

## FORTY-SEVENTH DAY

Tuesday, April 11, 2017

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 9:37 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 Forty-Sixth Day.

At this time, Senator Espero introduced Cody Nii, a student at Hongwanji Mission School, who was seated in the gallery with chaperones Naomi Yap and Pat Brown.

Senator Espero then welcomed a group of sixth-grade students from Holomua Elementary School, who were present in the gallery with their teacher, Patrick De Vega.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 832 to 834) were read by the Clerk and were placed on file:

Gov. Msg. No. 832, letter dated April 6, 2017, correcting the name of the nominee to the Board of Regents of the University of Hawaii, under Gov. Msg. No. 780, to NORMA DOCTOR SPARKS.

Gov. Msg. No. 833, informing the Senate that on April 5, 2017, the Governor withdrew the nomination of JANE GREENWOOD to the Emergency Medical Services Advisory Committee, under Gov. Msg. No. 801, from consideration by the Senate.

In compliance with Gov. Msg. No. 833, the nomination listed under Gov. Msg. No. 801 was returned.

Gov. Msg. No. 834, informing the Senate that on April 10, 2017, the Governor withdrew the nomination of DAVID MATSUURA to the Correctional Industries Advisory Committee, under Gov. Msg. No. 803, from consideration by the Senate; and corrected the term for the nomination of DAVID MATSUURA to the Correctional Industries Advisory Committee, under Gov. Msg. No. 804, term to expire amended to June 30, 2020.

In compliance with Gov. Msg. No. 834, the nomination listed under Gov. Msg. No. 803 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 510 to 545) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 510, returning S.B. No. 99, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 99, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 511, returning S.B. No. 100, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 100, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 512, returning S.B. No. 102, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 102, and requested a conference on the subject matter thereof.

Hse. Com. No. 513, returning S.B. No. 110, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 110, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 514, returning S.B. No. 149, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 149, and requested a conference on the subject matter thereof.

Hse. Com. No. 515, returning S.B. No. 221, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 221, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 516, returning S.B. No. 276, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 276, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 517, returning S.B. No. 292, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 292, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 518, returning S.B. No. 407, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 407, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 519, returning S.B. No. 469, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 469, S.D. 2, and requested a conference on the subject matter thereof.



Hse. Com. No. 537, returning S.B. No. 1104, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1104, and requested a conference on the subject matter thereof.

Hse. Com. No. 538, returning S.B. No. 1146, S.D. 2, as amended in H.D. 2, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1146, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 539, returning S.B. No. 1200, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1200, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 540, returning S.B. No. 1240, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1240, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 541, returning S.B. No. 1266, S.D. 2, as amended in H.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

On motion by Senator Espero, seconded by Senator English and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1266, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 542, returning S.B. No. 283, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

Hse. Com. No. 543, returning S.B. No. 882, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

Hse. Com. No. 544, returning S.B. No. 1218, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 2017, was placed on file.

Hse. Com. No. 545, informing the Senate that on April 7, 2017, the House disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 2, H.D. 2 (S.D. 1);  
 H.B. No. 110, H.D. 1 (S.D. 2);  
 H.B. No. 143 (S.D. 1);  
 H.B. No. 168, H.D. 1 (S.D. 1);  
 H.B. No. 243, H.D. 2 (S.D. 1);  
 H.B. No. 280, H.D. 1 (S.D. 1);  
 H.B. No. 282, H.D. 1 (S.D. 1);  
 H.B. No. 335, H.D. 2 (S.D. 1);  
 H.B. No. 375, H.D. 1 (S.D. 1);  
 H.B. No. 508, H.D. 1 (S.D. 1);  
 H.B. No. 511, H.D. 1 (S.D. 1);  
 H.B. No. 533, H.D. 1 (S.D. 1);  
 H.B. No. 587, H.D. 1 (S.D. 1);  
 H.B. No. 592, H.D. 1 (S.D. 1);  
 H.B. No. 595, H.D. 1 (S.D. 1);

H.B. No. 605, H.D. 1 (S.D. 1);  
 H.B. No. 628 (S.D. 1);  
 H.B. No. 651, H.D. 2 (S.D. 1);  
 H.B. No. 852, H.D. 2 (S.D. 1);  
 H.B. No. 889, H.D. 1 (S.D. 2);  
 H.B. No. 1033, H.D. 1 (S.D. 1);  
 H.B. No. 1114, H.D. 1 (S.D. 2);  
 H.B. No. 1246, H.D. 2 (S.D. 2);  
 H.B. No. 1309, H.D. 1 (S.D. 1);  
 H.B. No. 1333, H.D. 1 (S.D. 1);  
 H.B. No. 1410, H.D. 2 (S.D. 2);  
 H.B. No. 1414, H.D. 1 (S.D. 1);  
 H.B. No. 1420, H.D. 1 (S.D. 1);  
 H.B. No. 1435, H.D. 2 (S.D. 1);  
 H.B. No. 1436, H.D. 2 (S.D. 1); and  
 H.B. No. 1588, H.D. 1 (S.D. 1),

was placed on file.

#### STANDING COMMITTEE REPORTS

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1597) recommending that the Senate consent to the nomination of BRIAN A. COSTA to the District Court of the First Circuit, in accordance with Jud. Com. No. 5.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1597 and Jud. Com. No. 5 was deferred until Thursday, April 13, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1598) recommending that the Senate consent to the nomination of DAROLYN LENDIO HEIM to the District Court of the First Circuit, in accordance with Jud. Com. No. 6.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1598 and Jud. Com. No. 6 was deferred until Thursday, April 13, 2017.

Senator Keith-Agaran, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 1599) recommending that the Senate consent to the nomination of TRISH K. MORIKAWA to the District Court of the First Circuit, in accordance with Jud. Com. No. 7.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1599 and Jud. Com. No. 7 was deferred until Thursday, April 13, 2017.

#### ORDER OF THE DAY

##### THIRD READING

H.B. No. 177, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Nishihara and carried, H.B. No. 177, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 558, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator Nishihara and carried, H.B. No. 558, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPEAL OF SECTION 325-15, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1299, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator Nishihara and carried, H.B. No. 1299, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1235, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, H.B. No. 1235, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FAMILY LAW ARBITRATION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 459, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, H.B. No. 459, 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, 25. Noes, none.

H.B. No. 471, H.D. 1, S.D. 1:

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, H.B. No. 471, H.D. 1, S.D. 1, 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.

Stand. Com. Rep. No. 1463 (H.B. No. 1499, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1463 was adopted and H.B. No. 1499, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1465 (H.B. No. 606, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1465 was adopted and H.B. No. 606, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1466 (H.B. No. 1027, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1466 was adopted and H.B. No. 1027, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1467 (H.B. No. 1130, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1467 was adopted

and H.B. No. 1130, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1469 (H.B. No. 599, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1469 was adopted and H.B. No. 599, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1471 (H.B. No. 1402, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1471 was adopted and H.B. No. 1402, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1472 (H.B. No. 1382, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 1472 was adopted and H.B. No. 1382, H.D. 1, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1473 (H.B. No. 423, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 1473 was adopted and H.B. No. 423, H.D. 2, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1474 (H.B. No. 588, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1474 was adopted and H.B. No. 588, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HE'EIA NATIONAL ESTUARINE RESEARCH RESERVE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1483 (H.B. No. 527, H.D. 1, S.D. 2):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1483 was adopted and H.B. No. 527, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILE CLINICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1484 (H.B. No. 615, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1484 was adopted and

H.B. No. 615, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEALTHY AGING PARTNERSHIP PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1485 (H.B. No. 674, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1485 was adopted and H.B. No. 674, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE PROVIDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1486 (H.B. No. 672, H.D. 2, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 1486 be adopted and H.B. No. 672, H.D. 2, 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 strong support of H.B. 672, relating to school-based health services. This measure will formally establish the Hawaii Keiki Healthy and Ready to Learn Program by providing funding and establishing formalized coordination between the Department of Education, the Department of Health, and the Department of Human Services to deliver comprehensive school-based health services.

"The Hawaii Keiki program has been a pilot project in five DOE complex areas with great success. DOE and the UH Mānoa School of Nursing and Dental Hygiene have partnered to bring nurses to schools, implement software to report in real time on health services, expand school wellness programs, and provide sports physicals, vision screenings and glasses.

"The program has also engaged with other community organizations, by creating partnerships to provide greater access to health care services and supplement state funding and draw down additional Medicaid funds that have been left on the table.

"The Hawaii Keiki program is important not just for keiki health but also for education. According to the CDC, school health programs can help students perform better in school. Healthy students perform better on tests, get better grades, attend school more often, and behave better in class (Alliance for a Healthier Generation).

"We need to expand this program to reach all of Hawaii's keiki. H.B. 672 gets Hawaii'i closer to that goal because it will:

- implement the Hawaii Keiki statewide in 15 DOE complex areas and pilot the program in 2 charter schools;
- build school based oral hygiene services and sealant programs, which is another way we can address the poor dental health of our keiki in our state;
- ensure eye assessment software is forever in place in all schools, so that students have access to vision screening and eyeglasses they need but often can't afford; and
- establish coordinator positions in DOE, DOH, and DHS to work together for the coordination of a successful program.

"I urge my colleagues to join me in showing our keiki how important their health and education is to us and our state by voting yes on H.B. 672 and supporting the Hawaii Keiki Healthy and Ready to Learn Program."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1486 was adopted and H.B. No. 672, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED HEALTH SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1487 (H.B. No. 165, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1487 was adopted and H.B. No. 165, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1489 (H.B. No. 1245, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1489 was adopted and H.B. No. 1245, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1490 (H.B. No. 1488, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1490 was adopted and H.B. No. 1488, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1041:

On motion by Senator Wakai, seconded by Senator Taniguchi and carried, H.B. No. 1041, entitled: "A BILL FOR AN ACT RELATING TO REPORTING BY THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 912, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Nishihara and carried, H.B. No. 912, H.D. 2, S.D. 1, 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, 25. Noes, none.

H.B. No. 223, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator Nishihara and carried, H.B. No. 223, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 301, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, H.B. No. 301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSE TO WRIT

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

Ayes, 25. Noes, none.

H.B. No. 461, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, H.B. No. 461, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO RESISTING ARREST,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1401, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, H.B. No. 1401, 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, 25. Noes, none.

H.B. No. 1501, H.D. 2, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, H.B. No. 1501, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1501 (H.B. No. 208, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1501 was adopted and H.B. No. 208, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1502 (H.B. No. 735, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1502 was adopted and H.B. No. 735, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1503 (H.B. No. 733, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1503 was adopted and H.B. No. 733, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1504 (H.B. No. 374, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1504 was adopted and H.B. No. 374, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO DENTAL ASSISTANTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1505 (H.B. No. 488, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1505 was adopted and H.B. No. 488, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1506 (H.B. No. 916, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1506 was adopted and H.B. No. 916, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO LOAN REPAYMENT FOR HEALTH CARE PROFESSIONALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1507 (H.B. No. 206, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1507 was adopted and H.B. No. 206, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1508 (H.B. No. 530, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1508 was adopted and H.B. No. 530, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO HOMEBUYER ASSISTANCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1509 (H.B. No. 50, H.D. 3, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1509 was adopted and H.B. No. 50, H.D. 3, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO APPRAISAL MANAGEMENT COMPANIES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1510 (H.B. No. 1396, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1510 was adopted and H.B. No. 1396, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1511 (H.B. No. 89, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1511 was adopted and H.B. No. 89, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1513 (H.B. No. 500, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1513 was adopted and H.B. No. 500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PREKINDERGARTEN PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1514 (H.B. No. 547, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1514 was adopted and H.B. No. 547, 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, 25. Noes, none.

Stand. Com. Rep. No. 1517 (H.B. No. 957, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 1517 be adopted and H.B. No. 957, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

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

"Mr. President, I rise in strong support of H.B. 957, H.D. 1, Senate Draft 2.

"The goal of this bill is to make available additional funding resources to much needed heat abatement measures to create a more positive teaching and learning environment in our public school classrooms.

"Progress in 'cooling the classrooms' with the \$100 million approved by the Legislature last year to meet these needs has been agonizingly slow. Nevertheless, the challenge remains.

"The funding mechanism authorized in this bill would allow the DOE to borrow already-appropriated but *as-yet-unused* money from the Green Infrastructure Special Fund. The loans to DOE would be interest free, and would be used to finance installation costs for energy-efficient lighting and other measures related to heat abatement.

"The DOE would then use the resulting energy cost savings to repay the loan. Senate Draft 2 authorizes an unspecified amount to be made available for this effort from the fund – an amount to be decided in conference.

"I urge a yes vote on H.B. 957, H.D. 1, Senate Draft 2."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1517 was adopted and H.B. No. 957, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEAT ABATEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1518 (H.B. No. 1478, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1518 was adopted and H.B. No. 1478, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNMANNED AERIAL SYSTEM TECHNOLOGIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1520 (H.B. No. 463, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1520 was adopted and H.B. No. 463, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE IDENTIFICATION CARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1521 (H.B. No. 573, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1521 was adopted and H.B. No. 573, 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, 25. Noes, none.

Stand. Com. Rep. No. 1522 (H.B. No. 845, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1522 was adopted and H.B. No. 845, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1523 (H.B. No. 1135, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1523 was adopted and H.B. No. 1135, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1524 (H.B. No. 1195, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1524 was adopted and H.B. No. 1195, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1525 (H.B. No. 1381, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1525 was adopted and H.B. No. 1381, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1526 (H.B. No. 1272, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1526 was adopted and H.B. No. 1272, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVING ACCESS TO PSYCHIATRIC CARE FOR MEDICAID PATIENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1527 (H.B. No. 1444, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1527 was adopted and H.B. No. 1444, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1528 (H.B. No. 607, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1528 was adopted and H.B. No. 607, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KUPUNA CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1529 (H.B. No. 450, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1529 was adopted and H.B. No. 450, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1530 (H.B. No. 480, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1530 was adopted and H.B. No. 480, 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, 25. Noes, none.

Stand. Com. Rep. No. 1531 (H.B. No. 633, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1531 was adopted and H.B. No. 633, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTING DAM AND RESERVOIR OWNERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1532 (H.B. No. 839, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1532 was adopted and H.B. No. 839, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1533 (H.B. No. 849, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1533 was adopted and H.B. No. 849, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1534 (H.B. No. 794, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1534 was adopted and H.B. No. 794, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY AT THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1535 (H.B. No. 1339, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1535 was adopted and H.B. No. 1339, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1536 (H.B. No. 1584, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1536 was adopted and H.B. No. 1584, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1538 (H.B. No. 437, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1538 was adopted and H.B. No. 437, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1542 (H.B. No. 1099, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1542 was adopted and H.B. No. 1099, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1543 (H.B. No. 1465, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1543 was adopted and H.B. No. 1465, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1546 (H.B. No. 1475, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 1546 was adopted and H.B. No. 1475, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1547 (H.B. No. 775, H.D. 2):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 1547 was adopted and H.B. No. 775, H.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, 25. Noes, none.

Stand. Com. Rep. No. 1548 (H.B. No. 308, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1548 was adopted and H.B. No. 308, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1549 (H.B. No. 847, H.D. 1, S.D. 1):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1549 was adopted and H.B. No. 847, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII RESEARCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1551 (H.B. No. 637, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1551 was adopted and H.B. No. 637, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1552 (H.B. No. 848, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1552 was adopted and H.B. No. 848, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY MODERNIZATION AT THE UNIVERSITY OF HAWAII SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1553 (H.B. No. 235, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1553 was adopted and H.B. No. 235, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1555 (H.B. No. 844, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1555 was adopted and H.B. No. 844, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1556 (H.B. No. 1098, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1556 was adopted and H.B. No. 1098, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1559 (H.B. No. 1031, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1559 was adopted and H.B. No. 1031, H.D. 1, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1560 (H.B. No. 1580, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1560 was adopted and H.B. No. 1580, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1561 (H.B. No. 1418, S.D. 1):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 1561 was adopted and H.B. No. 1418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1562 (H.B. No. 1258, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 1562 was adopted and H.B. No. 1258, 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, 25. Noes, none.

Stand. Com. Rep. No. 1564 (H.B. No. 478, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1564 was adopted and H.B. No. 478, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1565 (H.B. No. 521, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1565 was adopted and H.B. No. 521, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1566 (H.B. No. 930, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Keith-Agaran and carried, Stand. Com. Rep. No. 1566 was adopted and H.B. No. 930, 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, 25. Noes, none.

Stand. Com. Rep. No. 1567 (H.B. No. 1231, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1567 was adopted and H.B. No. 1231, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1568 (H.B. No. 1327, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1568 was adopted and H.B. No. 1327, 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, 25. Noes, none.

Stand. Com. Rep. No. 1569 (H.B. No. 1329, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1569 was adopted and H.B. No. 1329, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1570 (H.B. No. 1559, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1570 was adopted and H.B. No. 1559, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1571 (H.B. No. 1578, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1571 was adopted and H.B. No. 1578, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CLIMATE CHANGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1572 (H.B. No. 453, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1572 was adopted and H.B. No. 453, 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, 25. Noes, none.

Stand. Com. Rep. No. 1573 (H.B. No. 428, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1573 was adopted and H.B. No. 428, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1574 (H.B. No. 571, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1574 was adopted and H.B. No. 571, 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, 25. Noes, none.

Stand. Com. Rep. No. 1575 (H.B. No. 598, H.D. 2, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1575 was adopted and H.B. No. 598, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CYBERSECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1576 (H.B. No. 620, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1576 was adopted and H.B. No. 620, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1577 (H.B. No. 1351, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1577 was adopted and H.B. No. 1351, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC DEVICE RECYCLING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1578 (H.B. No. 850, H.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1578 was adopted and H.B. No. 850, H.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, 25. Noes, none.

Stand. Com. Rep. No. 1579 (H.B. No. 1594, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1579 was adopted and H.B. No. 1594, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII PROMISE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1580 (H.B. No. 1534, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1580 was adopted and H.B. No. 1534, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENCE REQUIREMENTS FOR APPOINTED OFFICERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1582 (H.B. No. 625, H.D. 3, S.D. 2):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1582 was adopted and H.B. No. 625, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1583 (H.B. No. 1115, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1583 was adopted and H.B. No. 1115, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1585 (H.B. No. 501, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 1585 be adopted and H.B. No. 501, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

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

"Mr. President, I rise in strong support of H.B. 501, H.D. 1, Senate Draft 2.

"This bill would add *certified school psychologists* to those eligible for benefits under the National Certification Incentive Program, including the current \$5,000 annual bonus for *maintaining* national certification, and an additional \$5,000 annual bonus for employment at certain schools with a priority designation.

"In addition, Mr. President, Senate Draft 2 of this bill now includes provisions of my S.B. 1188 that would help to address the chronic teacher shortages we experience year after year.

"To do this, funds are included to establish the Hawaii Teacher Stipend Program, that would provide scholarships for University of Hawai'i students enrolled in certain teacher education programs and who commit to teach at Hawai'i public schools for three to five years.

"Colleagues, H.B. 501, H.D. 1, Senate Draft 2 is a strong and positive step in strengthening our public school faculty resources, and I urge your yes vote on this measure."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1585 was adopted and H.B. No. 501, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1586 (H.B. No. 1129, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1586 was adopted and H.B. No. 1129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL DUTY FOR DEPUTY SHERIFFS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1587 (H.B. No. 1479, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1587 was adopted and H.B. No. 1479, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HILO COMMUNITY ECONOMIC DISTRICT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1588 (H.B. No. 523, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1588 was adopted and H.B. No. 523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1589 (H.B. No. 636, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1589 was adopted and H.B. No. 636, H.D. 1, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1590 (H.B. No. 904, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1590 was adopted and H.B. No. 904, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1593 (H.B. No. 1044, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1593 was adopted and H.B. No. 1044, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE FUELS TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1594 (H.B. No. 1022, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1594 was adopted and H.B. No. 1022, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1595 (H.B. No. 575, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1595 was adopted and H.B. No. 575, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1596 (H.B. No. 498, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1596 was adopted and H.B. No. 498, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1537 (H.B. No. 425, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1537 be adopted and H.B. No. 425, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Rhoads.

Senator Kahele then offered the following amendment (Floor Amendment No. 1) to H.B. No. 425, H.D. 1, S.D. 2:

SECTION 1. House Bill No. 425, H.D. 1, S.D. 2, is amended by amending section 5 to read as follows:

"SECTION 5. This Act shall take effect on May 12, 2050; provided that this Act shall be repealed on June 30, 2022."

Senator Kahele moved that Floor Amendment No. 1 be adopted, seconded by Senator Kidani.

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

"Mr. President and colleagues, this amendment simply defects the effective date of House Bill 425 to ensure that the bill goes to conference."

The motion to adopt Floor Amendment No. 1 was put by the Chair and carried.

Senator Kahele then moved that Stand. Com. Rep. No. 1537 be received and placed on file, seconded by Senator Kidani and carried.

By unanimous consent, H.B. No. 425, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII," was placed on the calendar for Third Reading on Thursday, April 13, 2017.

### THIRD READING

#### MATTERS DEFERRED FROM FRIDAY, APRIL 7, 2017

Stand. Com. Rep. No. 1341 (H.B. No. 997, H.D. 2, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 1341 be adopted and H.B. No. 997, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

"This bill addresses the problem that contracts for concessions at airports cannot be negotiated by DOT Airports Division but have to be given to the highest bidder regardless of

quality of food and services, management experience, and hours of operation.

"Thus, this bill exempts not only wireless connectivity and advertisement contracts at airports from this bidding requirement but expands that exemption to all airport concession contracts and gives DOT the flexibility to negotiate lease extensions.

"There is precedent for this kind of arrangement. Most mainland airports award terminal concession agreements through a negotiation process, wireless connectivity and advertisement contracts have already been negotiated successfully without the bidding requirement, and – when DOT was allowed to temporarily negotiate amendments to existing concession contracts (through Act 141, Session Laws of 2014) – the negotiations resulted in the concessions paying for \$90 million worth of revenue-enhancing improvements.

"There are numerous safeguards in place to ensure a fair contracting process. Section HRS 102-2 of the law was in existence prior to the procurement code. The procurement code, when adopted, did not alter this section of the law. The procurement code did not touch this section of the law because there were ample safeguards already built into the approval process relating to concession-contract awards. These safeguards include that all airport concession agreements must be approved at a Land Board public hearing after public hearing notice before signing. Thus, anyone who feels the concession-award process or agreement is not fair or in the public's best interest has the right to ask the Land Board to deny approval as requested by the DOT. If so denied, the contract cannot be signed by DOT. The safeguards also include court appeals to any inappropriate Land Board approvals, not limited to airport concession agreements, such as the current TMT appeal and related court matters.

"This is a good bill, Mr. President, supported by DOT and our Airport Concessions Committee. This bill seeks to ensure a better image and operations of our airport concessions. This change to the law and resulting benefits is long overdue. Hawai'i needs to ensure that our visitors have a positive first and last impression of Hawai'i as they spend time at our public airports. I urge my colleagues to support H.B. 997. Thank you, Mr. President."

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

"Let me first say, ordinarily at Third Reading, I would just rise with reservations because the bill would be going into conference committee, but because this bill does have an effective date, it may be the last time that we have a chance to speak on it. So I am going to oppose the bill.

"I have spoken with the head of the Procurement Office and I understand, in other jurisdictions where there are airport authorities, the authority may not work under the statewide procurement code, but the authority works under some form of procurement code that applies to airports. So it may be appropriate for us to be taking a look at a different type of procurement code. But just giving an exemption from the public bidding process, I think, is very risky and inappropriate, given the amount of money that goes into these contracts. The Land Board oversight, having sat as the former chair of the Department of Land and Natural Resources – it would be extremely unusual and, I think, unprecedented for the Land Board to reject a concession contract. Those tend to be pro forma approvals that go in front of the Land Board en masse from the DOT and, in many cases, some of those are even being exempted now, so it doesn't really provide a check and balance on the DOT process. Thank you."

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

“Mr. President, it’s interesting that the speeches this morning are all about the procurement of these contracts for these concessionaires and yet this measure did not come to the Government Operations committee, and we have oversight and purview over procurement. Even though I asked for a referral, this matter was not granted.

“There are so many problems at the airport. For decades, we have seen a lot of mischief going on; we have seen favoritism; we have seen contracts that have been extended to get around procurement code. All of the items talked about, any terms, any conditions, can be put into the bid document; they can be put into the specs, and so I’m very concerned about this measure. I’m very concerned about the types of contracts – large concessionaire contracts – and lots of money to the airport; there could be a lot of problems if we exempt them. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1341 was adopted and H.B. No. 997, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO CONCESSIONS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21; Ayes with Reservations (Rhoads). Noes, 4 (Kim, Riviere, Ruderman, Thielen).

Stand. Com. Rep. No. 1342 (H.B. No. 1152, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 1342 be adopted and H.B. No. 1152, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

“Thank you, Mr. President. This is part of the governor’s package. The Project Adjustment Fund already exists and contains \$17 million appropriated last year. But DOT Airports Division cannot use these moneys to adjust projects because they need a budget proviso to access these funds. Therefore, some projects where the budget needs to be adjusted are in danger of being terminated.

“This bill allows the governor to make supplemental allotments to capital investment cost elements. As an example, if a project turns out to require 10 percent more money than in the initial bid, this bill allows those projects to move with supplemental moneys from the Project Adjustment Fund, which is what the fund is intended for. These additional allotments shall not be used to increase the scope of a project. The governor has to submit a report to the Legislature that includes all the instances where he has used the Project Adjustment Fund. According to testimony, the traveling public will benefit from the timely completion of projects at airports statewide which will require supplemental funding from this Project Adjustment Fund in order to be implemented. Therefore, Mr. President, may I ask the colleagues to please support this measure? Mahalo.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1342 was adopted and H.B. No. 1152, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION, PROJECT ADJUSTMENT FUND,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Kim). Noes, none. Excused, 1 (Tokuda).

### THIRD READING

H.B. No. 1516, H.D. 1, S.D. 1:

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, H.B. No. 1516, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMAL FORFEITURE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Shimabukuro). Noes, none. Excused, 1 (Tokuda).

Stand. Com. Rep. No. 1464 (H.B. No. 1536, H.D. 2, S.D. 1):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1464 be adopted and H.B. No. 1536, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

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

“Colleagues, the Department of Agriculture is looking to possibly take over irrigation systems across the state that are critical to increasing our agricultural production. Concerns have been expressed about how the current version of the bill might have unintended consequences related to water rights because the version sent over by the House would also apply a PUC-regulation exemption to other non-potable water systems. So, my hope as chair is that during conference we will look at amendments which would narrow the scope of the bill to make sure that the public interest is protected, and so I ask for your support of this measure. Mahalo.”

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. 1536, H.D. 2, S.D. 1, relating to irrigation. This measure clarifies the Board of Agriculture’s authority to acquire property by eminent domain for the construction and maintenance of water facilities used for agricultural purposes and excludes such facilities from the definition of ‘public utility.’

“It’s important for the Board of Agriculture to retain oversight of agricultural irrigation systems. The Public Utilities Commission’s regulations are meant for privately owned potable water utilities, not for state-owned agricultural irrigation systems overseen by the State’s Commission on Water Resource Management. Current policies by both entities reflect this separation of oversight, but the current statute must also be updated to provide for alignment.

“The Department of Agriculture and Board of Water Supply, along with several other state and county departments and private organizations, support this measure. To pass this bill will strengthen Hawaii’s agricultural industry. Mahalo.”

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

“I’m going to be voting ‘with reservations’ on this because I’ve been supporting Chair Gabbard’s efforts to modify the bill. In its current form, I would not be voting for it on Final Reading, but I think there’s a chance here to improve the bill, and so I’ll be voting ‘with reservations.’ Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1464 was adopted and H.B. No. 1536, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO IRRIGATION,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Chang, Espero, Harimoto, Ihara, Riviere, Thielen). Noes, 2 (Green, Ruderman).

Stand. Com. Rep. No. 1468 (H.B. No. 1179, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1468 was adopted and H.B. No. 1179, H.D. 2, 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, 25; Ayes with Reservations (Thielen). Noes, none.

Stand. Com. Rep. No. 1470 (H.B. No. 591, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1470 was adopted and H.B. No. 591, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL INFRASTRUCTURE TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Harimoto, Taniguchi). Noes, none.

Stand. Com. Rep. No. 1488 (H.B. No. 306, H.D. 2, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1488 was adopted and H.B. No. 306, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTINUOUS ALCOHOL MONITORING FOR REPEAT OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Green, Thielen). Noes, none.

H.B. No. 696, S.D. 1:

Senator Baker moved that H.B. No. 696, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Nishihara.

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. 696, S.D. 1, Relating to Health.

"This bill updates the name of the Board of Dental Examiners to more accurately reflect current Board duties, adds three additional dental hygienists to ensure appropriate representation as well as include neighbor island representation and clarifies duties that can be performed by untrained, unlicensed dental assistants.

"When the Board of Dental Examiners was created, the Board actually administered the licensing exam. That is no longer the case. Today the board oversees the dentist licensing statute as well as the hygienists statute – HRS Chapters 447 and 448.

"Unfortunately, some dentists at the behest of Hawaii Dental Association aren't aware that the current board licenses both professions. A number of dentists submitted opposition to the original Senate Bill 371 after which this measure is fashioned. They stated their opposition was predicated on this false premise that the Board would be reconfigured, and it would add oversight of dental hygienists.

"The fact is the Board of Dental Examiners already has oversight over dental hygienists, and that is the VERY reason to

rename the board and to add additional registered dental hygienist members. These actions are merely a reflection that the Board regulates both professions.

"Currently in Hawai'i there are at least as many dental hygienists as there are dentists. The hygienist members of the board are expected to screen and certify qualifications of applicants for registered dental hygienist licensure. In fact, there are more requests for dental hygiene licensure than for dentists, and yet only two board members, who are registered dental hygienists, are available to handle the high volume of certification requests.

"In my opinion it is high time that this imbalance is corrected. It takes nothing away from the dentists as there will still be a majority of licensed dentists on the board and can still out vote the registered dental hygienist members if necessary.

"Furthermore, H.B. 696, S.D. 1 will actually create a better functioning board. Typically, the licensing boards have an odd number of members. However the current board has an even number of 12 members and conceivably decisions could end in a tie vote – nullifying an action. By adding additional dental hygienist members, a board with an odd number of members will be created thereby greatly minimizing the chance of a tie vote.

"Finally, the bill clarifies that through the creation of a rule adopted by the Board, the Board cannot allow an untrained, unlicensed dental assistant's duties to conflict with or infringe on the responsibilities of a licensed dental hygienist.

"The Legislature determines the licensing parameters of our various professions by statute. Rules are a way to help implement the law and to provide important clarifying details to help facilitate legislative intent, but those rules cannot enable one vocation without a license or appropriate training to provide services for which training is necessary and a license is required.

"The section of the Senate Bill that gave the dentists the greatest source of discontent regarding reciprocity in dental licensing was stricken from the S.D. 1 version of H.B. 696 in an effort to address their concern.

"Change doesn't always come easy. However, the modest changes proposed by this measure are logical and based on sound policy, reflecting current law. I urge my colleagues to join me to support this measure. Mahalo."

The motion was put by the Chair and carried, H.B. No. 696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Green).

H.B. No. 407, H.D. 3, S.D. 1:

On motion by Senator Baker, seconded by Senator Nishihara and carried, H.B. No. 407, H.D. 3, 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, 23; Ayes with Reservations (Thielen). Noes, 2 (Ruderman, Taniguchi).

Stand. Com. Rep. No. 1500 (H.B. No. 115, H.D. 1, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 1500 be adopted and H.B. No. 115, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

“There are many roads where the owner is unknown or the ownership is in dispute, and many of these roads have fallen into disrepair. This is a really longstanding problem, but this bill requires such roads to be transferred to the City, and the City must accept ownership. This solution is really problematic because it puts a huge burden on the City – and this is the City and County of Honolulu – so, without adequate funding, this may be an unfunded mandate and may be illegal. But the bigger concern really is the impact to the City has not been fully assessed yet. So, last year, the Legislature created the roads commission via Act 194, so I believe we should wait for this commission’s report before proceeding with any other solution. Thank you.”

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

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

“This bill addresses so called roads in limbo and requires ownership of these roads to be transferred to the county, in a county with population of 500,000 or more. Many of these roads are abut or are sandwiched between sections of roads owned by the county, and are either in bad shape or maintained by the city, even though the city does not own them. When these properties were developed and deeded to homeowners, such road fragments should have been deeded to the city, but for reasons that are unclear, these title transfers never happened, so now the ownership of these roads are disputed or “in limbo”. This bill clarifies ownership of these roads as belonging to the county to ensure that they will be properly maintained and issues of responsibility and liability are clarified.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1500 was adopted and H.B. No. 115, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HIGHWAYS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Green, Kim, Riviere). Noes, 1 (Harimoto).

Stand. Com. Rep. No. 1512 (H.B. No. 116, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1512 was adopted and H.B. No. 116, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Harimoto, Ihara). Noes, none.

Stand. Com. Rep. No. 1515 (H.B. No. 627, H.D. 2, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1515 was adopted and H.B. No. 627, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE PARTNERSHIPS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Chang, Harimoto, Kim, Thielen). Noes, 2 (Riviere, Taniguchi).

Stand. Com. Rep. No. 1516 (H.B. No. 884, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1516 was adopted and H.B. No. 884, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES,” having been read

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

Ayes, 25; Ayes with Reservations (Riviere). Noes, none.

Stand. Com. Rep. No. 1519 (H.B. No. 83, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1519 be adopted and H.B. No. 83, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Tokuda.

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

“Homelessness is a serious concern that demands our full attention and resources; we must do all we can to reduce homelessness. The federal government, through the U.S. Interagency Council on Homelessness, identifies several best practices in combating homelessness. Safe zones are not among these best practices: Indeed, it is identified as detracting from best practices that have proven to be successful in jurisdictions around the country. So I urge this legislature to dedicate our energy and resources to recognized and proven best practices and strategies to reduce homelessness. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1519 was adopted and H.B. No. 83, H.D. 1, 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; Ayes with Reservations (Kim, Rhoads). Noes, 1 (Harimoto).

Stand. Com. Rep. No. 1539 (H.B. No. 451, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1539 be adopted and H.B. No. 451, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Rhoads.

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

“I just want to have an opportunity to explain my reservations. This measure, if passed, would have to go before Congress to have approval before it is effective, and I don’t think it’s wise to be bringing this matter in front of Congress at this time. Thank you.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1539 was adopted and H.B. No. 451, H.D. 1, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Riviere, Ruderman, Thielen). Noes, none.

Stand. Com. Rep. No. 1540 (H.B. No. 554, H.D. 1, S.D. 2):

Senator Keith-Agaran moved that Stand. Com. Rep. No. 1540 be adopted and H.B. No. 554, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Rhoads.

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

“We’re talking here about people, including pretrial detainees, in a mental hospital or a prison and we’re talking about people who have absolutely no power, in a tremendous crisis in their lives. Taking away the need for a court order opens up a tremendous potential for abuse, in my opinion, where the administrator of that facility and two or three of his

employees can decide to treat someone against their will. These treatments could include being sedated for the rest of your life. Bear in mind, some of these people have not been convicted and have not been legally committed. The two-day delay that it takes to get a court order cannot be compared with the complete removal of a person's civil rights. I urge you to consider – I'm sure most of you either read the book or saw the movie *One Flew Over the Cuckoo's Nest*. Well, here we're siding with Nurse Ratched. And while we don't do lobotomies anymore, our current procedures will probably look pretty bad 30 years from now. And I believe that a person in this ultimate crisis deserves the one final safeguard to preserve the civil rights of a completely powerless citizen. Thank you."

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

"The measure authorizes the Department of Health or the Department of Public Safety to issue an administrative order for psychiatric treatment of patients admitted to the Hawai'i State Hospital, pretrial detainees, or other committed persons who object to treatment, and establishes the necessary criteria to administer such orders. Some patients in custody of the state who experience acute mental health symptoms may not believe that they are ill, and for this reason, they refuse treatment. However, treatment may be necessary to protect the patient as well as others. Currently, the only way to authorize treatment over a patient's objections is to go through the courts, a long process averaging not just a couple of days but 17 days, during which the patient can further deteriorate. In order to ensure the health and safety of any individual, it is important to tend to their medical needs. Treating psychiatric symptoms in a timely manner ultimately benefits the patient and creates a safer situation for all who come in contact with that patient. Similarly, treating pretrial detainees or other committed persons helps to create a safe environment for staff and others in custody.

"The administrative orders process described in this measure would only apply to medically appropriate treatment of those who suffer from a psychological disorder who are imminently dangerous to themselves or to others. In these instances, there are simply no less intrusive alternatives available, and treatment would be necessary to prevent the person from causing imminent harm to themselves or to others. I think it's very important that we ensure the safety of all who are taken into custody as well as those who care for them. This measure would actually contribute to a person's rehabilitation and return back to the road of health by getting them the appropriate treatment in a timely fashion and not having them further decompensate, which can ultimately interfere with their return to stability. Mahalo."

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

"I had voted for it when it came in front of Judiciary committee, and it was my error for not looking at the bill more closely. I had supported it when I thought this applied only to pretrial detainees because I figured there would be a check and balance after an administrative determination. But in taking a closer look at the bill, I realize that it gives an administrative process to our prison system where an administrative panel can make a determination to give medications to somebody against their will. It mentions that the person can attend the hearing, but it's not a contested case proceeding; they're not represented by counsel. And then, if they do not like the decision, they are allowed to appeal, but it's not a Chapter 91 appeal, and I'm not sure that the person would be capable of appealing or filing that request if they're put onto the medications against their will. So I feel that the lack of safeguards – I agree with the concerns raised by my colleague on the Big Island, and I have to vote against the measure, the way it's worded now. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1540 was adopted and H.B. No. 554, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR TREATMENT OVER OBJECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23; Ayes with Reservations (Harimoto, Ihara, Kim, Riviere). Noes, 2 (Ruderman, Thielen).

Stand. Com. Rep. No. 1541 (H.B. No. 727, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1541 was adopted and H.B. No. 727, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Green, Harimoto, Rhoads, Taniguchi). Noes, none.

Stand. Com. Rep. No. 1544 (H.B. No. 1518, H.D. 1, S.D. 2):

On motion by Senator Keith-Agaran, seconded by Senator Rhoads and carried, Stand. Com. Rep. No. 1544 was adopted and H.B. No. 1518, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Rhoads). Noes, none.

Stand. Com. Rep. No. 1545 (H.B. No. 347, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 1545 was adopted and H.B. No. 347, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Taniguchi).

Stand. Com. Rep. No. 1550 (H.B. No. 1471, H.D. 3, S.D. 2):

On motion by Senator Baker, seconded by Senator Tokuda and carried, Stand. Com. Rep. No. 1550 was adopted and H.B. No. 1471, H.D. 3, 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, 25. Noes, none.

Stand. Com. Rep. No. 1554 (H.B. No. 1244, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1554 was adopted and H.B. No. 1244, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Ruderman). Noes, none.

Stand. Com. Rep. No. 1557 (H.B. No. 213, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1557 was adopted and H.B. No. 213, 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, 25. Noes, none.

Stand. Com. Rep. No. 1558 (H.B. No. 810, H.D. 1, S.D. 1):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1558 was adopted and H.B. No. 810, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1563 (H.B. No. 943, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 1563 be adopted and H.B. No. 943, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Wakai.

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

"Colleagues, as you all know, the Kapolei region was designated as the Second City of O'ahu over 30 years ago. Since that time, the state, city and county, federal government, and the private sector have made big investments in the public infrastructure, commercial and retail offerings, and housing options for that community. But with the rapid growth, this community has experienced major growing pains, such as traffic, gridlock, and overcrowded schools. One of the main culprits of these problems has been that Kapolei still tends to be a bedroom community, with most of us having to commute back and forth to Honolulu or other parts of the island to work every day. Consider the latest numbers: From 2015 to 2040, the population of Kapolei is expected to increase from 116,650 to 172,680. The number of homes is expected to increase from 35,810 to 57,510 by 2040. So the solution, of course, is to create more good jobs. The purpose of this bill is to establish a five-year Kapolei jobs initiative pilot program to provide tax incentives for businesses that establish themselves or open new locations in the Kapolei region. I see this as a template that can be looked at for other communities around the state that are also experiencing rapid growth, and I ask for your support on this important bill. Mahalo."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1563 was adopted and H.B. No. 943, S.D. 2, 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, 25; Ayes with Reservations (Harimoto, Kim, Rhoads, Taniguchi, Thielen, Wakai). Noes, none.

Stand. Com. Rep. No. 1581 (H.B. No. 1009, H.D. 3, S.D. 1):

On motion by Senator Baker, seconded by Senator Nishihara and carried, Stand. Com. Rep. No. 1581 was adopted and H.B. No. 1009, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Rhoads).

Stand. Com. Rep. No. 1584 (H.B. No. 4, H.D. 1, S.D. 1):

Senator Tokuda moved that Stand. Com. Rep. No. 1584 be adopted and H.B. No. 4, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

"As a large employer, I'm usually expected to oppose such measures, but I fully support it. It's very important, when someone is sick, that they be able to afford to stay home to keep

their coworkers and their customers from getting sick. This measure will cost me in the six figures per year, and I proudly support it as I do almost all employee rights. I hope that one day, we'll have the courage to establish a living wage in Hawai'i, which would help all workers; meanwhile, this will help some. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1584 was adopted and H.B. No. 4, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Kim). Noes, 1 (Riviere).

Stand. Com. Rep. No. 1591 (H.B. No. 1593, H.D. 1, S.D. 2):

On motion by Senator Tokuda, seconded by Senator Dela Cruz and carried, Stand. Com. Rep. No. 1591 was adopted and H.B. No. 1593, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GREEN INFRASTRUCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25; Ayes with Reservations (Harimoto, Ruderman, Thielen). Noes, none.

Stand. Com. Rep. No. 1592 (H.B. No. 552, H.D. 1, S.D. 2):

Senator Tokuda moved that Stand. Com. Rep. No. 1592 be adopted and H.B. No. 552, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Dela Cruz.

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

"I'm concerned about the creation of the minimum essential coverage premium supplementation trust fund. I think we're jumping into this headlong without understanding the consequences or the cost of it. I think it's wide open and could be very problematic. If the feds do, in fact, repeal the ACA and they repeal funding for the program, yet we continue with all of these obligations, it could be a very severe expense to the state, and I think the time is not yet right to jump ahead of the curve here. I think we should wait and see what happens and adjust accordingly. Thank you."

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

"As the committee report acknowledges, this is a work in progress. The fund that the senator just mentioned actually is only there as a possibility for receiving contributions that would be made in order to defray the cost of keeping some of our folks insured and treated – it could replace the subsidy that might be repealed under the ACA. It is a contingency matter; it doesn't obligate us. None of these items obligate us now because these provisions would only go into effect once the ACA is repealed.

"I think we need to have some measures in place. I believe it's especially important that we establish the working group to continue to look impacts at the state level because the way that the current federal administration is so schizophrenic, we don't know exactly what they're going to do. They announce one thing one day and something else the next day. This, as I indicated, would preserve some of the best features of the Affordable Care Act. Quite frankly, if the Republicans' repeal and replace goes into effect, we have the prospect of losing our expanded Medicaid with the enhanced match. We would have the prospect of losing health coverage for the COFA migrants, who now actually are able to get coverage and are not a drag on the system. By the way, they are getting healthier, staying healthier, and costing the state and related nonprofits less. We need to have a measure like this in place. The bill will continue

to be worked on in conference. I promise my colleagues that the kinds of things that raise the concerns by the previous speaker will not be in effect unless they're absolutely, positively necessary, and they would not go into effect without us having to come back after any repeal and replacement of the Affordable Care Act. Mahalo."

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

"I'm glad that the chair of the committee is going to be taking this matter into conference for further discussion. I completely support the working group for the reasons that she described, but I would ask that the conference committee also consider: The bill, as written now, places an individual mandate on individuals to have insurance, and if we lose the federal subsidies for the individual insurers, we would be passing a law that, if Congress were to repeal the Affordable Care Act or stop the subsidies, would be placing a legal burden on individuals to have the insurance without the subsidies. So that's one concern that I hope we can address in conference committee."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1592 was adopted and H.B. No. 552, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24; Ayes with Reservations (Thielen). Noes, 1 (Riviere).

Senator Baker, Chair of the Committee on Commerce, Consumer Protection, and Health, rose to request a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 164.

Senator Baker noted:

"Some of the HCRs came over a little late. This resolution requests the Director of Health to establish and convene a medication synchronization working group to explore any legislative proposals for consideration next session. We thought this important topic was going to be addressed in another way. However, it's important that we have the opportunity to hear this HCR and act on it."

The Chair granted the waiver.

Senator Baker announced that the Committee on Commerce, Consumer Protection, and Health would be holding a public hearing on H.C.R. No. 164 the following morning at 9:00 a.m. in Conference Room 229.

Senator Galuteria reminded the members that Kūpuna Power Day would be taking place on Thursday, April 13, 2017, from 9:00 a.m. to 11:00 a.m., and invited the "kūpuna, not-quite-kūpuna, and junior-senior" members of the Senate to attend.

Senator Kahele announced that the Senate would be honoring Rainbow Wahine volleyball coach Dave Shoji with a floor presentation at the Senate's next floor session.

#### ADJOURNMENT

At 10:23 a.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Thursday, April 13, 2017.