

## NINETEENTH DAY

## Thursday, February 16, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 11:34 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Eighteenth Day.

At this time, Senator Rhoads introduced Joe Veary, a former intern who currently serves as Captain in the United States Army and would be getting married the upcoming weekend. Mr. Veary was accompanied in the gallery by Sonny Le, office manager for Senator Rhoads.

The Chair extended an additional welcome to Joe Veary, and offered a word of advice.

## STANDING COMMITTEE REPORTS

Senators Kahele and Baker, for the Committee on Higher Education and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 312) recommending that S.B. No. 1164 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1164, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kahele and Baker, for the Committee on Higher Education and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 313) recommending that S.B. No. 735 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 735, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CORPS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kahele, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 314) recommending that S.B. No. 676 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Keith-Agaran, for the Committee on Commerce, Consumer Protection, and Health and the majority of the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 315) recommending that S.B. No. 501, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the majority of the Committees was adopted and S.B. No. 501, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 316) recommending that S.B.

No. 688, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 688, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 317) recommending that S.B. No. 1101, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1101, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 318) recommending that S.B. No. 224, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 224, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 319) recommending that S.B. No. 1188, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 320) recommending that S.B. No. 1100 pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1100, entitled: "A BILL FOR AN ACT RELATING TO RECORDS MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 321) recommending that S.B. No. 1287 pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 322) recommending that S.B. No. 1305 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1305, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 323) recommending that S.B. No. 423 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 423, entitled: "A BILL FOR AN ACT RELATING TO STUDENT MEALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Nishihara, for the Committee on Commerce, Consumer Protection, and Health and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 324) recommending that S.B. No. 173, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senators Baker and Gabbard, for the Committee on Commerce, Consumer Protection, and Health and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 325) recommending that S.B. No. 301, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 301, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 326) recommending that S.B. No. 1158, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 327) recommending that S.B. No. 1119, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSAULT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 328) recommending that S.B. No. 1308, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAHIAWA GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 329) recommending that S.B. No. 122, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senators Rhoads and Keith-Agaran, for the Committee on Water and Land and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 330) recommending that S.B. No. 629, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Rhoads and Inouye, for the Committee on Water and Land and the Committee on Transportation and Energy, presented a joint report (Stand. Com. Rep. No. 331) recommending that S.B. No. 991, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 991, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS ON CERTAIN STATE LANDS," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senators Rhoads and Keith-Agaran, for the Committee on Water and Land and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 332) recommending that S.B. No. 992, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 992, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS AGROUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Rhoads and Keith-Agaran, for the Committee on Water and Land and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 333) recommending that S.B. No. 989, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 989, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF LAND AND NATURAL

RESOURCES VIOLATIONS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Rhoads and Gabbard, for the Committee on Water and Land and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 334) recommending that S.B. No. 772 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 772, entitled: “A BILL FOR AN ACT RELATING TO THE ROSE-RINGED PARAKEET,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Rhoads and Gabbard, for the Committee on Water and Land and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 335) recommending that S.B. No. 1088 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1088, entitled: “A BILL FOR AN ACT RELATING TO CARBON FORESTRY CERTIFICATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 336) recommending that S.B. No. 794, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 794, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX COLLECTION DATE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Wakai, for the Committee on Government Operations and the Committee on Economic Development, Tourism, and Technology, presented a joint report (Stand. Com. Rep. No. 337) recommending that S.B. No. 850 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 850, entitled: “A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Baker, for the Committee on Economic Development, Tourism, and Technology and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 338) recommending that S.B. No. 1087 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1087, entitled: “A BILL FOR AN ACT RELATING TO TAXATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Green, for the Committee on Economic Development, Tourism, and Technology and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 339) recommending that S.B. No. 1085, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1085, S.D. 1, entitled: “A BILL FOR AN ACT

RELATING TO HOMELESSNESS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Wakai and Taniguchi, for the Committee on Economic Development, Tourism, and Technology and the Committee on International Affairs and the Arts, presented a joint report (Stand. Com. Rep. No. 340) recommending that S.B. No. 349 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 349, entitled: “A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 341) recommending that S.B. No. 1249, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1249, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TECHNOLOGY INNOVATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 342) recommending that S.B. No. 902, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 902, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Wakai, for the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 343) recommending that S.B. No. 1084, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1084, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

Senator Wakai, for the majority of the Committee on Economic Development, Tourism, and Technology, presented a report (Stand. Com. Rep. No. 344) recommending that S.B. No. 1306 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the majority of the Committee was adopted and S.B. No. 1306, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Gabbard, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 345) recommending that S.B. No. 637, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 637, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senators Nishihara and Baker, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 346) recommending that S.B. No. 887, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 887, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishihara, for the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a report (Stand. Com. Rep. No. 347) recommending that S.B. No. 938, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENTS TO THE STATE FOR THE COSTS OF ASSESSMENT, COLLECTION, AND DISPOSITION OF THE COUNTY SURCHARGE ON STATE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Gabbard, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 348) recommending that S.B. No. 988 pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FOR AGRICULTURAL BUILDINGS AND STRUCTURES," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senators Gabbard and Rhoads, for the Committee on Agriculture and Environment and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 349) recommending that S.B. No. 558 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 558, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Rhoads, for the Committee on Agriculture and Environment and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 350) recommending that S.B. No. 830 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 830, entitled: "A BILL FOR AN ACT RELATING TO

COMMUNITY FOOD FORESTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Rhoads, for the Committee on Agriculture and Environment and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 351) recommending that S.B. No. 839 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 839, entitled: "A BILL FOR AN ACT RELATING TO THE PUNA DISTRICT AGRICULTURAL PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Gabbard and Rhoads, for the Committee on Agriculture and Environment and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 352) recommending that S.B. No. 1208, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 353) recommending that S.B. No. 1257, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK HARVEST FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 354) recommending that S.B. No. 103, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF EXCESS GENERAL FUNDS AUTHORIZED UNDER ARTICLE VII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 355) recommending that S.B. No. 320, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORENSIC IDENTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 356) recommending that S.B. No. 490, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MATERIAL WITNESS ORDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the majority of the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 357) recommending that S.B. No. 673, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the majority of the Committee was adopted and S.B. No. 673, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE MANNER IN WHICH JUSTICES AND JUDGES ARE APPOINTED, CONSENTED TO, AND RETAINED," passed Second Reading and was referred to the Committee on Ways and Means, with Senators Ruderman and Thielen voting "No."

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 358) recommending that S.B. No. 914, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 359) recommending that S.B. No. 915, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 360) recommending that S.B. No. 916, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 916, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 361) recommending that S.B. No. 917, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 917, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 362) recommending that S.B. No. 918, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 363) recommending that S.B. No. 919, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 919, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 364) recommending that S.B. No. 920, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 365) recommending that S.B. No. 921, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 921, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 366) recommending that S.B. No. 922, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 922, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 367) recommending that S.B. No. 923, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 368) recommending that S.B. No. 924, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 369) recommending that S.B. No. 925, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 370) recommending that S.B. No. 926, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 926, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Keith-Agaran and Baker, for the Committee on Judiciary and Labor and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 371) recommending that S.B. No. 970, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 970, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTION FOR THE MEDICAL MARIJUANA DISPENSARY PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 372) recommending that S.B. No. 334, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 334, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 373) recommending that S.B. No. 1066, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1066, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 374) recommending that S.B. No. 207, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 375) recommending that S.B. No. 499 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 499, entitled: "A BILL FOR AN ACT RELATING TO THE ZERO TO THREE COURT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 376) recommending that S.B. No. 930, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 930, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY OF THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 377) recommending that S.B. No. 1236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara, Baker, and Green, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Commerce, Consumer Protection, and Health and the Committee on Human Services, presented a joint report (Stand. Com. Rep. No. 378) recommending that S.B. No. 716, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PRE-ARREST DIVERSION PILOT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means and the Committee on Judiciary and Labor.

Senators Nishihara and Keith-Agaran, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary and Labor, presented a joint report

(Stand. Com. Rep. No. 379) recommending that S.B. No. 26 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 26, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY FOR HAWAII COUNTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nishihara and Keith-Agaran, for the Committee on Public Safety, Intergovernmental, and Military Affairs and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 380) recommending that S.B. No. 491 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 491, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Nishihara, for the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 381) recommending that S.B. No. 241 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 241, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT SCREENING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Nishihara, for the Committee on Transportation and Energy and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 382) recommending that S.B. No. 974, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 974, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Baker, for the Committee on Transportation and Energy and the Committee on Commerce, Consumer Protection, and Health, presented a joint report (Stand. Com. Rep. No. 383) recommending that S.B. No. 1030, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1030, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Inouye and Rhoads, for the Committee on Transportation and Energy and the Committee on Water and Land, presented a joint report (Stand. Com. Rep. No. 384) recommending that S.B. No. 1147, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Transportation and Energy, presented a report (Stand. Com. Rep. No. 385) recommending that S.B. No. 1012, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1012, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 386) recommending that S.B. No. 868, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 868, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLLED SUBSTANCES ACT," passed Second Reading and was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Senators Baker and Keith-Agaran, for the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 387) recommending that S.B. No. 502, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 502, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 388) recommending that S.B. No. 384, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 384, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR CERTAIN CLINICAL PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senators Baker and Inouye, for the Committee on Commerce, Consumer Protection, and Health and the Committee on Transportation and Energy, presented a joint report (Stand. Com. Rep. No. 389) recommending that S.B. No. 1273, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 1273, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 390) recommending that S.B. No. 947, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 947, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 391) recommending that S.B. No. 983, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 983, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senators Baker and Keith-Agaran, for the Committee on Commerce, Consumer Protection, and Health and the Committee on Judiciary and Labor, presented a joint report (Stand. Com. Rep. No. 392) recommending that S.B. No. 953, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Nishihara, for the Committee on Commerce, Consumer Protection, and Health and the Committee on Public Safety, Intergovernmental, and Military Affairs, presented a joint report (Stand. Com. Rep. No. 393) recommending that S.B. No. 190, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the joint report of the Committees was adopted and S.B. No. 190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLLED SUBSTANCES ACT," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 394) recommending that S.B. No. 1304, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and S.B. No. 1304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

##### THIRD READING

H.B. No. 1530, H.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 1530, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION,"

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

Ayes, 25. Noes, none.

S.B. No. 871:

Senator Tokuda moved that S.B. No. 871, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

Senator Baker requested that remarks in strong opposition to the measure be entered into the Journal, and the Chair so ordered.

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

"Mr. President, I rise in strong opposition to S.B. 871, Relating to Taxation.

"S.B. 871 limits the tax imposed on wholesalers and dealers for each large cigar to the lesser of 50 cents or 50 percent of the wholesale price of the cigar. Tobacco use in Hawai'i is pervasive and by lowering the excise tax for large cigars, S.B. 871 will encourage the purchase and smoking of a harmful tobacco product.

"Tobacco use is the single most preventable cause of disease, disability, and death in the United States. Tobacco use continues to be a problem in Hawai'i causing approximately 1,400 deaths per year among adults. An estimated 21,000 children in Hawai'i currently under the age of 18 will ultimately die prematurely from smoking. Tobacco use also poses a heavy burden on Hawai'i's health care system and economy. Each year, smoking costs approximately \$526,000,000 in direct health care expenditures and \$387,300,000 in lost productivity in the State.

"Cigar smoke is composed of the same toxic and carcinogenic constituents found in cigarette smoke. All cigar smokers, regardless of whether they inhale cigar smoke, expose their lips, tongue, and throat to smoke and its toxic and cancer-causing chemicals. Moreover, due to their size, cigars can produce even more secondhand smoke than cigarettes and can contain substantially higher levels of carbon monoxide and other toxins than cigarette smoke. To the extent that cigar smoke is not inhaled as deeply as cigarette smoke, secondhand cigar smoke is also less 'filtered' than secondhand cigarette smoke before bystanders are exposed to it.

"While cigarette smoking has generally declined over the past several years, sales of cigars have been rising. One reason for the increase in cigar sales is that many still fail to realize the addiction and health risks associated with cigar smoking. However, another large reason is that almost every state taxes cigars at a much lower rate than it taxes cigarettes. In Hawai'i, large cigars are imposed a lower excise tax than cigarettes and other tobacco products. Existing law imposes different rates of tax on various articles of tobacco. For example, the excise tax on wholesalers is equal to 16 cents per cigarette (\$3.20 per pack), which is the same rate for little cigars, however the tax rate is 70 percent of the wholesale price of each article or item of tobacco products, other than large cigars, sold and 50 percent of the wholesale price of each large cigar sold.

"Large cigars should be similar to the tax rates imposed on tobacco products pursuant to section 245-3, Hawai'i Revised Statutes. Taxes on large cigars are imposed a lower rate than other tobacco products even though cigar use carries similar health risks. Research has shown that either a tax on cigarettes or increase in cigarette prices has the propensity to reduce the rate of smoking by adult and youth smokers. However, as the price of cigarettes and other tobacco products increases, smokers may be tempted to purchase large cigars as they may be more affordable.

“There should not be a lower-priced tobacco alternative to cigarettes or other tobacco products in Hawai‘i. Thus, a similar tax rate for cigarettes and tobacco products that acts as a deterrent for all forms of tobacco use is necessary. Higher tobacco product prices will encourage tobacco users to quit, sustain cessation, prevent youth initiation, and reduce consumption among those who continue to use tobacco.

“I urge my colleagues to join me in opposing limiting the tax imposed on wholesalers and dealers for each large cigar to the lesser of 50 cents or 50 percent of the wholesale price of the cigar. It is our responsibility to ensure that we do all in our power to deter the use of harmful tobacco products. I ask for a no vote on S.B. 871. Mahalo.”

The motion was put by the Chair and carried, S.B. No. 871, 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, 18; Ayes with Reservations (Ihara, Kidani, Kim, Nishihara, Taniguchi, Thielen). Noes, 7 (Baker, Chang, Espero, Harimoto, Rhoads, Riviere, Ruderman).

S.B. No. 942:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, S.B. No. 942, entitled: “A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### RE-REFERRAL OF A SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

S.B. No.: Re-referred to:

S.B. No. 572 Committee on Judiciary and Labor

At this time, Senator Kahele rose to speak on a point of personal privilege as follows:

“Colleagues, today is a special day for a familiar face here at the Capitol, and he has joined us in the gallery for today’s session. Gordon, will you please stand? Gordon Kanani Alameda was born on February 16, 1957. He was raised in Hilo on Hawai‘i Island, the son of George and Edna Ha‘aheo Alameda. They lived in Waiākea town at the Banyan Drive peninsula. Gordon’s father worked at the old Hilo Iron Works, and, following the destruction of the 1960 tsunami, Gordon and his family were forced to move to O‘ahu to look for more work. Gordon, being the youngest of 10 siblings, moved with his ‘ohana to Waimānalo, where he continues to reside today. Gordon has been a janitor II here at the Hawai‘i State Capitol for five years, and when I spoke to his supervisor this morning and asked him for a few words about Gordon, he said, and I quote, ‘Gordon is my go-to guy. Whenever I have building issues, he always stays late. I can always count on him, and he always takes care of whatever I ask.’ Gordon is 60 years old today, and, Uncle Kanani, on behalf of the Hawai‘i State Senate, we would like to wish you a hau‘oli lā hānau and happy birthday. Mahalo, Mr. President.”

The Chair then made the following announcement:

“The deadline for filing standing committee reports on Senate bills that need to pass Second Reading and move laterally to the final Senate committee is 8:00 p.m. this evening.”

#### ADJOURNMENT

At 11:42 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Friday, February 17, 2017.