remotely, alleviating the need to be present in the same physical location as one's colleagues. Permitting the use of teleconference or videoconference technology for certain public hearings before the Public Utilities Commission will enable Commissioners residing on neighbor islands to fully participate remotely. One's residence should not be a barrier to full participation in the fulfillment of a Commissioner's duties. This measure also applies to Commissioners residing on O'ahu when there is a public hearing of the PUC on a neighbor island.

"Further, in order to encourage neighbor island residents to serve on the Commission, this measure seeks to eliminate their financial disadvantage in comparison with their O'ahu counterparts. Enabling a candidate's island of residence to be considered as a qualification helps to ensure the broadest possible candidate pool and perspectives for future commissioners.

"The Commission is responsible for regulating utilities statewide. Their decisions will have a profound impact on business, consumers, and government for years to come. It is essential, therefore, that the Governor consider the most qualified individuals from across the State to serve as Public Utilities Commissioners. I ask my colleagues to join me in support of H.B. 1851, H.D. 1, S.D. 2."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3579 was adopted and H.B. No. 1851, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3580 (H.B. No. 2539, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3580 was adopted and H.B. No. 2539, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3582 (H.B. No. 2605, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3582 was adopted and H.B. No. 2605, H.D. 1, S.D. 2, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3583 (H.B. No. 1683, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3583 was adopted and H.B. No. 1683, H.D. 1, S.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3586 (H.B. No. 2490, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3586 was adopted and H.B. No. 2490, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3587 (H.B. No. 2016, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3587 was adopted and H.B. No. 2016, H.D. 1, S.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3590 (H.B. No. 1050, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3590 was adopted and H.B. No. 1050, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND MOVEMENT OF INVASIVE SPECIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3591 (H.B. No. 2160, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3591 was adopted and H.B. No. 2160, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3592 (H.B. No. 2293, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3592 was adopted and H.B. No. 2293, H.D. 1, S.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3593 (H.B. No. 2244, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3593 was adopted and H.B. No. 2244, H.D. 1, S.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3594 (H.B. No. 2029, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3594 was adopted and H.B. No. 2029, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER INFRASTRUCTURE LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3596 (H.B. No. 1849, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3596 was adopted and H.B. No. 1849, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIRING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2233, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, H.B. No. 2233, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2561, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, H.B. No. 2561, H.D. 1, 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 (Riviere). Noes, none. Excused, 1 (Slom).

H.B. No. 1902, H.D. 2, S.D. 1:

Senator Keith-Agaran moved that H.B. No. 1902, H.D. 2, S.D. 1, 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 very strong support of H.B. 1902, H.D. 2, S.D. 1, Relating to Sex Trafficking. My colleagues may remember a similar bill passed the Legislature last year, however it elicited concerns that ultimately resulted in a veto. This version of the bill, I believe, adequately addresses the concerns raised by the Governor, and it is essential that we pass it in its current form. It balances the various factors articulated by the stakeholders around this issue and offers an appropriate approach to dealing with sex trafficking in Hawai'i.

"The intent of this bill is to adopt a victim- and survivor-centered approach to the prosecution of these terrible crimes. Forty-nine U.S. states have already adopted comprehensive anti-sex trafficking legislation, and it is imperative that Hawai'i address this pressing issue. The measure is intended to modernize approaches to prostitution and sex trafficking, especially the treatment of minors, whom the United States Department of Justice are more increasingly recognizing as unwilling participants in these crimes. By changing the definition from 'Promoting Prostitution in the First Degree' to 'Sex Trafficking', this bill reclassifies the offense as

a class A felony and violent crime. Additionally, it will also expand the Attorney Generals Statewide Witness Program to include this crime.

"The U.S. State Department estimates that thousands of victims of sex trafficking, many of them children, are brought to the United States every year. Women and children are forced to work in prostitution and child pornography rings, and coerced into manual labor. Many young victims of human trafficking are lured into the scheme by the false promise of a better future. Traffickers promise an opportunity to travel, at no immediate expense, for employment and housing. It is vital that Hawai'i take appropriate action to bring the perpetrators of these horrific offenses to justice.

"Numerous organizations, including the Hawai'i State Commission on the Status of Women, LGBT Caucus of the Democratic Party of Hawai'i, Hawai'i Women's Coalition, Planned Parenthood Votes Northwest and Hawai'i, and the Pacific Alliance to Stop Slavery all provided testimony in support of the measure.

"Colleagues, I would like to take a moment to acknowledge the ongoing work of the county police departments, county prosecutors' offices, and members of the judiciary who contend with the complex and delicate issues of individuals involved in illegal activity some of whom are victims themselves – victims of commercial sexual exploitation, often under unimaginable circumstances. This measure reflects a new approach to addressing the incidence of sex trafficking occurring within our State by providing additional tools that will hold more traffickers accountable, and provide better identification and assistance for victims, and ultimately reducing the abusive, illegal sex trade in the state.

"I urge my colleagues to join me in passing this very important measure. Mahalo."

The motion was put by the Chair and carried, H.B. No. 1902, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX TRAFFICKING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1726, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, H.B. No. 1726, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MURDER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2033, H.D. 1, S.D. 1:

On motion by Senator Gabbard, seconded by Senator Nishihara and carried, H.B. No. 2033, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 260, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator Kidani and carried, H.B. No. 260, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3467 (H.B. No. 2604, H.D. 1, S.D. 1):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3467 be adopted and H.B. No. 2604, H.D. 1, S.D. 1, 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 just want to point out that, in this bill, the ownership of the roads would go to the State Department of Transportation – this is in the Kaka‘ako area. I believe all the roads except for Ala Moana Boulevard are managed by the City and County of Honolulu. I notice the bill does have a defective date, and I’m hoping that we would be able to clarify the ownership of the roads so that we don’t create some confusion in the area. Thank you.”

At 10:22 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:10 a.m.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3467 was adopted and H.B. No. 2604, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ACQUISITION OF REAL PROPERTY,” 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 (Slom).

Stand. Com. Rep. No. 3470 (H.B. No. 2606, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3470 was adopted and H.B. No. 2606, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3479 (H.B. No. 1653, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3479 was adopted and H.B. No. 1653, H.D. 1, 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. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3487 (H.B. No. 2629, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3487 was adopted and H.B. No. 2629, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Wakai). Noes, 1 (Gabbard). Excused, 1 (Slom).

Stand. Com. Rep. No. 3488 (H.B. No. 2632, H.D. 2, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3488 be adopted and H.B. No. 2632, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Harimoto rose to speak in opposition to the measure as follows:

“Thank you. Mr. President, first let me thank the subject-matter chairs for their good work in attempting to make Hawai‘i safer for our families. Gun violence is a huge concern across the country, and I agree wholeheartedly that we must do all we can to make Hawai‘i safer. However, we must be mindful of the rights of gun owners and find a delicate balance between our pursuit of ultimate safety and the Second Amendment rights of gun owners. Unfortunately, I believe that this bill in its current form falls short of achieving this balance.

“Existing laws provide for confiscation of firearms and ammunition when someone is determined to have mental illness. After receiving notice, the person has 30 days to surrender his or her firearms and ammunition. This bill addresses situations where a person is being treated on an emergency basis for mental illness. In this case, the person must immediately surrender his or her firearms and ammunition and, if not surrendered, police are authorized to seize firearms and ammunition. So, the concern I have is that this bill does not provide for any due process, such as an appeal or a court order. So, for this reason, I will be voting ‘no.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3488 was adopted and H.B. No. 2632, H.D. 2, 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; Ayes with Reservations (Chun Oakland, Gabbard, Ihara, Kahele, Wakai). Noes, 1 (Harimoto). Excused, 1 (Slom).

Stand. Com. Rep. No. 3489 (H.B. No. 2740, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3489 be adopted and H.B. No. 2740, H.D. 1, 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:

“As I mentioned earlier, my father is in the hospital. I really didn’t want to come today, but my mother asked me to come so I could vote for the two of us and she could stay with him. But I wanted to make some remarks, both on my behalf and on behalf of the representative from Kailua, regarding this bill.

“I apologize: I haven’t had a chance to do much due diligence because we’ve been a little preoccupied over the last week, but my understanding was this bill was initially – and I apologize if I’m incorrect – but this bill was initially put forward to deal with the insurance companies now requiring preauthorization from mainland approval before doing scans and certain medical tests on patients. I believe the bill has been amended to say that if preauthorization is required for radiology tests that are the norm under certain circumstances under national standards, then the insurance companies should share liability if the delay that preauthorization creates injures the patient. I support that approach, and the representative from Kailua supports that approach, too.

“I think every person in this chamber has been in this situation, where a loved one is in the hospital and having to undergo certain tests. Preauthorization means one thing when you’re on the mainland and there’s no time difference between where your loved one is lying in a hospital bed and the approving authority. But in our state, there could be up to a six-hour time difference. I know there’s a concern that, if we say insurance companies share liability, that they’ll go out of business for Hawai‘i, but I don’t see how that should apply when there are national standards for radiologists about certain tests. They have green lights, that those are the no-brainer tests to be done under certain circumstances, and then you have your yellow lights and red lights, where these tests may require



certain caution. Fine. Get preauthorization for the yellow- and red-light tests. But for the tests that meet the national standards, we should require these insurance companies to share liability for any additional injury that's caused by a delay if they're going to force preauthorization upon this state.

"And if we end up going through session where we let this bill die and we don't address this situation, then we're not doing our responsibility for Hawai'i residents, because we're here for them. If the insurance companies are putting this provision in as a financial decision, we need to get back to them to say this is not just a financial decision; this is a decision that affects the lives of all of us, of all of our constituents. Please make sure that we hold these insurance companies liable for any preauthorization that's required for the tests that meet the national standards for radiology. Thank you."

Senator Green rose to speak in support of the measure as follows:

"Thank you, Mr. President. I'd just like to say that this is definitely a real-time problem for us in the State of Hawai'i. Obviously, there are three weeks left, and I wanted to alert my colleagues that while our legislation is definitely important and hopefully we'll resolve this in a way to make sure that there's no delay for anyone getting tests, I do know there's a very large amount of dialogue going on, also right now in real time, between physicians who require those tests urgently or emergently and the insurer. And I have been assured that they're taking those discussions seriously, but I think our piece of legislation – if that fails – can remedy most of the problem.

"Right now, in the emergency department – this is where I have some experience – all tests do get approved right now, in real time, which is good. I think that the prior authorization plan as it's been rolled out could actually backfire, interestingly, against the insurance companies, if doctors don't see a resolution and simply send all of their patients who need X-rays or MRI scans or CT scans to the emergency department, where it is profoundly more expensive. I had a constituent not long ago, two or three weeks ago, who had a CT scan of their body in the emergency room and the bill was \$4,800, which was both egregious and irrational. Had that CT scan been done in an outpatient setting, it would've been about 10 percent of that cost, more in the five- or six-hundred-dollar range.

"So, this begs a resolution, most importantly for patients, but also for the healthcare system. So, it is in the interest of both patients and even, ironically, the insurer to resolve this before session ends because Hawai'i has real challenges taking care of our people and cost problems with health care."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3489 was adopted and H.B. No. 2740, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," 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 (Slom).

Stand. Com. Rep. No. 3490 (H.B. No. 625, H.D. 1, S.D. 1):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3490 be adopted and H.B. No. 625, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Harimoto rose to speak in opposition to the measure as follows:

"Thank you. Mr. President, once again, I wholeheartedly support our efforts to provide for the safety of our families. However, I believe this bill, like the prior firearms bill, does not strike a balance between our pursuit of ultimate safety and the

Second Amendment rights of gun owners. Section 1 of this bill cites a study and statistics that show a strong link between stalking and murder or attempted murder and further states that, and I quote, 'At least 11 states bar some or all individuals convicted of misdemeanor stalking from possessing firearms.' However, this bill includes no citation or justification for including **all** misdemeanor sexual assault in the fourth degree as a reason for barring individuals from owning firearms.

"There's much that I like about this bill, but I think it goes too far by disqualifying a person from owning a firearm because of a conviction for misdemeanor sexual assault in the fourth degree. As I understand it, misdemeanor sexual assault in the fourth degree can be something such as inappropriate touching. While I do not condone such offenses and in no way mean to trivialize it, I do not believe that inappropriate touching rises to the level of denying a person from exercising his or her Second Amendment rights and disqualifying him or her from ever owning a firearm. So, again, for this reason, I will be voting 'no.' Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3490 was adopted and H.B. No. 625, H.D. 1, 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, 22; Ayes with Reservations (Kahele, Kidani, Riviere, Wakai). Noes, 2 (Harimoto, Ihara). Excused, 1 (Slom).

Stand. Com. Rep. No. 3492 (H.B. No. 1713, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3492 was adopted and H.B. No. 1713, H.D. 2, 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, 22. Noes, 2 (Ihara, Thielen). Excused, 1 (Slom).

Stand. Com. Rep. No. 3507 (H.B. No. 1847, H.D. 2, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3507 be adopted and H.B. No. 1847, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Kim rose to speak in opposition to the measure as follows:

"Thank you. Mr. President, this bill grows government unnecessarily. This bill duplicates what HTA is doing, without having the staff and resources, which means they will have to increase staff and come up with more and more funds in the future in order to fund this authority. Section 1 in the bill says, in part: 'It is the legislature's intent that the sports and entertainment authority coordinate and develop a thriving entertainment and sports industry in the State, including promoting and engaging Hawaii as an entertainment and sports training and event destination for local, national, and international events.' But I challenged anyone to show me a business plan because no one has submitted one, even though it was asked for.

"We do not know how they will do this with what kind of budget. The Senate Draft 2 blanks out the money and only leaves in the president and CEO to oversee the authority staff. Of course, the staff is not specified. We all know it will take more than the president, CEO, and 11-member board to do the following that's spelled out in the bill: sports and entertainment promotion, marketing, and development, nationally and internationally; sports marketing and entertainment development-related research; product development and diversification issues focused on sports and entertainment;

promotion of Hawai'i, through a coordinated statewide effort; reduction of barriers to travel, accommodations, and access to sports and entertainment facilities statewide; and any and all activities necessary to carry out this chapter.

"The Senate Draft 1 that was passed out of the subject-matter committee had listed four positions with a budget of \$750,000, and based on my calculations, just the four positions that were listed in Senate Draft 1 would cost, with fringe, \$705,632 – just in salaries – taking up most of the \$750,000 that was in the bill. Then there's the cost to service the 11-member board – travel expenses for the neighbor-island members; they have to rent space, furniture, just to set up house. This will cost in excess of the \$750,000 before doing one iota of promoting and engaging Hawai'i as an entertainment and sports training and event destination for local, national, and international events. The bill calls for sports marketing and entertainment development-related research – HTA's research alone is \$2.9 million. \$2.9 million for research – another duplication that HTA could probably do. So, you all know that this entertainment and sports authority will be back for more and more funds.

"In the meantime, what can we do with \$750,000 or more that might be put in in conference? Well, first, if we appropriated those funds to HTA, they could double and expand their sports promotion efforts immediately. They could hire one more body; they could start to chase new business as soon as the funds are released, not one year or two years from now.

"But say we don't appropriate it to HTA; where could we use \$750,000? Well, Kupuna Care could use the funds. Meals on Wheels, hundreds of thousands of GIAs. National Kidney Foundation of Hawaii is asking for \$750,000. Adult Friends for Youth, \$540,000. Moloka'i Land Trust, \$508,000. Hawai'i Science and Technology Museum on the Big Island, \$500,000. Parents and Children Together, \$497,000. Waipahu Lighthouse Outreach, \$450,000. Hui Malama Learning Center, \$375,000. After-School All-Stars, sports for our kids, \$200,000. Mālama Pono Health Services, \$200,000. Domestic Violence Action Center, \$195,000. ARC of Maui County, \$192,000. I could go on and on, go through all the very good, worthwhile projects that are asking for funds that could be used.

"If we set up this bureaucracy, we will have to put in money that we really don't have at this time. On one hand, we're passing a bill calling for a lean-government advisory board. Establishing a sports authority does not constitute lean government. But on second thought, it sounds like the CEO and president of the sports authority will be a cushion job; so maybe if this bill passes, I would be wondering how many people would be applying for this position, for this cushion job. It will be interesting to see the list; maybe we should apply. Thank you, Mr. President."

Senator Espero rose to speak in support of the measure with reservations as follows:

"Thank you, Mr. President. Colleagues, I'd like to rise with strong reservations on this. Colleagues, I echo much of what the previous senator just said. However, I would just add that we currently are a premier sports destination, and it's being driven by our current infrastructure and the private sector: sailing, fishing, golf, Ironman marathon and other marathons, the Pro Bowl, rugby, tennis, cycling, surfing – this is just a small list. And obviously we can do much more; we don't need an authority to do it.

"And in terms of entertainment, the biggest issue with entertainment in Hawai'i is the cost. Now, we do have our local entertainers, and our local businesses should be helping the local entertainment industry: the tourism industry, the hotels, the restaurants. This is all here already; this is the private sector; this is the infrastructure. Tomorrow is the opening of *The Book*

*of Mormon*, one of the top Broadway plays. They come here, but, again, we're limited because of our size and the cost and the profit factor.

"But we don't need an authority that's going to spend, as the previous senator said, all of these monies when we do have more important needs and wants. At the very least, if I remember, throughout the process the HTA said that they eliminated the sports coordinator position. They should create that position again, and that is something that we can do without the bill, without an authority, and let that sports coordinator continue to work on what he or she has been doing.

"And in terms of the entertainment industry, for what it's worth, we now have Blue Note Hawaii at the Outrigger; we're getting a little higher caliber of jazz and blues. But, again, the private sector should be driving the entertainment industry, not the state government.

"So, the reason why I'm voting on this is because it does have a defective date, and maybe we can, at the very least, force HTA to fund a couple positions, but we don't need a whole authority and all these dollars spent when what's happening can be improved with much less money and less effort. Thank you."

Senator Wakai rose to speak in support of the measure as follows:

"Colleagues, the sports and entertainment industry in America is a \$9 billion industry. You know what Hawai'i's take was? \$150 million – less than 1 percent of the entire sports-entertainment market is captured by Hawai'i. With all of our glorious, pristine environment, with our fantastic weather, is that the best we can do? So, if you think that what we're doing is great, sure, vote this bill down. I see great potential in Hawai'i being the mecca for sports and entertainment. If you believe in the potential of Hawai'i, if you believe in the potential of sports and entertainment to be another economic driver in Hawai'i, then I encourage you to support this measure.

"It's astonishing to me that the Hawai'i Tourism Authority is tasked with doing our sports marketing, but it's been woefully inadequate in doing a great job of promoting Hawai'i as the mecca for sports on the planet. Their views of how to market sports is to simply write a subsidy check to some organization – the NFL, the PGA – and that's the extent of their sports marketing. I think we can do better.

"And it's not just about economic opportunities; it's also for the quality and welfare, particularly, of our children. I mean, why shouldn't we have sports-training facilities for our young soccer players, our aspiring Victorinos, Suzukis, or, on the other side, our future Marcus Mariotas? We have very little in terms of world-class training for our young people, and that's what the sports and entertainment authority will be looking at as well. So sure, a lot of it is about economic opportunities, but also, a lot of it is about giving our neighbors and particularly our children the opportunity to really excel in the sports that they choose to pursue.

"So, if you're happy with the status quo, vote the bill down. If you believe in Hawai'i's potential as a sports mecca, I encourage you to vote this bill up."

Senator Kim rose to speak in rebuttal as follows:

"Thank you, Mr. President, 'status quo' – there are other possibilities besides this bill. It is not HTA's mission at this point in time to be the sports coordinator or the sports authority. But if we want them to be, we can. But we need to make sure we amend their bill, because at this point in time, their mission has not been to have sports be a focus, and the point that I was trying to make is that they do have the resources; they do have the bodies; they do have the marketing dollars; they do have the

research, so it's all there. All we have to do is go in and change their mission and put in that we want them to concentrate more on sports.

"The problem that we have, and the reason why we don't get \$9 billion worth of sports, is because we don't have the venues. We don't have the venues; what we have is the convention center and the stadium. The convention center does not have the acoustics; the stadium, as we know, needs to be replaced. And so, we have a lot of other types of barriers that's preventing us from reaching that level.

"And so, it's interesting that the senator from Salt Lake was quoted in the newspaper after the hearing to say, 'I was pleasantly surprised to see that they [HTA] are actually going to contract out sports marketing, which, to me, means somebody's coming up with a comprehensive plan and starting to chase new business for us. So, if they are going to do that, then that aspect of what was initially put forth to us is no longer necessary.' And so, there are other options that we should be looking at instead of trying to saddle the taxpayers with millions and millions of dollars for a sports authority that, really, we could do with a lot less with what we already have. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3507 was adopted and H.B. No. 1847, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SPORTS AND ENTERTAINMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18; Ayes with Reservations (Chun Oakland, Dela Cruz, Espero, Inouye, Nishihara). Noes, 6 (Harimoto, Ihara, Kim, Riviere, Ruderman, Thielen). Excused, 1 (Slom).

Stand. Com. Rep. No. 3517 (H.B. No. 2037, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3517 be adopted and H.B. No. 2037, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Gabbard rose to speak in support of the measure as follows:

"Colleagues, as many of you know, our state will be hosting the International Union for Conservation of Nature World Conservation Congress in September of this year. This event is the Super Bowl of conservation events, and it will be the first time to be hosted in the United States. What better place to host this international event than in Hawai'i nei? It will be an incredible opportunity for us to showcase the great strides that we have made in the areas of conservation and sustainability. Held once every four years, the World Conservation Congress brings together leaders and decision-makers from government, civil society, indigenous peoples, business, and academia with the goal of conserving the environment and harnessing the solutions nature offers to global challenges.

"The economic benefits to the state will be approximately \$65 million based on the attendance of approximately 8,000 delegates from 160 countries. In all, the state is supposed to commit \$13.2 million for the WCC, and the hosting committee is working to raise some of those funds. This bill would make an appropriation for the WCC, which must be matched with private funds. So, I ask you to please join me in supporting this bill. Mahalo."

Senator English rose to speak in support of the measure as follows:

"Members, this is a very hard one for us because – I'll be very frank and I need to put this on the record – we trusted the host committee to raise money, and early on, we gave \$4 million plus operating expenses for them to go out and raise

funds. In fact, what happened was very little or no funds were raised. They've come back with the bill, and if you remember, originally this was taking money out of DLNR and our conservation programs. We changed it to general funds.

"But I have to say this: If Hawai'i ends up paying more than \$8 million for this, we become the majority sponsor. The United States government is putting in only \$500,000 and only for their pavilion. That means that they're only paying for the State Department's pavilion; no money toward anything else. Members, if this is the case, I am demanding that Hawai'i take center stage in this conference, that we own this conference, and that we are the ones who dictate some of the programs that get put on there. Instead of the USA logo up front, it should be the Hawai'i logo up front, because we are the sponsors; we are the ones who paid for this. So, I moved this bill out of the tourism committee with the very straight talk with the fundraisers and people who are supporting this, that these are the conditions that we are putting forward because we are the major sponsor.

"What happened to Blue Planet Foundation? What happened to Omidyar? What happened to Ellison? All of these people, billionaires in Hawai'i, talking about conservation and not one penny toward this. That is the problem: Everyone talking and no one paying except the State of Hawai'i. So, I support moving this forward, but on the record: We own this; we take center stage; and Hawai'i becomes an international player. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3517 was adopted and H.B. No. 2037, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WORLD CONSERVATION CONGRESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3520 (H.B. No. 2235, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3520 was adopted and H.B. No. 2235, H.D. 1, 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 (English, Inouye, Kidani, Taniguchi). Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3525 (H.B. No. 1850, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3525 be adopted and H.B. No. 1850, H.D. 1, 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. 5) to H.B. No. 1850, H.D. 1, S.D. 2:

SECTION 1. H.B. No. 1850, H.D. 1, S.D. 2, section 2, is amended by amending the portion of the proposed new section 237- (a), Hawaii Revised Statutes, at page 2, line 20 to page 3, line 4 to read as follows:

"Execution of a tax collection agreement shall not be a requirement for registration as a transient accommodations broker tax collection agent."

SECTION 2. H.B. No. 1850, H.D. 1, S.D. 2, section 2, is amended by amending the proposed new section 237- (c), Hawaii Revised Statutes, to read as follows:

"(c) The registered transient accommodations broker tax collection agent's operators and plan managers shall obtain licensure under this chapter; provided that the registered

transient accommodations broker tax collection agent may comply with all requirements of title 14 on behalf of the operators and plan managers for business activity conducted directly through the agent, from the date of registration until the registration is canceled as provided in subsection (h). For purposes of any other business activity, the operators and plan managers are subject to all requirements of title 14 as if this section did not exist.”

SECTION 3. H.B. No. 1850, H.D. 1, S.D. 2, section 2, is amended by amending the proposed new section 237- (j), Hawaii Revised Statutes, to read as follows:

“(j) All registered transient accommodations broker tax collection agents shall inquire and ensure that the transient accommodation is in compliance with all pertinent state and county land use laws, including but not limited to:

- (1) Prior to placing an advertisement, including an online advertisement, on the availability of a property for lease or rent on behalf of an operator or plan manager, notifying the operator or plan manager that the subject property is required to be in compliance with applicable state and county land use laws prior to retaining the services of the transient accommodations broker; and
- (2) Requiring the operator or plan manager to provide verification of compliance with county land use laws in the form of a written certification, verification, or permit issued by the appropriate county agency.”

SECTION 4. H.B. No. 1850, H.D. 1, S.D. 2, section 3, is amended by amending the portion of the proposed new section 237D- (a), Hawaii Revised Statutes, at page 9, lines 3 to 8 to read as follows:

“Execution of a tax collection agreement shall not be a requirement for registration as a transient accommodations broker tax collection agent.”

SECTION 5. H.B. No. 1850, H.D. 1, S.D. 2, section 3, is amended by amending the proposed new section 237D- (c), Hawaii Revised Statutes, to read as follows:

“(c) The registered transient accommodations broker tax collection agent’s operators and plan managers shall obtain registration under this chapter; provided that the registered transient accommodations broker tax collection agent may comply with all requirements of title 14 on behalf of the operators and plan managers for business activity conducted directly through the agent, from the date of registration until the registration is canceled as provided in subsection (h). For purposes of any other business activity, the operators and plan managers are subject to all requirements of title 14 as if this section did not exist.”

SECTION 6. H.B. No. 1850, H.D. 1, S.D. 2, section 3, is amended by amending the proposed new section 237D- (i), Hawaii Revised Statutes, to read as follows:

“(i) All registered transient accommodations broker tax collection agents shall inquire and ensure that the transient accommodation is in compliance with all pertinent state and county land use laws, including but not limited to:

- (1) Prior to placing an advertisement, including an online advertisement, on the availability of a property for lease or rent on behalf of an operator or plan manager, notifying the operator or plan manager that the subject property is required to be in compliance with applicable state and county land use laws prior to retaining the services of the transient accommodations broker; and
- (2) Requiring the operator or plan manager to provide verification of compliance with county land use laws in the form of a written certification, verification, or permit issued by the appropriate county agency.”

SECTION 7. H.B. No. 1850, H.D. 1, S.D. 2, is amended by deleting sections 4, 5, and 6.

SECTION 8. H.B. No. 1850, H.D. 1, S.D. 2, is amended by renumbering sections 7, 8, 9, and 10 as sections 4, 5, 6, and 7, respectively.

Senator Thielen moved that Floor Amendment No. 5 be adopted, seconded by Senator Riviere.

Senator Thielen rose to speak in support of the amendment as follows:

“Thank you, Mr. President. The purpose of House Bill 1850 is to increase the state tax collections that are due from transient vacation rentals operating in Hawai‘i. It’s estimated that we are losing millions in tax revenues due to the state basically because of tax scofflaws. The bill ostensibly would create a vacation rental broker wherein the broker could collect the TAT and GET due to the state for units that are advertised through the broker and rented through the broker, and remit them to the state. I think, in order to strengthen the bill and to achieve our goal of assuring tax collection, we need to make some amendments to it.

“Let me begin by saying what this amendment, Senate Draft 3, does **not** do. Senate Draft 3 would not stop anybody from renting a vacation rental who is currently renting a vacation rental, permitted or unpermitted. The permitting of vacation rentals is a county responsibility, and this amendment does not change that. The amendment also does not require DOTAX to enforce county land use laws; that’s not DOTAX’s responsibility. The last thing the amendment doesn’t do, is it does not give large companies like Airbnb – which, I understand, had a large hand, if not the exclusive hand, in drafting the original bill – does not give them a sweetheart deal at the expense of local property managers.

“What the amendment does is it makes sure that DOTAX has the same information from Airbnb as it currently gets from all local property managers so that DOTAX can verify and enforce their tax collection that’s rendered by any online broker. What the amendment also does is it prevents Airbnb from dumping or hiding tax information, and I’ll explain in a minute why that’s important. What the amendment does is it prevents tax scofflaws, the individual unit owners, from hiding bigger operations behind an Airbnb license. And lastly, what the amendment does is it prevents the proliferation of the rental of campgrounds that we’re starting to see come up on Airbnb, and it’s taking away vacation sites that are cherished by Hawai‘i residents.

“So, first, let me explain why we need to strengthen House Bill 1850. Why should we be concerned that an online vacation broker is not going to render all the tax that is due to us? I shared with some of you a letter to Airbnb investors from two members of the Council of the City of New York. In this letter that is dated March 9, 2016, Councilwoman Helen Rosenthal and Councilman Jumaane Williams notified the Airbnb investors ‘to alert you to new information regarding your investment in Airbnb. By Airbnb’s own admission, the majority of their listings in New York City are illegal. We are concerned that they are not sharing information with our regulatory authorities that can lead them to rely upon Airbnb to render all the tax that is due to their operations’. Airbnb was investigated by New York State Attorney General Eric Schneiderman in 2014, and he concluded that nearly 75 percent of their New York listings were illegal. That investigation and a subsequent investigation in 2016 determined that Airbnb dropped nearly 1,500 illegal New York City listings a few weeks prior to presenting their data to authorities. There are concerns in other areas; when I spoke with the American Hotel & Lodging

Association, they raised other jurisdictions where Airbnb has not shared the data with the regulatory authorities.

“The bill without the amendments also gives Airbnb a sweetheart deal, and it exempts them from provisions in our tax code that apply to all local property managers. Our current GET law requires any local property manager who’s renting property on behalf of a third party to have certain information contained on the first page of the rental agreements and to file the first page of each of those rental agreements with DOTAX so that DOTAX can get immediate information, which it can use then to verify against the monthly filings by the property manager that it’s getting all the GET that’s due to it. Section 4 of the current bill without the amendments says that GET law still applies to all local property managers and everybody else except – except – it gives an exception to the online vacation brokers. Section 6 of the bill: Our current TAT law also requires local property managers to have certain information about the TAT that’s due on these rentals on the first page of each agreement, also filed with DOTAX so DOTAX can rectify or compare that with the monthly filings to make sure it’s getting all the taxes due. Section 6 of the bill without the amendments gives a special sweetheart exemption to Airbnb and any other online vacation broker. Outrigger testified that they’re currently complying with these laws; it’s not onerous. It makes sure that the tax department has the information it needs so that it can validate that it’s getting the full taxes that are due to it. Under the initial bill, not only do Airbnb and the online vacation brokers get these sweetheart exemptions, it also says any data that’s collected by Airbnb is confidential and they do not have to hand it over to the tax department except by subpoena. Tax department says, ‘Oh, we have the authority to do an administrative subpoena.’ Problem is, New York found, when you notify Airbnb that we want the data, they dumped a lot of it. So why on earth wouldn’t we be holding Airbnb to the same standards and eliminate those exemptions that are given to them? The amendment in front of you eliminates those two provisions, Section 4 and Section 6, and would require Airbnb to comply with the same provisions as all other local property managers.

“The other thing the amendment does is it requires individual unit owners to still obtain their own transient accommodation license. The beginning of the bill, the preamble, says that this online broker is similar to Chapter 237-9, which allows network marketing companies to collect taxes on behalf of businesses that they represent. The only difference is that section of the law still requires those businesses to obtain their own GET license, again, so DOTAX can know how many of these businesses are out there and use that to reconcile the information that they get. The bill that’s in front of you without the amendments would allow tax scofflaws to hide behind Airbnb’s tax license and not have to get their own tax license, nor would their individual TAT number have to be posted, so DOTAX could not verify whether they’re getting full tax revenues from these operations. The amendment would rectify that and require the individual operators to continue to get their own TAT license and to continue to have that posted. And if that information is not posted, then they could be penalized under it for our existing law.

“Lastly, the bill amendment does include one other thing. The original bill just says Airbnb is obligated to attest that their rentals on their sites are legal. I’m sorry, but I have trouble relying on a company ‘attesting,’ and I’m not sure what that means because under the way the current bill is written, they could just rely on what the applicant says to them about it being legal. But I’ve also shared with you some postcards that Airbnb has mailed around, recruiting new vacation rentals on the island of O’ahu – even in communities like ‘Ewa Beach, let alone my district of Kailua – where the company knows full well that any

new vacation rental on O’ahu is, by definition, illegal because we are well over the cap of legal vacation rentals.

“In addition, in this letter in New York from the council people, they stated:

We recently met with Airbnb’s representative, Chris Lehane. We asked him if Airbnb would voluntarily install simple software to keep illegal rentals off of their website. Remarkably, he refused, saying that he did not agree with the New York State law. As you can imagine, we were disappointed to learn that a nearly \$30 billion company would knowingly allow illegal activity on its website. Other online platforms like Craigslist and Reddit have policies in which they promise to ensure their users obey the law and remove content that disobeys the law. It is remarkable that Airbnb would refuse a seemingly commonsense corporate practice to maintain the integrity of their product.

“Now, some of you think that vacation rentals are an issue only in certain districts, such as Windward O’ahu or the North Shore. But I also shared with you an advertisement that’s on Airbnb that is advertising ‘Hawai’i camping with the dolphins – 1st camping in Hawai’i with dolphins,’ \$59 a night, Mākuu. Other folks who are advertising on Airbnb: ‘Camp the beach – number one beach in the U.S.,’ Waimānalo; ‘Camping with dolphins,’ Wai’anae; ‘Hawai’i beach campouts that are personalized;’ ‘Campgrounds enjoying wildlife;’ ‘Comfortable camping in Anini Beach,’ Ha’ena Beach, Polihale Beach; ‘Kalalau campground adventure;’ ‘Relaxer camper getaway.’ ‘Luxury glamping’ – that’s ‘glamorous camping,’ for those of you who don’t know about that; that one’s a hundred dollars, but the rest are about 39 bucks a night. Old Kapa’a Town, Kahului, Kīhei; the list goes on and on. It’s expanding into areas where our local residents go for their vacations with their family year after year. It’s expanding into our public campgrounds and our cabins that are the affordable getaway places for our families in this state with the highest cost of living. And under the bill – S.D. 2, without the amendments – that will continue, and it will expand. And even though those operations are illegal, it’s going to be a cat-and-mouse game where the various counties and the state agencies and the state parks are going to have to be going after these people, and it’s like a whack-a-mole game: Every time they come up, they get knocked down; they pop up under a different name, and it’s going to keep going. And your constituents are going to be shut out of these areas, and the tourism dollars that we get are going to continue to decline per tourist because they’re going to be finding these low-end, \$39-a-night places to stay in Hawai’i, as opposed to going to our hotels, going to our higher-end facilities. And we keep saying year after year that we don’t want more tourists; we want higher-spending tourists. This is going in exactly the wrong direction. So, one of the amendments that is in here would, instead of requiring Airbnb to rely on whoever is advertising with them to attest to it being legal, that they would have to obtain a certification or written verification from the counties that what’s being advertised on their site would be legal. That would help prevent and stop these types of advertisements of the campgrounds because they are clearly illegal.

“I’m going to stop at this point because I know that there are other people who want to comment on this bill, but I just want to say – and I may stand up to rebut some of those comments – but I just wanted to say a couple more things. First of all, the bill has an effective date; even if you’re not certain that these amendments are the best solution, if we don’t amend the bill today, it’s going to go to the House for agree/disagree and you’re not going to have another chance to vote on it. If you have doubts, please don’t express them in reservations: Support

the amendment; put the bill in conference committee where we can continue to work on it.

“The second thing I wanted to say is when I first came into the Senate and I met with a number of folks, people kept telling me it’s all about relationships. I know that I disagree with a lot of people here on many topics, but I think now that this is my fourth year here, a number of you know that you can rely on me to have done due diligence on bills, to go back and do the homework, and to look at them. And I’m telling you that the bill S.D. 2 is a dangerous bill to pass. It’s dangerous if you want to go after tax revenues because it gives too many exemptions to Airbnb, and given their business practices in other jurisdictions, it’s **not** going to achieve the goal that you want to achieve. And it’s dangerous because the protections that are in there are weak and vague, and they’re not going to preclude advertisements like these camping advertisements that are going in there. So, please support the amendment. Thank you.”

Senator Riviere rose to speak in support of the amendment as follows:

“My district is heavily impacted by vacation rentals, as you folks have probably heard me say. We have 82 legal vacation units in my district – 82 are legal. They are the leftover permits from 1989, when the County of Honolulu changed the process and tried to have them atrophy, but it’s gone the exact opposite. I had my staff this week look into some of the online postings because of our law from last year that requires posting of your TAT license or your nonconforming-use license number. I had my staff do a fairly thorough sampling of hundreds of the advertisements. On VRBO.com, there are 964 units that pop up under ‘North Shore.’ So, you say, well, that’s a nice area – it’s where people want to stay. And I would say that that’s 964 units, so even if you took out 82 and presumed that they were legal, there’s a lot of housing there that is not available for residents any more.

“I know several people who truly have been displaced by vacation rentals. I know a lady who now lives in Oregon; she flies for Hawaiian Airlines, and she would have been here today if she could – I was going to point her out in the audience. She moved to Oregon because, after all these years of getting bumped from place to place, it was just easier for her to go to the mainland. Three weeks ago on a Saturday morning, I had a lady show up at my doorstep. At nine in the morning, this unfamiliar car rolls up and this lady walks up and she knocks on my door and she says, ‘Hey, Gil, do you remember me?’ And I said, ‘Yes, I do.’ She said, ‘You remember, you coached my son in Little League?’ I said, ‘Yes, I remember you folks.’ She said, ‘I need a place to stay, and I don’t know where to turn. You know, I grew up 200 yards over there – you know that house right over there?’ She said, ‘I grew up in that house – lived my whole life, my family’s been in this area for generations.’ She said, ‘I have to find a place to live, and there’s nowhere to live.’ I said, ‘I know.’ I said, ‘**I know.**’ I said, ‘You know, I’m trying to raise the awareness that we, legislators, are abrogating our responsibility.’ I didn’t use those words with her, but we’re failing to get control of the situation.

“So, my staff did some research on this, and they went through – and it’s very difficult, so I understand the challenge for the Department of Tax and anyone else, the Department of Planning and Permitting, to investigate this – but they went to Airbnb. I told them to sample Airbnb. When you type ‘Airbnb,’ you go on there, and you type ‘North Shore,’ you get properties in Wai’anae; you get properties in Waimānalo. They flag it because it sells – the North Shore sells – so anywhere on the island, they’re marking this. So, my staff said, ‘How are we going to possibly get to the bottom of all these hundreds and hundreds and hundreds of units?’ I said, ‘Do what you can. Look at the map and go to Waialua,’ where I happen to know there’s probably about six legal ones, maybe. They sampled 542

units, and of those 542 Airbnb advertisements, 88 listed their TAT numbers. So, 16 percent compliance. The Senate Draft 2 that we’re trying to amend here would just make that not even necessary – just skip it; don’t bother with the TAT license. Of the 542 samples, 2 are legal on the list of 82. VRBO, as I mentioned, has 964 units listed on the North Shore. We sampled only 50, because we just didn’t have all the time in the world to do this. There’s 18 that were compliant with the TAT license and only 1 legal. My point in making this observation: Of the sampling we did, VRBO compliance, legally, is twice that of Airbnb. So, Airbnb already has demonstrated that they’re not working very hard to enforce anything other than to collect money.

“I support the collecting of taxes, the GET and the TAT, so I don’t want to be misconstrued on that. In the past couple years we’ve talked, I’ve been supportive of measures to try to get a handle on this, but we’re missing an opportunity here, folks. There’s disparate treatment, so if this bill, the S.D. 2, passes and you advertise on VRBO, you’ve got to go get your TAT license number. If you want to hide behind Airbnb, don’t worry about it; they’ll take care of it, and you get a 1099 in the mail. So there’s disparate treatment for a certain group of people.

“The exemptions from the laws are, as the previous speaker mentioned, you know, why? Why are we going to exempt them? Perhaps we should pass this amended bill, move it forward, and if in the future we find that those exemptions are warranted, maybe then we can go for exempting Airbnb because they’re being a good community member. But the fact that they’re advertising throughout the state in clear violation – that all of these people who would be advertising are illegal – should not be condoned and supported. They’re bringing lower-budget tourists, which is fine: I spent three years backpacking, traveling around the world; I’ve been that low-budget traveler. But as previously mentioned, in Hawai’i, we have impacts. A low-budget traveler has impacts just as the high-budget traveler, and we’re getting more and more and more people and nobody seems to be taking account of that. So, for these reasons and others, I’m very supportive of the amended version; I’m not supportive of the underlying measure, so thank you very much.”

Senator Baker rose to speak in opposition to the amendment as follows:

“Thank you. I would just note that the amendment offered is premised on a misunderstanding of DOTAX’s position. The Department of Taxation helped to craft the measure. The Department of Taxation would have to enter into a tax collection agreement with anybody that fell under the definitions in this measure, whether it was Airbnb or any other entity. We are not seeing taxes collected under VRBO’s in the current law; that’s why this bill is here. I don’t believe that the amendment offered by the senator from Waimānalo actually adds to the efficacy of the measure. Thank you.”

Senator Kim rose to speak in support of the amendment as follows:

“Mr. President, I’m all in favor of making it easier to collect taxes and that everybody should pay their fair share, but we need to make sure that we’re not aiding and abetting illegal units. Illegal units take away from our long-term rentals for our residents and put more strain on our affordable rentals. On one hand, our budget appropriates millions of dollars to increase affordable rentals and affordable units, and with this bill, we are going to lose private long-term rentals to short-term vacation rentals. Brokers like Airbnb should not lure people to advertise on their site and just collect the tax. They must be good corporate citizens, and they should be doing whatever possible so that they are not a conduit for illegal vacation rentals. So, requiring Airbnb to not just attest but to ensure that the transient

accommodations are in compliance with all pertinent state and county land use laws is the right thing to do.

“Last year, as it was mentioned, we passed legislation requiring that all vacation rentals have their TAT numbers listed on all advertisements. And research has shown, as it was pointed out, that only a few of the Airbnb listings are complying with this law. So, we know that posting the TAT number is possible and is being done, so why are proponents of this measure so opposed to following the law we adopted last year? I don’t understand why. We need to give this law a chance; we don’t need to exempt anyone from the law that we already passed. It was said that this bill in the current form will do all of these things; well, if it does, then why not support strengthening it? What’s the problem with strengthening it?”

“If we allow brokers to make it easy for property owners to offer their long-term rentals as vacation accommodations, this is going to change our traditional neighborhoods. Postcards, like the one you’ve received copies of, like this to ‘Ewa Beach and to Wai‘anae and other solicitations, make this a really real problem. Neighbors fighting with neighbors, like in Kailua, will be happening all over your neighborhoods. It’s just a matter of time. When this postcard was brought up in committee to Airbnb, the representatives didn’t even know about it. They had no idea that these kinds of mailings were being made. The right hand does not know what the left hand is doing. The representatives here for Airbnb did not know that people on the mainland were sending out these postcards, so how can we rely on what they tell us? How can we rely on them for anything that they are purporting?”

“And it’s not just our neighborhoods: As it was brought up, it’s our beaches and our state parks. It’s just a few examples of how this is getting out of control, and I know it was mentioned and you have copies of this, but for the record, I think we should mention this. You know, here’s one that says, ‘Old Kapa‘a Town campgrounds, \$40. Our comfortable campground is centrally located in Old Kapa‘a Town. All you need to camp is included. Never overcrowded, with no more than five tents at a time. This is a very local-style neighborhood.’ I don’t know how long that’s going to be a local-style neighborhood. And then you have the Treasure Spin hideaway in Kihei, \$25. It’s a sleeping bag, airbed additional cost, and a tent. ‘Sleeps two people comfortably and is only available from sunset to sunrise. Many nearby beaches have public showers and toilets. The location is not exactly the same for every booking.’ What does that mean? On O‘ahu, Camp #1 in Waimānalo, \$59: ‘Huge tents with queen beds, clean sheets, and pillows. All the cooking and eating utensils included. Barbecue set with charcoal, washing station, cooler, two bathrooms including showers. Number one beach this year, beautiful Sherwood Forest, powder sand, and over a mile. Beach tables with shade and hammocks.’”

“You know, we went online to look at what the cost is to get a camping permit; \$39, doesn’t matter how many days, up to three days. Well, they’re taking our state permits, our county permits, and they are reselling these, and I’m not sure what kind of TAT Airbnb is going to give us. What kind of tax are we going to get from these? Here’s another one in Mākuā: You get a tent, airbeds, clean blankets, sheets, pillows, towels, barbecue grill, washing station, solar shower, cooking equipment, eating utensils, snorkel gear, cooler, table lights, toilet paper, lighter. ‘On the most secluded beach on the island.’ I don’t know how long this beach is going to be the most secluded on the island, meaning no lights for stars, no public restrooms, beach fires, music, and locals on the weekend. ‘Nobody during the week, mile of empty beaches with dolphins almost every morning.’ I’m not sure how the people in Wai‘anae are going to feel about this.

“You’re going to pit locals against these vacationers; they’re going to be trouble in our neighborhoods; it’s going to be

blasted all over our newspapers; it’s going to go across the country, and we’re going to wonder why tourism goes down in the future. This is a very serious problem, and when this happens on your island, when this happens in your neighborhoods, just remember today that you had the opportunity and the chance of supporting amendments that could make a difference. I urge you all to support the amendments. Mahalo.”

Senator Chun Oakland requested a Roll Call vote, and the Chair so ordered.

The motion to adopt Floor Amendment No. 5 was put by the Chair and carried, Roll Call vote having been requested, on the following showing of Ayes and Noes:

Ayes, 13; Ayes with Reservations (Green, Inouye, Shimabukuro, Wakai). Noes, 11 (Baker, Dela Cruz, English, Gabbard, Galuteria, Keith-Agaran, Kidani, Kouchi, Nishihara, Taniguchi, Tokuda). Excused, 1 (Slom).

Senator Thielen moved that Stand. Com. Rep. No. 3525 be received and placed on file, seconded by Senator Riviere and carried.

By unanimous consent, H.B. No. 1850, H.D. 1, S.D. 3, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” was placed on the calendar for Third Reading on Thursday, April 14, 2016.

Stand. Com. Rep. No. 3533 (H.B. No. 1072, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3533 be adopted and H.B. No. 1072, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Ruderman rose to speak in support of the measure as follows:

“Thank you. You know, this may not be an issue in urban areas such as Honolulu, but I can verify that it’s a huge issue in East Hawai‘i to have access to a psychiatrist. There’s virtually no access to a psychiatrist in East Hawai‘i unless you check yourself in to the hospital. That’s been confirmed by our research, and we saw testimony by Big Island Substance Abuse Council, who verified that 95 percent of their clients cannot get an appointment with a psychiatrist.

“I think there are a lot of safeguards built into this bill; these psychologists will be highly trained. I believe that the risk of no treatment being available is much greater than the risk of non-psychiatrists prescribing drugs for which they’ve been trained. In the cases where an appointment with a psychiatrist is available, it’s usually three or four months in the future. A person who’s in crisis obviously cannot wait many months; the situation’s urgent. So, I support this carefully controlled expansion of prescriptive authority, which will have a tangible improvement for mental health care, most especially in rural areas. Thank you.”

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 H.B. 1072, H.D. 1, S.D. 2, Relating to Prescriptive Authority for Certain Psychologists.

“This bill allows certain clinical psychologists to prescribe medications that directly affect diagnosis and treatment of certain mental disorders. By allowing prescriptive authority for post-doctoral clinical psychologists with advanced, masters level training in psychopharmacology and who have an

established collaborative agreement with either a patient's primary care provider or with the Department of Health for cases of forensically encumbered patients with an SMI diagnosis, the population that is both at risk and underserved can finally get the mental health services they need. Your Committee on Commerce, Consumer Protection, and Health worked with community stakeholders, the Departments of Health and Commerce and Consumer Affairs, and the regulatory Board of Psychology to ensure that adequate standards for education, training, and registration requirements were established.

"The mental health needs of individuals in Hawai'i continue to overwhelm the capacity of the services available in the state. A December 2014 report from the Hawai'i Physician Workforce Assessment Project indicates that Hawaii's rural areas and neighbor islands are impacted the most by shortages of licensed medical professionals such as psychiatrists.

"The CPH committee heard testimony from numerous families struggling to find adequate care for loved ones in their communities. One mother from Kaua'i spoke about the lack of available psychiatric services and the detrimental impact of this absence on her daughter's mental health. Although her daughter already sees a psychologist who knows and understands her condition and what medications she requires, this provider is currently unable to treat her for that condition. Allowing a psychologist, with appropriate training and education, to prescribe creates a better and more consistent environment for vulnerable patients.

"Clinical psychologists are licensed health professionals with an average of 7 years of post-baccalaureate study and 3,000 hours of post-graduate supervised practice in the diagnosis and treatment of mental illness. The post-doctoral, Master's level clinical psychopharmacology training requirement in the proposed S.D. 2 is equivalent to the American Psychological Association's recommendations specific to the practice of prescribing psychotropic medication. This curriculum consists of 510 credit hours and 400 patient-care hours. The Master's of Science and Clinical Psychology program was approved by the UH Board of Regents in 2011, and 10 students have completed the program thus far. The course of study is rigorous and thorough. Licensed clinical psychologists with the specialized education and training have been allowed to prescribe psychotropic medications to active duty military personnel and their families in federal facilities and the United States Public Health Service for decades.

"H.B. 1072, H.D. 1, S.D. 2 does not address a new issue. The discussion surrounding psychologists prescribing has been going on for decades. In 1985, our state legislature was the first to consider legislation to study the feasibility of prescriptive authority for psychologists. In recent years, Illinois, Louisiana, and New Mexico have successfully adopted legislation authorizing prescriptive authority for advanced trained psychologists. Over the years our legislature has expanded the scope of practice for a variety of fields, including Advanced Practice Registered Nurses (1994), Therapeutically Certified Optometrists (1996), and Naturopaths (2009). The expansion of prescriptive authority granted by this measure is also very narrow. Psychologists meeting the criteria would only be allowed to prescribe very limited formulary that is directly in line with their scope of practice for psychology, and would not be permitted to prescribe the majority of controlled substances.

"Colleagues, it has been 31 years since the Legislature first proposed this idea. Our communities deserve better access to care than they are currently receiving and this bill is an important step towards ensuring that all our state's residents have access to comprehensive mental health services. Please join me supporting H.B. 1072, H.D. 1, S.D. 2. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3533 was adopted and H.B. No. 1072, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR CERTAIN PSYCHOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Green, Kim). Excused, 1 (Slom).

Stand. Com. Rep. No. 3540 (H.B. No. 2279, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3540 was adopted and H.B. No. 2279, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3542 (H.B. No. 2445, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3542 was adopted and H.B. No. 2445, H.D. 1, 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 (Slom).

Stand. Com. Rep. No. 3549 (H.B. No. 2388, H.D. 3, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3549 be adopted and H.B. No. 2388, H.D. 3, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Kim rose to speak in support of the measure with reservations as follows:

"Mr. President, when Governor Ige said in his State of the State address that he proposed to move the OCCC and rebuild the prison in Hālawā, the residents of Kalihi were ecstatic. However, this bill requires the governor to conduct a feasibility study on reconstructing the OCCC on a smaller footprint on the land that it currently occupies, which I and the community do not support. The governor's plan already kept the Laumaka Work Furlough program site in its current location in Kalihi; this is a site of a rail stop, and the Kalihi community has waited a very long time to remove and relocate the prison away from residents, away from schools, and they are in need of this area to be completely redeveloped. And so, for those reasons, I have strong reservations. Thank you."

Senator Chun Oakland rose to speak in support of the measure with reservations as follows:

"Thank you. I stand in support with reservations and would like the words of the previous speaker inserted into the Journal as if they were my own. Thank you." (The Chair so ordered, by reference only.)

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3549 was adopted and H.B. No. 2388, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Chun Oakland, Espero, Ihara, Kim, Wakai). Noes, none. Excused, 1 (Slom).



Stand. Com. Rep. No. 3550 (H.B. No. 2617, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3550 was adopted and H.B. No. 2617, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3551 (H.B. No. 2489, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3551 was adopted and H.B. No. 2489, 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 (Slom).

Stand. Com. Rep. No. 3558 (H.B. No. 2772, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3558 was adopted and H.B. No. 2772, H.D. 1, 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, 24. Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3559 (H.B. No. 1581, H.D. 2, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3559 be adopted and H.B. No. 1581, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Riviere rose to speak in opposition to the measure as follows:

"Thank you. I'm going to be voting in opposition, and I'd like to offer some brief comments. Thank you, and I apologize that I did not see this or understand this in this way earlier or in committee; I missed it, so apologies to everybody for not raising this earlier. But my opposition on this one is that in legal proceedings, you need to build the case, and that's what the lower courts do. They seek the testimony; they seek the input; and they build the majority of the case, if not all of the case. By automatically rushing this up to the Supreme Court, we're now going to burden the Supreme Court with building the case. The Supreme Court will bog down because it's hard enough, they've got a busy enough calendar. The reason that we've created the ICA, the Intermediate Court of Appeals, and the whole court structure is to logically process and handle the court cases. So, the Supreme Court already has all the authority it needs to reach down and grab cases of significant statewide import.

"This bill does other things, too; it just jumps ahead. It jumps ahead; it's telling the court – again, we're meddling with the judiciary, telling them how to run their things. I know we jump up and down when they tell us how much to fund, and yet, now we're telling them how to run the courts. So, for all of those reasons, I do have concerns with this, and thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3559 was adopted and H.B. No. 1581, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUDICIAL PROCEEDINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Riviere). Excused, 1 (Slom).

Stand. Com. Rep. No. 3560 (H.B. No. 1907, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 3560 was adopted and H.B. No. 1907, H.D. 2, 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 (Slom).

Stand. Com. Rep. No. 3563 (H.B. No. 2391, H.D. 2, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 3563 be adopted and H.B. No. 2391, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Shimabukuro.

Senator Kim rose to speak in support of the measure with reservations as follows:

"Mr. President, this measure authorizes the Director of Public Safety to order the release of a pretrial or sentenced misdemeanor to prevent overcrowding when a community correctional center has reached that capacity. It clarifies that the authority to release a pretrial or sentenced misdemeanor is granted **solely** for the purpose of managing the population of the community correctional center. And while this bill sets parameters on who can be released, it still gives the sole discretion to the Director of Public Safety, which makes him a very powerful person. Of course, it only happens if the correctional center is overcrowded, but OCCC has been overcrowded for so long that this makes the Director of Public Safety the judge and the jury. It does require notification to the judge and prosecutor 24 hours prior to the release and a yearly report to the Legislature, but there is no review by anyone at the time that the decision is being made, and so I hope that, as we go forward with the measure, perhaps we can put a little more checks and balances in there. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3563 was adopted and H.B. No. 2391, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF CERTAIN MISDEMEANANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Chun Oakland, Green, Kim, Riviere). Noes, 2 (Harimoto, Thielen). Excused, 1 (Slom).

Stand. Com. Rep. No. 3567 (H.B. No. 2086, H.D. 2, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3567 be adopted and H.B. No. 2086, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Riviere rose to speak in support of the measure with reservations as follows:

"Thank you. We know that the Department of Transportation needs monies to fix the roads. My reservation is that they have a lot of money in various projects and they're woefully slow at delivering projects that are on the books; it's sometimes 10 years, 15 years that they know they need to repair a road, and then it becomes a crisis and they have to then use their emergency monies. And so we're going to be replenishing their emergency monies with general funds here, and it seems to me we've got a lot of other high priorities that are now not going to have that money from the general funds. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3567 was adopted and H.B. No. 2086, H.D. 2, S.D. 2, 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; Ayes with Reservations (Ihara, Kim, Riviere). Noes, none. Excused, 1 (Slom).

Stand. Com. Rep. No. 3569 (H.B. No. 401, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3569 was adopted and H.B. No. 401, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VOTING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3570 (H.B. No. 2009, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3570 was adopted and H.B. No. 2009, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3571 (H.B. No. 2263, H.D. 1, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 3571 be adopted and H.B. No. 2263, H.D. 1, S.D. 1, 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 just want to express my token opposition, which I’ll express any time someone proposes a development for my neighborhood without talking to my neighborhood about it. Thank you.”

Senator Espero rose to speak in support of the measure as follows:

“I certainly understand what the senator from the Big Island just stated. However, as you all know, we’ve been pushing to build our aerospace industry for many years now, and although we haven’t had much success in the last few years that is very visible, let me assure you that I believe we’re on the verge, within the next couple years, of some really big things: Space tourism is one that you will probably be hearing about more this year as we’re working with the FAA to get a space port license; unmanned aerial systems testing, being one of the FAA’s six regional sites in the nation; we’ve recently funded a coordinator for UAS, and we’ll be creating an advisory commission to look into this area; robotics, which is very large within all of our schools; and this measure, potentially small satellite launches.

“Recently, there was a small satellite launch out of Kaua’i, at Barking Sands, that involved the Air Force and the University of Hawai’i. This launch did not succeed, but it certainly showed that Hawai’i is on the map in terms of this area, and we have the potential. The economic value of a private small satellite launch can be anywhere from ten to twenty million dollars per launch, and thus, from the economic perspective, jobs in STEM – Science, Technology, Engineering, and Mathematics – and providing opportunities for our youth and for our residents is one strong reason why we should pass this measure. And again, we certainly have to vet this with all of the islands and certainly the district where this could have the biggest impact, but certainly, this is a measure that should continue moving forward. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3571 was adopted and H.B. No. 2263, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Ruderman). Excused, 1 (Slom).

Stand. Com. Rep. No. 3573 (H.B. No. 1556, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Shimabukuro and carried, Stand. Com. Rep. No. 3573 was adopted and H.B. No. 1556, H.D. 1, S.D. 1, 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, 17; Ayes with Reservations (Espero). Noes, 7 (Chun Oakland, Harimoto, Ihara, Kim, Riviere, Ruderman, Thielen). Excused, 1 (Slom).

H.B. No. 1700, H.D. 1, S.D. 1:

Senator Tokuda moved that H.B. No. 1700, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Tokuda rose to speak in support of the measure as follows:

“Thank you. Before I go over the highlights of the Senate draft, I would like to again acknowledge the hard work, dedication, and commitment of our Ways and Means team. Days, nights, weekends, and holidays – I am just very humbled and appreciative to be able to work side-by-side people who continually go above and beyond to ensure that our budget and bills best reflect both the Senate and the priorities of our state. Our teams really are the silent heroes in this building, and we are especially reminded so on major bills such as this and as we head toward conference. I know they’re upstairs at this point, watching, so, to our WAMily: Thank you very much; I’d be one ‘pua ting’ without you.

“I’d also like to thank the only other person in the Senate who can talk faster than me, and that is my vice chair. The work he has done with his team on the CIP budget really does reflect how much he cares about all of our communities and his ability to see the big picture, so thank you very much.

“I’d like to also thank you, Mr. President, for your support. Having served as CIP vice chair, you are very much aware of what we are going through on a day-to-day basis, from the budget to various bills, and it’s good to know that you’re always there for us.

“The executive supplemental budget proposed to add 526 positions and \$335 million in general funds for fiscal ’17. The Senate draft reduced this by 71 positions and \$215 million, resulting in a total add of \$120 million in general funds for fiscal ’17. The Senate draft also reduced appropriations in fiscal ’16 by \$13.5 million in general funds. While we did not take the administration’s proposal to prefund OPEB in this budget bill, accounting for \$163 million in reductions, this budget does reflect a significant number of last-minute Governor’s Messages – over \$38 million in general funds – and requests that came forward from departments and the community. All of this had to be balanced against the reality that, while overall economic growth has been positive, the Council on Revenues has lowered growth projections, making it imperative that we consider the short- and long-term viability of all requests.

“In seeking to create a budget that balanced multiple priorities, programs, and services without adding unsustainable costs going forward, your committee adhered to guiding principles that yielded both an efficient use of resources and

maximized the operations of each department. Building upon budgetary practices WAM established last year, we continued to promote efficient use of resources and encouraged prioritization of projects by lump-summing appropriations and giving a percentage of the funding. One approach that has been encouraged on departments is to better utilize their existing base budget appropriations. One example of this is the deployment of Microsoft Office 365 system-wide; instead of adding an additional \$3.5 million in annual costs distributed among all departments, in talking with OETS, it was determined that they could pay for it out of their existing base budget. Another shining example of this is the Med-QUEST Division in DHS. During hearings and in discussions, your committee challenged them to look within their existing \$1 billion base budget to fund new programs and supplemental requests. They listened, and as a result of their sincere efforts, identified \$43 million in savings over two years that will allow them to fund priorities, like the restoration of adult dental benefits, the DRI inflationary rate adjustment for nursing homes, Medicare Part B supplements, autism coverage, and Hep C.

“Continuing to focus on human services, your committee recognized the need to provide targeted support with outreach statewide in all of our communities to deal with the issues surrounding homelessness and access to affordable housing. In concert with a number of policy-driven bills that have passed out of the Senate, our draft contains over \$7.3 million in general funds for homeless services and programs, including \$3 million for Housing First, of which half will be deployed to the neighbor islands; \$2 million for Rapid Re-Housing; \$1.1 million for homeless outreach; \$200,000 for a stored-property program; and five positions and funds for program specialists to assist with contract management and staffing for the governor’s homelessness special projects team.

“Looking across the housing spectrum, your committee also provided \$3 million for state family and elderly housing facilities, 16 positions and \$1.2 million in general funds in rental assistance to help leverage more federal housing vouchers going forward, and provided 36 positions and \$2.7 million in revolving funds for a multi-skilled worker team in Hawai‘i Public Housing Authority to help quickly repair vacant units and get them back into circulation. To directly aid in this effort, the Senate draft also includes \$29 million in general funds in the CIP budget for HPHA repair and maintenance.

“When looking at issues of concern in all of our communities on all of our islands, your committee spent a considerable amount of time during the interim and during this session focused on the Hawaii Health Systems Corporation and talking with the administration and the various regions. As a result of these conversations, we have agreed to the \$21 million general fund operating subsidy requested in the supplemental budget. Looking specifically at Maui Memorial in regards to the requested \$10 million general fund seed capital request, it has become apparent that this amount is very likely not needed, with Maui’s assets at the end of the fiscal year able to cover the amount. That being said, there is a concern that extenuating circumstances may result in Maui falling short by half a million to 1.5 million dollars, which is why the administration put forward the 10 million dollar request. What our Senate draft instead proposes to do is provide the HHSC board with \$10 million in general funds to provide operating subsidies as they see fit to any of the regions, including the ability to make up for any shortfall in Maui’s seed capital. This committee has received requests for additional funds from all of the regions, and this lump sum appropriation would allow the HHSC board to make the determination where and how much should be given.

“During our informational briefings, it also became clear that corporate costs that Maui once paid into the system would be a

huge financial burden to the remaining regions. It was your committee’s belief that these costs should go down with Maui’s separation, but understanding that these reductions would not be immediate and would be negatively assessed and felt by the other regions, we provided \$7.9 million in nonrecurring general funds to cover Maui’s share for fiscal ‘17. If this is not provided for, our concern is for the already-struggling regions having to bear additional assessments ranging from \$800,000 to over \$4 million each.

“In looking at our natural resources, your committee also went back to the conversations and meetings we’ve had on all of the islands, focusing on priority needs and rebuilding capacity to address the threats that we face. In doing so, our draft includes 1.5 million dollars in general funds for a USGS Hawai‘i stream study; a distribution of the 3 million dollars in TAT funds to DLNR that reflects high-priority areas, including 1.5 million dollars for the Office of Conservation and Coastal Lands for beach restoration and half a million dollars for the Division of Forestry and Wildlife that supports endangered species protection and wildfire management. In addition to these funds, your committee included \$600,000 in general funds for wildfire contingency, \$250,000 in general funds for endangered species management, \$250,000 in general funds for marine debris removal, and \$190,000 in general funds for the Nā Ala Hele and game management programs.

“Recognizing the longstanding issues our small boat harbors face statewide, our draft also includes 18 positions and \$617,000 in general funds to operate facilities six days a week. Following up on a report by the joint fact-finding study group on Kaua‘i, your committee also included half a million dollars in general funds to the Department of Agriculture to address concerns related to pesticide use. Other significant adjustments your committee included in the Senate draft were such things as: \$10 million in Weighted Student Formula for English-language learners and \$16.5 million in Weighted Student Formula for distribution to all schools; \$6.9 million for student transportation; \$5.2 million for DOE school utilities; \$670,000 for Teach for America; \$783,000 for hard-to-fill incentives for charter schools, separate and apart from their per-pupil allocation; \$5 million for HI Growth to stimulate our innovation economy; \$150,000 for the Office of Aerospace Development for the unmanned aerial systems test site; \$100,000 in matching general funds for the Creative Lab program; \$100,000 and a temporary position for the Hawaii Broadband Initiative; and \$150,000 to review the Hawaii State Planning Act. Also, \$6.1 million in general funds has also been included for the Preschool Open Doors program and its administration; \$3 million for Kupuna Care; 33 positions and \$1.7 million for vector control branch in Health to combat emerging health threats, like dengue and Zika; and \$3 million for the UH Cancer Center.

“In closing, I want to touch upon the last Governor’s Message we received and included in our draft, literally the day before we voted on our budget. For the Department of Hawaiian Home Lands, the administration – in looking at what constitutes administrative and operating expenses for the department – has proposed a total of \$17.1 million in general fund reimbursements for fiscal year ‘16 and over \$22.8 million in fiscal year ‘17 in general funds, including fringe-benefit costs that will now be paid out for personnel through the Department of Budget and Finance. Given the substantial amount being considered, which will greatly increase and change the department’s base funding, and the need to properly allocate these funds to ensure transparency and provide budgetary stability going forward, your committee finds that this measure is the most appropriate vehicle this session to consider increases to DHHL’s supplemental budget.

“While there is no doubt that there will likely continue to be much discussion and debate on this issue going forward, with the conversation so focused on vacant and new positions, inflationary adjustments, and total dollar amounts, your committee strongly believes that we must not lose focus on that which is most important: the beneficiaries. For far too long, they have battled against a waiting list that never seems to get any shorter, and the highest priority must be placed on ensuring that these additional resources are focused on getting people into homes and onto the land.

“You know, as we go through all of this and as I’m reading off all of these additional amounts, I can’t help but hear the voice of our Minority Leader. It seems like, in my head, I can almost hear him to my far right, saying, ‘Madam Chair, it’s the forty-sixth day of our legislative session, and what have we done to help the beleaguered taxpayer get out from underneath their burden? How are we helping them get new jobs, stimulate our economy?’ Well, I assure you that while we’ve added quite a bit – and I know I’ve said quite a bit today in terms of what we put into our budget – we have also done quite a bit to cut. We’ve definitely said ‘no,’ and we’ve questioned every single special fund and general fund add alike. It’s a very humbling thing to try and create a budget that reflects the priorities and the needs that are most important to all of our communities, each being very unique and very diverse in their own way. Your committee did its best to reflect fiscal restraint and efficiency while targeting support to key areas in order to ensure that overall health of our communities are sustained, our economy is stimulated, and that our children are prepared to become the leaders who will one day take our place and far surpass us.

“Again, thank you to our Ways and Means team; thank you to my vice chair; thank you to all of our committee members and the various subject-matter chairs for their support in helping to develop our budget. And as always, this has been a truly humbling experience, and I ask for your continued support and consideration on this measure.”

Senator Dela Cruz rose to speak in support of the measure as follows:

“Thank you, Mr. President. I’d like to also acknowledge and thank the Ways and Means chair, committee, and staff; the CIP analyst; and my office for their insights, assistance, hard work, and dedication.

“Capital improvements play a vital role in shaping the future of Hawai‘i. What the Senate would like to invest in over the next several years may help Hawai‘i become more globally competitive while preserving our culture, our heritage, our sense of place. The Senate is committed to improving the quality of life of our residents, reversing the brain drain, diversifying our economy, and creating jobs. Highlighting these core values, the capital improvements budget seeks to achieve this by making significant investments in affordable housing, education, and agriculture.

“Mandated by our Constitution of the State of Hawai‘i, Article XI, Section 3, the Senate draft includes over \$107 million to purchase over 8,000 acres of ag land, which may help by providing long-term leases to local farmers and decreasing Hawai‘i’s dependence on food imports. The Senate also invests another \$36 million in upgrades and improvements to water infrastructure systems statewide.

“For the Department of Education, the Senate is appropriating almost \$400 million for all projects to the department, including an additional \$30 million to address the cooling and air conditioning needs of our public schools, \$48 million for a new secondary school in Kapolei, and \$38 million for continued construction for a high school in Kīhei.

“The Senate has made a commitment to address the shortage of affordable housing throughout the state. To this objective, your committee provided over \$35 million to the Hawai‘i Public Housing Authority, \$50 million into the Rental Housing Trust Fund, and over \$33 million into the Dwelling Unit Revolving Fund.

“The committee has worked with housing agencies in each county – including PHOCUSED, who helped with the City and County of Honolulu project – and provided an additional \$59 million for shovel-ready projects statewide, which will provide for the renovation of 850 current units and the creation of an additional 1,600 units for our communities throughout the state.

“To provide quality healthcare services for our communities, \$160 million is provided for the Hawaii State Hospital for a new and much-needed forensic facility to house the high-risk patients and an additional \$40 million to address critical repairs and maintenance for health and safety needs statewide.

“As we discuss the future of our public safety facilities, the committee takes into consideration developing and renovating facilities through public-private partnerships or through lease buyback agreements. Recognizing the need to develop new facilities, as well as addressing deferred maintenance, over \$19 million is provided to the Department of Public Safety to work with the Department of Accounting and General Services to pursue lease buyback agreements for the development of new facilities as well as for the improvements of existing facilities.

“Acknowledging the deferred maintenance and backlog of projects at our University of Hawai‘i campuses, the Senate draft provides the funding for the full capital improvement request of the university, its community colleges – including the School of Creative Media at UH West O‘ahu – by providing \$334 million in general obligation bonds and revenue bonds. Your committee recognizes the growing demand in the creative media and film industry and the talented students graduating from high school programs, such as Searider Productions at Wai‘anae High School. By developing a creative media tech campus on the Leeward Coast, we will develop a pipeline that aligns curriculum to career, providing students a pathway from high school to college to a career in the industry, or even from high school directly to a career.

“In economic development, the committee focused on reversing the brain drain, creating jobs, and diversifying our economy. The Senate draft includes investments of \$3 million to develop the Entrepreneur’s Sandbox in Kaka‘ako, \$5 million to the Natural Energy Laboratory of Hawaii in Kona, \$6 million in infrastructure upgrades at Kalaeloa, and \$1.5 million for comprehensive TOD planning.

“The committee carefully scrutinized and reviewed all requests for funding. We sought where to cut costs and where it makes sense to seek private funding through public-private partnerships or through a lease buyback, as established by Act 177, Session Laws of Hawai‘i 2015.

“Again, I want to thank the WAM chair, the WAM committee members, and the committee staff for all the efforts and hard work in helping to craft the capital improvements budget. I appreciate their commitment to Hawai‘i and improving Hawai‘i’s future.”

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 H.B. 1700, H.D. 1, S.D. 1, Relating to the State Budget.

"I first want to thank Senator Tokuda, the Chair of the Ways and Means Committee, and her staff for their hard work and perseverance to create a comprehensive budget to address so many important needs in our state. That is by no means an easy task. Chair Tokuda worked with community groups, legislators and the various departments to make sure that deserving programs receive the funding they need. During the interim she traveled to the neighbor islands to see some our unique needs.

"This bill helps address these important areas:

- The educational needs throughout the State, especially the growing population in Kihei (**\$38M for High school**), as well as including an additional **\$16.5M for the Weighted Student Formula** and **\$30M for school AC and heat abatement projects**
- Shortfall funding for the **MMMC transition** and support for the remaining HHSC hospitals
- Needed funding to address **Homelessness** throughout the state – by providing statewide support, the Committee makes it clear that homelessness is not an O‘ahu-only problem
  - **\$9M for affordable rental housing project in Kihei**
  - **\$1.5M for senior Housing project in Pukalani**
- Funding in DLNR’s budget for **beach restoration** and small boat harbor positions so that these community facilities can be open 6 days a week
- Address staff shortages in the **Vector Control Branch** by re-establishing **33 positions and \$1.7M in funding** so that the State can better defend against threats like Dengue Fever and others like Zika that may be on the horizon
- Senior services with **\$3M for Kupuna Care**
- Bridge funding of **\$3M to support the UH Cancer Center**
- **\$160M** for a new state-of-the-art facility to expand capacity at the Hawaii State Hospital

"These are just a few of the items I was pleased to see included in the Senate draft of the budget bill. It is a balanced budget we can all be proud of. I ask my colleagues to join me in supporting this bill. Mahalo."

Senator Riviere rose to speak in support of the measure as follows:

"Thank you, Mr. President. I wanted to thank the chair of Ways and Means for boosting in so many ways the Department of Land and Natural Resources financing, whether it's conservation or the water permits. There are so many things that she just mentioned, so I just want to publicly say a very, very welcome 'thank you' for that. You know, the DLNR has so much kuleana in this state: They have the 13 divisions, and they do so many, many things with about 1 percent of our state budget. So, every time we can help augment the departments who work their tails off, I'm very, very supportive of that.

"I want to thank the vice chair for his visionary work, particularly on agriculture, and his efforts that he's been going with for a few years to acquire the Dole lands that are available. Locking those up for long-term agricultural productivity with affordable leases for farming and agricultural pursuits, ranching, et cetera, in the future is going to be very, very important, and it gets more expensive every day. So, I want to commend him for that and all of the other... It's an ambitious CIP budget, and I want to thank everybody who put all the work into making this happen. Thank you."

The motion was put by the Chair and carried, H.B. No. 1700, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Slom, Thielen).

At this time, the Chair made the following announcement:

"Members, we adopted a floor amendment on House Bill 1850 and posted a 48-hour notice at approximately 12:10 p.m. We have one more floor amendment, and we will have to post 48-hours notice if it is amended. So, if there are no objections, I'd like to take the second-to-last bill on the ordinary calendar, House Bill 2501, out of order, and will have you read that now, Madam Clerk."

Stand. Com. Rep. No. 3598 (H.B. No. 2501, H.D. 2, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3598 be adopted and H.B. No. 2501, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Ruderman then offered the following amendment (Floor Amendment No. 4) to H.B. No. 2501, H.D. 2, S.D. 2:

SECTION 1. House Bill No. 2501, H.D. 2, S.D. 2, section 1, is amended by amending page 1, lines 9 to 16, to read as follows:

- "(1) Where an application has been made for a lease under this section to continue a previously authorized disposition of water rights, a holdover may be authorized annually until the pending application for the disposition of water rights is finally resolved or for three years, whichever is sooner; provided further that:
- (A) The holdover is consistent with the public trust doctrine and any applicable law; and
- (B) A holdover shall not be allowed for any water rights that have been also subject to a petition to amend the interim instream flow standard for the same waters under section 174C-71(2);"

Senator Ruderman moved that Floor Amendment No. 4 be adopted, seconded by Senator Riviere.

Senator Ruderman rose to speak in support of the amendment as follows:

"Thank you. This amendment is in support of our Senate position that H.B. 2501 be continued to protect the various revocable water permit holders statewide. The Senate issued just four days ago a press release saying that we wanted to refocus the discussion onto farmers, ranchers, and cattlemen statewide who were impacted by the broad ruling of the court. And an amendment was inserted to exclude one entity that has a court ruling facing it.

"This amendment simply maintains the same position but strengthens it, so that instead of having simply a date after which this bill wouldn't apply, it also includes a condition. I felt it was necessary because simply saying it only applies to people after a certain date seems to me a giant loophole, where a company can simply withdraw their permit and reapply, and the action we took wouldn't have much teeth.

"So I support H.B. 2501 to protect the various revocable water permit holders statewide, but I don't support the aspect of it that seems to be using the Legislature to bypass a court ruling. Thank you."

Senator Gabbard rose to speak in opposition to the amendment as follows:

“Colleagues, and with all due respect to the introducer, the discussions on this legislation are ongoing, and this floor amendment – since I received it just before session started this morning, I’ve not had a chance to vet it properly, and so it’s my feeling that amendments of this nature are best considered during conference committee. Mahalo.”

Senator Riviere rose to speak in support of the amendment as follows:

“The reason I’m in support of the amendment is not because I think this makes it a good bill, but I think the whole effort that we are under here, as well-intentioned as it may be, is misguided. The theme of the day for my comments seems to have been that we keep interfering with the judicial process. There was a court ruling in January that we’re all aware of that mandated – and I guess I’ll just read it; it’s really simple. In paragraph 6, it says, ‘HRS §§171-10 and 171-55 authorize the “temporary” occupation of public lands. A&B’s continuous uninterrupted use of these public lands on a holdover basis for the last 13 years is not the “temporary” use that HRS Chapter 171 envisions.’ So, that’s the court ruling. That’s it. Effectively, that’s the ruling.

“So, I wonder, what is a holdover permit? What do they refer to here? And in testimony in the court, in the minutes, we know that there are only four holdover permits. So, what is a holdover permit? ‘Chapter 171-40, Expired leases; holdover: Upon expiration of the lease term, if the leased land is not otherwise disposed of, the board of land and natural resources may allow the lessee to continue to hold the land for a period not exceeding one year upon such rent, terms, and conditions as the board may prescribe.’ And then it talks about temporary revocable permits as another level of that. So, the only definition of ‘holdover’ that I’m aware of is at the expiration of a lease. The water permits that Alexander & Baldwin and EMI have that expired many years ago now have been held over to try to resolve that.

“Of course, there’s been a contested case; we’re all well aware of the controversies over the instream flow standards. Larry Miike, the manager of this case, issued his findings of fact and conclusions of law back in January. So what happened? Within about a week or two on either side, the commissioner came back and said, ‘Here are the instream flow standards. They’re identified; the science, it’s done. Here we are; here’s what should happen.’ In that same period of time, Alexander & Baldwin said, ‘Well, we’re out of business; we’re going to close down the sugar mill,’ which actually means they don’t need any more water, because they’re not growing sugar. At the same time they did that, then the court issued its ruling. And then now – here’s the complicating factor – now that they have changed their business model, they’re no longer growing sugar – and we all want to support diversified agriculture – they’re not presenting a bona fide agricultural plan to continue using the water. We all know that you cannot divert water unless you have a need for that water.

“So I want to be very, very clear here: I am supportive of keeping Central Maui green; I am supportive of ranching and agriculture, diversified agriculture. But at this point, that doesn’t exist. It may yet exist, and I hope it does exist, but Alexander & Baldwin’s been studying for decades what they should have in replacement. They’re laying people off; they’re not moving to the diversified agriculture. If they had a business plan ready to go, they would be moving those people into that other job. So, I can feel for the unemployment that’s coming.

“I live in Waialua. We had a sugar mill close in 1998, and it was a sad time, and it took a long time for our community to recover. Things have turned around very nicely now; we’ve adjusted to that. Our high school’s doing well; our local elementary schools are doing well; there’s a confidence in the community that hasn’t been much lately.

“So, well, what about this? ‘We’re going to turn off all the water; we can’t have the water; oh, my goodness. Everything’s going to go die; it’ll be a dust bowl, and everything’s going to happen.’ County of Maui submitted a stay of motion; they said, ‘Wait a minute. We need water for our residents Upcountry.’ And the court ruled ‘yes’; any action on that is stayed. I would further add on a little aside that state law, chapter 171-58(d) allows for the overriding of any permits when human life is threatened, so there is zero chance that any water to Upcountry would be re-milled. So, the stay was issued. In paragraph 3 of the stay, it says, ‘A&B’s defendants, having failed to join the county’s motion for stay, are not entitled to relief at this time but are not precluded from filing their own motion for stay of enforcement of the January 8 order.’

“So, here we are. We say that this bill is not special treatment for one large landowner; we amend the bill in its final committee and say that this particular company with the holdover permits is excluded from the bill, yet the bill doesn’t say that. The current bill that we’re seeking to amend says that anybody can apply on or after the execution of this document. Anybody can then reapply for that, and that’s actually reasonable to the extent that it’s wide-sweeping. My problem with this is that we are still trying to interfere with the judicial proceedings that are underway. There are instream flow standards, but now that everything’s changing, they have to go back and reanalyze that. They’re going to have to reanalyze that based on the need; it’s very clear that the kalo farmers – the lo‘i kalo farmers and the folks who live along the streams in East Maui – it’s very clear that they’ve been denied water, so I think we can all agree that the water needs to get back to these people as quick as possible. By clouding the whole issue here and interfering with this whole process, I think we’re making matters worse, and we’re going to take even longer to get the water back to where it belongs, at least some of it. Okay, if we have to divert and we should divert and we have a reason to divert, then let’s go. Let’s get that environmental impact statement rolling; let’s get those permits moving.

“This amendment adds one sentence; it says, ‘... provided further that a holdover shall not be allowed for any water rights that have been also subject to a petition to amend the interim instream flow standard for the same waters under section 174C-71(2).’ So, I’m actually a bit loath to now say that, okay, now we’re going to bar them, so I understand the dichotomy of this, but my point is a challenge to the members here: If we are not trying to give special consideration to overturn the judicial process, then I don’t see why we would oppose this amendment. This amendment is specifically to clarify that we’re not trying to interfere with the instream flow standards, the process, the water commission, and then, ultimately, the land board. You notice I haven’t talked about revocable permits because that’s a whole separate question. The land board issues and manages revocable permits; they need to probably be more efficient on that, but for us to clobber DLNR and say, ‘It’s all your fault,’ – that’s incorrect.

“So, there is a process; this whole piece of legislation would seek to impede that, and so, in order for me to feel comfortable if it were going into conference, this amendment is a very reasonable and rational amendment, and I hope the members can support it. Thank you.”

Senator Ruderman requested a Roll Call vote, and the Chair so ordered.

The motion to adopt Floor Amendment No. 4 was put by the Chair and failed to carry, Roll Call vote having been requested, on the following showing of Ayes and Noes:

Ayes, 8; Ayes with Reservations (Chun Oakland, Espero, Green, Ihara, Kim). Noes, 15 (Baker, Dela Cruz, English, Gabbard, Galuteria, Inouye, Kahele, Keith-Agaran, Kidani, Kouchi, Nishihara, Shimabukuro, Taniguchi, Tokuda, Wakai). Excused, 2 (Slom, Thielen).

Senator Ruderman rose to speak in support of the measure with reservations as follows:

"I welcome and applaud the changes made by the chair of Ways and Means to refocus this bill on the other revocable water permit holders in the state, five of which are in my district, and I have tremendous concerns for the situation created by the court ruling and feel they need this bill. So, I fully support those other water users in the state; I only have concerns about anyone using this body to circumvent a court ruling. So, I support our current Senate position. I hope fervently that, as we go through conference, this position prevails or at least the fundamental principles are upheld, and, therefore, I support this bill with reservations at this time."

Senator Gabbard rose to speak in support of the measure as follows:

"Colleagues, obviously this bill has been one of the more contentious pieces of legislation this session. The truth is, there are valid arguments on both sides of the issue. And what I would most like to see as an outcome is for us to find a middle path, a compromise that, while not perfect, is something that we can live with while DLNR and the Commission on Water Resource Management sort out the larger revocable permits and in-flow stream standard issues. So, colleagues, this bill is worthy to move on for further discussions in conference. I urge you to vote 'yes.' Aloha."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3598 was adopted and H.B. No. 2501, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17; Ayes with Reservations (Kidani, Kim, Ruderman, Wakai). Noes, 6 (English, Green, Harimoto, Ihara, Riviere, Shimabukuro). Excused, 2 (Slom, Thielen).

H.B. No. 2291, H.D. 2, S.D. 1:

Senator Inouye moved that H.B. No. 2291, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Gabbard.

Senator Inouye rose to speak in support of the measure as follows:

"Colleagues, please disregard the description noted in H.B. 2291, Senate Draft 1, regarding the description on the report title, 'Geothermal Resources Exploration; Drilling; County Authority.' Our good researcher in SMA apologizes for inadvertently missing taking this out, so we ask that you disregard that first portion of the description title.

"However, this measure: I ask for your support of H.B. 2291, S.D. 1. Members, the House did gut our tax credit in the Senate draft, and so this measure includes such language. Ramping down the present solar tax credit is the most prudent thing to do. Millions of dollars are escaping, much-needed resources out of our state's general fund, and, like the new federal solar tax credit amendments, this bill is the right thing to do. I urge your support in this measure as well. Thank you, Mr. President."

The Chair then said:

"Thank you. Further discussion? If not, do we have unanimous consent?"

The Clerk announced:

"23 Ayes."

The Chair stated:

"Thank you. House Bill 2291, Senate Draft 1 passes Third Reading."

At 1:05 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:12 p.m.

At this time, the Chair announced:

"Members, we're going back to House Bill 2291, Senate Draft 1. Madam Clerk will you announce the vote, please?"

The Clerk stated:

"We have 22 Ayes."

The Chair then said:

"Thank you. House Bill 2291, Senate Draft 1 passes Third Reading."

The motion was put by the Chair and carried, H.B. No. 2291, H.D. 2, S.D. 1, 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, 22. Noes, none. Excused, 3 (Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3581 (H.B. No. 2353, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3581 was adopted and H.B. No. 2353, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CIVIL SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Taniguchi). Noes, none. Excused, 3 (Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3584 (H.B. No. 1370, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3584 was adopted and H.B. No. 1370, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3585 (H.B. No. 2008, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3585 was adopted and H.B. No. 2008, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3588 (H.B. No. 2722, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3588 was adopted and H.B. No. 2722, H.D. 1, S.D. 1, 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, 22. Noes, none. Excused, 3 (Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3589 (H.B. No. 1897, H.D. 1, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 3589 be adopted and H.B. No. 1897, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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 H.B. 1897, H.D. 1, S.D. 1, Relating to Insurance Coverage of Health Screenings, which requires all insurance plans to cover annual screenings for sexually transmitted disease, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome. This is a requirement of the Affordable Care Act and will bring all plans sold in Hawai‘i in compliance.

“There are more than 1,200,000 people in the United States living with human immunodeficiency virus and nearly one in eight affected persons is unaware of their infection. It is clear that early detection of sexually transmitted diseases is paramount to proper health care and prevention of further disease transmission. Research has shown that preventive health services save lives and improve health by identifying illnesses earlier, allowing them to be managed more effectively and treated before they develop into more complicated, debilitating and costly conditions.

“Despite the numerous benefits of preventive health services, testing rates for sexually transmitted diseases remain troublingly low. It has been found that a major barrier to testing for sexually transmitted diseases is cost. Further, there is the perception among some health care providers that insurance will not reimburse them for ordering sexually transmitted disease screening tests. Although sexually transmitted disease screenings are covered by many health insurance plans in Hawai‘i, this measure removes any possible gaps in covered health screening services that may exist in the so-called ‘grandfather’ or ‘grandmother’ policies not currently subject to the federal Patient Protection and Affordable Care Act of 2010 (ACA). Ensuring coverage of sexually transmitted disease screenings by all health insurers in the State, including health benefit plans under the Hawai‘i Employer-Union Health Benefits Trust Fund, will increase affordability and availability of regular sexually transmitted disease screening in Hawai‘i, and subsequent diagnosis and treatment.

“Patients should be able to obtain insurance coverage for annual screening tests if it is determined to be advisable based on a consultation with their primary care provider, as opposed to a determination made by their insurance company. Further, the economic and other costs associated with screening are minimal compared to the cost of treating sexually transmitted diseases. Promoting sexually transmitted disease screening will ensure that patients have access to needed treatment and care, resulting in a decrease in rates of infection and costs.

“I ask my colleagues to join me in support of H.B. 1897, H.D. 1, S.D. 1.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3589 was adopted and H.B. No. 1897, H.D. 1, S.D. 1, 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, 21. Noes, none. Excused, 4 (Kahele, Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3595 (H.B. No. 1807, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3595 was adopted and H.B. No. 1807, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MILITARY SERVICE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kahele, Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3597 (H.B. No. 2636, H.D. 2, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 3597 be adopted and H.B. No. 2636, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Riviere rose to speak in support of the measure with reservations as follows:

“There’s a problem brewing – and this bill attempts to address it – with the solar panels, and I feel very strongly that this is really wrong for the people who are living there, in the residential areas. But this comes down to a real problem with the zoning and the way that areas on the Big Island were developed. So, I’m voting with reservations in support of the homeowners that this is trying to fix, but it leads to a much bigger problem than this one bill. Thank you.”

Senator Green rose to speak in strong support of the measure as follows:

“In my district, I went and met with these individuals, and they make very good points that the intent was not to allow for industrial zoning, industrial solar placement, in and around their homes. I think that they’ve made some strong and positive recommendations for us. Thank you, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 3597 was adopted and H.B. No. 2636, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SOLAR ENERGY FACILITIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (Riviere). Noes, none. Excused, 3 (Kidani, Slom, Thielen).

Stand. Com. Rep. No. 3599 (H.B. No. 1753, H.D. 3, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 3599 was adopted and H.B. No. 1753, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MOPEDS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22; Ayes with Reservations (English, Green, Riviere, Shimabukuro). Noes, none. Excused, 3 (Kidani, Slom, Thielen).

At this time, Senator Kim announced that the Committee on Government Operations and the Committee on Economic Development, Environment, and Technology would be holding a joint informational briefing with the House Committee on Legislative Management on Thursday, April 14, 2016, at 2:00 p.m. in Conference Room 329 to provide policymakers and IT personnel with an understanding of cybersecurity and the policies and procedures needed to help protect the state’s critical infrastructure. Senator Kim noted that cyber attacks



targeting power grids, water supply systems, transportation, and other vital services can potentially compromise the state's, city's, and country's ability to provide essential services to constituents, as well as cripple the economy.

The Chair thanked the committee chairs for arranging the joint informational briefing.

Senator Ruderman rose to wish Senator Slom a happy birthday on the following day, noting that he shares a birthday with Thomas Jefferson, another great patriot.

Senator Baker announced that it was Equal Pay Day, which symbolizes how far into the year women must work to earn what a man earned in the previous year. Senator Baker pointed out that women only earn 79 cents for every dollar that a male in the same job earns, and remarked that it was unfortunate that the House did not choose to pass back to the Senate its modest equal pay measure.

Senator Baker then announced that the Hawaii Bone Marrow Donor Registry drive would take place the following day from 9:00 a.m. to 1:00 p.m. in Conference Room 437, and urged the members to register as donors to help save lives, especially since Hawai'i's registry is limited due to the multi-ethnic population.

The Chair then made the following announcement:

"All Senate conferees for the 2015 carryover bills in conference are hereby discharged."

#### DISCHARGE OF CONFEREES

S.B. No. 100, S.D. 1 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 100, S.D. 1.

S.B. No. 113, S.D. 2 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 113, S.D. 2.

S.B. No. 139, S.D. 1 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 139, S.D. 1.

S.B. No. 140 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 140.

S.B. No. 144, S.D. 1 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 144, S.D. 1.

S.B. No. 214, S.D. 1 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 214, S.D. 1.

S.B. No. 230 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 230.

S.B. No. 286, S.D. 2 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 286, S.D. 2.

S.B. No. 287, S.D. 2 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 287, S.D. 2.

S.B. No. 304, S.D. 2 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 304, S.D. 2.

S.B. No. 320, S.D. 1 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 320, S.D. 1.

S.B. No. 325, S.D. 1 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 325, S.D. 1.

S.B. No. 364, S.D. 2 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 364, S.D. 2.

S.B. No. 379, S.D. 2 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 379, S.D. 2.

S.B. No. 382, S.D. 2 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 382, S.D. 2.

S.B. No. 452, S.D. 1 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 452, S.D. 1.

S.B. No. 475, S.D. 1 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 475, S.D. 1.

S.B. No. 512, S.D. 2 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 512, S.D. 2.

S.B. No. 559, S.D. 2 (H.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 559, S.D. 2.

S.B. No. 577, S.D. 2 (H.D. 1):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 577, S.D. 2.









H.B. No. 1497, H.D. 1 (S.D. 2):

The President discharged all conferees on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1497, H.D. 1.

**ADJOURNMENT**

At 1:21 p.m., on motion by Senator Green, seconded by Senator English and carried, the Senate adjourned until 11:45 a.m., Thursday, April 14, 2016.