

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2015

***ROUGH DRAFT
JOURNAL***

THIRTY-SIXTH DAY

MARCH 27, 2015

OFFICE OF THE CHIEF CLERK

BT

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THIRTY-SIXTH DAY

Friday, March 27, 2015

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2015, convened at 12:07 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by The Reverend Canon David Kennedy of Good Samaritan Episcopal Church, after which the Roll was called showing all Members present with the exception of Representatives Choy, Ing, McDermott and Pouha, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 372 through 376) were received and announced by the Clerk:

Sen. Com. No. 372, transmitting H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO SAKADA DAY," which passed Third Reading in the Senate on March 25, 2015.

Sen. Com. No. 373, transmitting H.B. No. 1275, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INSTRUMENT," which passed Third Reading in the Senate on March 25, 2015.

Sen. Com. No. 374, transmitting H.B. No. 952, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW," which passed Third Reading in the Senate on March 25, 2015.

Sen. Com. No. 375, transmitting S.C.R. No. 18, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A WORKING GROUP TO EXAMINE HAWAII'S ENHANCED SENTENCING AND EXTENDED SENTENCING LAWS," which was adopted by the Senate on March 25, 2015.

Sen. Com. No. 376, transmitting S.C.R. No. 28, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HONOLULU POLICE DEPARTMENT TO ESTABLISH A FAMILY VIOLENCE UNIT STAFFED WITH OFFICERS SPECIFICALLY TRAINED TO HANDLE ALL COMPLAINTS OF FAMILY VIOLENCE," which was adopted by the Senate on March 25, 2015.

Representative Saiki moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Belatti, Choy, Ing, McDermott and Pouha were excused.)

H.B. No. 952, HD 2, (SD 1)

INTRODUCTIONS

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

Representative Nishimoto, on behalf of Representatives Say, Kobayashi, Saiki, Brower and himself, introduced from Kaimuki High School: members of the Student Council and leadership students; and their advisor, Ms. Holly Honbo, Student Activities Coordinator.

Representative Ohno introduced residents of District 27: Tom Strickland, Linda Kuo, Grace Williams, Laura McBride, Emma Moore, Cathy Yanger, Liane Kosaki, Ana Franklin, Jeanette Yamashiro, Joanne Lim, Tony Peloso, Carolyn Inouye, Lester Inouye, Sebastian Inouye, Allison Yee, Madison Yee, Nannette Ganotisi, Rose Ganotisi, Lindsey Bradshaw, Shirley Gomi, Mildred Choy, Cheryl Miyashiro, Rowland Ho, Reeni Ho, Mercedes Nakaza, Javier Mendez, Alberta Chun, Karen Yee, Wilma Yee,

Karen Hill, Janet Lee, Harold Hulihe'e Campbell, Faith Kaneshiro, Tamara Douglass, Justin Homma, Robert Boulette, Wallace Ohta, Henry Renteria, Mabel Sekiya, Laura Foo, Marian Tomoeda, Violet Irinaka, Francis Shiroma, Grace Nii, Don Toishigawa, Takeo Ito, Leilyn Lui and Hiromichi Nago.

Representative Kawakami, on behalf of the Kauai delegation, introduced his family members: Uncle Norman and Aunt Mabel Hashisaka, founders of Kauai Kookie.

Representative Tokioka on behalf of the Kauai delegation, introduced Councilwoman Yukimura's parents: Jiro and Jeanne Yukimura.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 171) was announced by the Clerk and the following action taken:

H.R. No. 171, entitled: "HOUSE RESOLUTION COMMENDING THE VETERANS OF THE MILITARY INTELLIGENCE SERVICE FOR THEIR COURAGE AND SACRIFICE IN THE SERVICE OF OUR NATION," was jointly offered by Representatives Ito, Brower, Cachola, Choy, DeCoite, Kong, Matsumoto, Onishi, Takayama, Tokioka, Tsuji, Woodson and Souki.

Representative Ito moved that H.R. No. 171 be adopted, seconded by Representative Oshiro.

Representative Ito recognized the courage and sacrifices of the veteran Nisei translators of the Military Intelligence Service, saving thousands of lives, helping to shorten WWII, and playing a key role in the occupation of Japan after the war.

Representative Tokioka recognized the Nisei of the Military Intelligence Service for receiving the Presidential Unit Citation for extraordinary heroism against Japan in WWII and the Congressional Gold Medal, and recognized Nisei veterans who could not be here today:

Mr. Sumio Nakashima, uncle of Representative Nakashima, and
Mr. Koon Hin Choy, father of Representative Choy.

Representative Oshiro honored and introduced honorees seated on the Floor of the House, and wished them a successful national reunion:

Mr. Glen Arakaki;
Mr. Tadashi Fukumoto;
Mr. Norman Kikuta;
Mr. Yoshinobu Oshiro; and
Mr. Herbert Yanamura.

Representative Ward, as a former translator/interpreter in Vietnam, recognized the veterans and thanked them for their service and for being the bridge between a known and an unknown.

Representative Tokioka also recognized additional guests who were seated in the gallery:

Mr. Hideo Takumi, father of Representative Takumi;
Mr. Robert Oshiro and Mr. Thomas Oshiro, relatives of Representative Oshiro;
Mr. Nils Ueki, former legislative Budget Chief;
Mr. Robert Honke;
Mr. Kenso Kanemoto;
Mr. Kiyoshi Sasaki;
Mr. Andrew Sato;
Mr. Lawrence Enomoto;
First Sergeant Joshua Mason;

Sergeant Jordan Kagehiro;
Specialist Christopher Dela Cruz; and
Specialist Gabriel Estrada.

The motion was put to vote by the Chair and carried, and H.R. No. 171 was adopted, with Representatives Choy, Ing, Lee, McDermott, Nishimoto and Pouha being excused.

At 12:29 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1103) recommending that S.B. No. 194, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 194, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CULTURAL EXCHANGES BETWEEN HAWAII AND AFRICAN AMERICANS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1104) recommending that S.B. No. 871, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 871, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1105) recommending that S.B. No. 559, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 559, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1106) recommending that S.B. No. 825, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 825, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURAL EXCHANGES BETWEEN HAWAII AND PUERTO RICO," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1107) recommending that S.B. No. 1159, SD 2, as

amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1159, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS DISABILITY BENEFITS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1108) recommending that S.B. No. 435, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 435, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN PLANTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives Ing and Yamane, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1109) recommending that S.B. No. 786, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 786, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AHA MOKU ADVISORY COMMITTEE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1110) recommending that S.B. No. 1345 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1345, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1111) recommending that S.B. No. 847, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 847, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1112) recommending that S.B. No. 836, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 836, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1113) recommending that S.B. No. 831, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 831, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1114) recommending that S.B. No. 181, SD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 181, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives Takumi and Choy, for the Committee on Education and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1115) recommending that S.B. No. 374, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 374, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DUAL CREDIT PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1116) recommending that S.B. No. 415 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 415, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE SIGNALS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1117) recommending that S.B. No. 233, SD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 233, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1118) recommending that S.B. No. 416, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 416, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CYCLE TRACKS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1119) recommending that S.B. No. 611, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 611, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF

INTOXICANTS WHILE OPERATING A VEHICLE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1120) recommending that S.B. No. 1118, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1118, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR HAZARD EVALUATION AND EMERGENCY RESPONSE PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1121) recommending that S.B. No. 359, SD 1 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 359, SD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 359, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Har and Jordan voting aye with reservations, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1122) recommending that S.B. No. 1042, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1042, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, thank you. On 1122, Mr. Speaker, the SPRB for SunStrong LLC, I'm rising with reservations and a few comments. Thank you. Mr. Speaker, it's evidently a new company, although the person who I believe is the primary employee does have a track record with another project a couple of years ago. But SunStrong was just recently registered with DCCA and there are some questions I hope that Finance will ask. There's nothing on the Internet about them, which is a little bit unusual when someone is coming in asking for what turns out to be \$100 million in SPRB. So I'm hoping Finance will do extra due diligence on this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1042, SD 1, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SUNSTRONG LLC, A

RENEWABLE ENERGY DEVELOPER SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1123) recommending that S.B. No. 1295, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1295, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1124) recommending that S.B. No. 1150, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1150, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I rise in support with a point to ponder. This bill extends the sunset provision relating to the tax on naphtha, and that's primarily for the use of generating electricity on the island of Kauai. Mr. Speaker, this is a good bill because it keeps the price of electricity of Kauai, which is almost 50 cents per kilowatt hour, low. So I think that is good. But the point is also related to another issue, is that when we're going to have LNG, we can also save people on Oahu, when we bring natural gas in to lower their electrical bill. So the same principle that Kauai is using and what this bill is based upon is a point we should ponder. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1150, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1125) recommending that S.B. No. 213, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 213, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1126) recommending that S.B. No. 442, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 442, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENT ABSENTEE BALLOTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1127) recommending that S.B. No. 675, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 675, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREFIGHTERS," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1128) recommending that S.B. No. 1066, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1066, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1129) recommending that S.B. No. 1072 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1072, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1130) recommending that S.B. No. 202, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 202, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1131) recommending that S.B. No. 996, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 996, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1132) recommending that S.B. No. 1146, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1146, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1133) recommending that S.B. No. 325, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 325, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 325, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Tupola voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1134) recommending that S.B. No. 160, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 160, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII NON-GENERAL FUNDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1135) recommending that S.B. No. 464, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 464, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1136) recommending that S.B. No. 134, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 134, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1137) recommending that S.B. No. 1155, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1155, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Just note my opposition, and I would like to use the comments from the previous Second Reading. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, no vote and a brief comment. Mr. Speaker, this is a bill about developing the private sector in the film industry, and it's a switch of one department to another. The interesting thing is the film industry does not want this shift nor does it support this bill. So if we're here to help build economy, create jobs and help the economy, why would we want to go against what the private sector wants? Thank you, Mr. Speaker."

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

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

Representative Thielen rose, stating:

"Second time, Mr. Speaker. I'd like to change my reservations to a no vote."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1155, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CREATIVE MEDIA INDUSTRY," was referred to the Committee on Finance, with Representatives LoPresti and San Buenaventura voting aye with reservations, with Representatives Thielen, Tupola and Ward voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1138) recommending that S.B. No. 661, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 661, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UNMANNED AERIAL SYSTEMS TEST SITES," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1139) recommending that S.B. No. 1279, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1279, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGREEMENTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1140) recommending that S.B. No. 1157, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1157, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1141) recommending that S.B. No. 1158, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1158, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1142) recommending that S.B. No. 1001, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1001, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1143) recommending that S.B. No. 754, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 754, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1144) recommending that S.B. No. 118, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 118, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE INVESTMENT TRUSTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1145) recommending that S.B. No. 1262, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1262, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1146) recommending that S.B. No. 17, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 17, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE SELLER DISCLOSURE," passed Second Reading and was referred to the

Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1147) recommending that S.B. No. 119, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 119, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1148) recommending that S.B. No. 163, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 163, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 163, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representative LoPresti voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1149) recommending that S.B. No. 1009, SD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1009, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CHARGES," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1150) recommending that S.B. No. 1101, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1101, SD 1, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1101, SD 1, HD 2, entitled: "A

BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," was referred to the Committee on Finance, with Representatives Har, Jordan, Morikawa, Oshiro and Tupola voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1151) recommending that S.B. No. 1113, SD 2, HD 1 be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1113, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1152) recommending that S.B. No. 1122 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1122, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1153) recommending that S.B. No. 1174, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1174, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1174, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance, with Representatives Fukumoto Chang, Har, Johanson, Jordan, Matsumoto, Thielen, Tokioka, Tupola and Yamashita voting aye with reservations, with Representative Kawakami voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1154) recommending that S.B. No. 1175, SD 2 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1175, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HOSPITAL," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1155) recommending that S.B. No. 1324, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1324, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1156) recommending that S.B. No. 1213, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1213, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1157) recommending that S.B. No. 1076, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1076, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1158) recommending that S.B. No. 1077, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1077, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1159)

recommending that S.B. No. 1078, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1078, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1160) recommending that S.B. No. 1079, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1079, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1161) recommending that S.B. No. 1080, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1080, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1162) recommending that S.B. No. 1081, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1081, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1163) recommending that S.B. No. 1082, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1082, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1164) recommending that S.B. No. 1083, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1083, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on

Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1165) recommending that S.B. No. 1084, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1084, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives Belatti and Morikawa, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1166) recommending that S.B. No. 964, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 964, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1167) recommending that S.B. No. 982, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 982, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 982, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL AMNESTY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Har and Oshiro voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1168) recommending that S.B. No. 304, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 304, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1169) recommending that S.B. No. 1131, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1131, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Second Reading and was referred to the Committee on Judiciary, with

Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1170) recommending that S.B. No. 114, SD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 114, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1171) recommending that S.B. No. 1180, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1180, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1172) recommending that S.B. No. 1346, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1346, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1173) recommending that S.B. No. 64, SD 3 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 64, SD 3, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1174) recommending that S.B. No. 1316, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1316, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1175) recommending that S.B. No. 273, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 273, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 273, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION CARDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Har and Jordan voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1176) recommending that S.B. No. 643, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 643, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 643, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD VISITATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative San Buenaventura voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1177) recommending that S.B. No. 1221, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1221, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1178) recommending that S.B. No. 298, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 298, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1179) recommending that S.B. No. 802, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 802, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, with reservations. Second hand smoking is a known human carcinogen, and to allow condo boards to ban it within their buildings seems like a perfectly reasonable thing to do because, of course, there are checks and balances within the condo system itself and it would be a controversial issue on the board, and I think condo boards and condo

residents should have the right to make that decision on their own. *Mahalo.*"

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Rhoads be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative LoPresti rose in support of the measure with reservations and asked that the remarks of Representative Rhoads be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Jordan rose in support of the measure with reservations and asked that the remarks of Representative Rhoads be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, I'll be voting with reservations. I think the Chair of the Judiciary Committee hit the issue on its head, so I'll be adopting his words as my own. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 802, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Jordan, LoPresti, Oshiro and Rhoads voting aye with reservations, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1180) recommending that S.B. No. 768, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 768, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1181) recommending that S.B. No. 1115, SD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1115, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1182) recommending that S.B. No. 133, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 133, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1183) recommending that S.B. No. 387, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 387, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFIRMATIVE CONSENT," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1184) recommending that S.B. No. 812, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 812, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIOR SUPPORT REVIEW COMMITTEE FOR PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1185) recommending that S.B. No. 622, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 622, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1186) recommending that S.B. No. 1344, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1344, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1187) recommending that S.B. No. 1011, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1011, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1188) recommending that S.B. No. 1010, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1010, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1010, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED PRACTICE OF LAW," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Thielen and Tupola voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1189) recommending that S.B. No. 193, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 193, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 193, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SURCHARGES," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1190) recommending that S.B. No. 1228, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1228, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1191) recommending that S.B. No. 1265 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1265, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE HOLDING COMPANY SYSTEM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Tsuji, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1192) recommending that S.B. No. 382, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 382, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Tsuji, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1193) recommending that S.B. No. 1062, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1062,

SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BIOSECURITY PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Tsuji, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1194) recommending that S.B. No. 1059, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1059, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1195) recommending that S.B. No. 364, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 364, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1196) recommending that S.B. No. 615, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 615, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1197) recommending that S.B. No. 287, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 287, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1198) recommending that S.B. No. 961, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 961, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 961, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH

TREATMENT," was referred to the Committee on Finance, with Representatives Jordan and Tupola voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1199) recommending that S.B. No. 778, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 778, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"With reservations, Mr. Speaker. I'd like to thank the Chair of the House Committee on Education, he's done an excellent job of putting some great wording and adaptation of I think some of the things I have been speaking on this Floor about this particular measure on. But hopefully we won't have to provide the financing for the Department of Education for this particular bill, since the Department of Education on the House version basically said they will find the remaining \$2 million to complete this test that they've already contracted with the University of Hawaii. So hopefully that appropriation line can be removed at some point in time. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 778, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance, with Representative Jordan voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1200) recommending that S.B. No. 980, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 980, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFTERSCHOOL PROGRAMS," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1201) recommending that S.B. No. 826, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 826, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1202) recommending that S.B. No. 40, SD 3, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 40, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1203)

recommending that S.B. No. 307, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 307, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1204) recommending that S.B. No. 892, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 892, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, thank you. On Standing Committee Report 1204, Senate Bill 892, I'm with reservations and am watching it to make sure that this is not just setting in place a stepping stone for the interisland cable. Thank you."

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

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

"Mr. Speaker, with reservations. I'm also putting a marker down here because it uses the term, creation of an 'offshore high technology park.' As I had spoken earlier, what is an offshore high technology park? Is it a flotilla of high technology? We don't know, but the fact that it's in here, maybe it's a bit too strict of an interpretation, but if it's in there somebody may sneak something through it, and I think if we're going to be precise and mean what we're saying, we should say that it's in there and it means this, or we should take it out. Thank you, Mr. Speaker."

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

"Mr. Speaker, please note my reservations. I also had the same question, but I'll try to talk to Senator English about it. Thank you."

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

"In strong support, Mr. Speaker. Just a couple words of reassurance, to first the speaker from Kailua. As one who authored taking away all the special surcharges and program from the undersea cable, I can assure you that this is about fiber optic broadband only."

"And to the speaker from Hawaii Kai, in the committee hearing we asked a representative from PACOM about whether this term is specific to an offshore floating structure or if it was a work of art to try to capture the ecosystem of technology development which would take place on ships associated with the fiber optic cable. They said it was the latter, and they're trying to come up with a better term to give reassurance that it's not some type of a structural park out in the ocean."

"So, Mr. Speaker, these issues have been addressed by your committee, and we will continue to work with the Senate and others to ensure that these concerns are met, and that these concerns do not pan out to be such that we lose a very important bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 892, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OMNIBUS HAWAII RESILIENCE AND SUSTAINABILITY STRATEGY," was referred to

the Committee on Finance, with Representatives Thielen, Tupola and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1205) recommending that S.B. No. 1217, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1217, SD 1, HD 2 be referred to the Committee on Judiciary, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1217, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Judiciary, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1206) recommending that S.B. No. 729 be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 729, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1207) recommending that S.B. No. 1094, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1094, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Mr. Speaker, reservations, because it's a huge increase on the registration fee, and the reason for that I do not comprehend at this point. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1094, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting aye with reservations, with Representatives McDermott and Tupola voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1208) recommending that S.B. No. 725, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 725,

SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1209) recommending that S.B. No. 868, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 868, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSIONS," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1210) recommending that S.B. No. 1095, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1095, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, in strong support. Thank you. Very brief comments. This measure clarifies the State's definition of habilitative services. This is in response to the recent final rule issued by the federal Department of Health and Human Services as of February 27, 2015. And if I might request the opportunity to insert written comments. Thank you."

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise in support of Senate Bill 1095, House Draft 1 that clarifies the definition of 'habilitative services' as 'health care services, including but not limited to physical and occupational therapy, speech-language therapy, speech and swallowing therapy, applied behavior analysis, medical equipment, orthotics and prosthetics, that help a person keep, learn or improve skills and functioning for daily living.' This definition is similar to the definitions used in Medicaid laws and numerous other states, such as Michigan and Ohio, and reflects current best medical practice and the medical standard of care.

"This measure seeks to bring our insurance laws as related to 'habilitative services' into compliance with federal statutes and regulations related to the Affordable Care Act that will be effective on April 28, 2015. The federal Department of Health and Human Services (DHHS) defines 'habilitative services' as '[h]ealth care services that help a person keep, learn, or improve skills and functioning for daily living.' Examples of habilitative services specifically cited by DHHS include 'therapy for a child who is not walking or talking at the expected age,' 'physical and occupational therapy, speech-language pathology and other services for people with disabilities in a variety of inpatient and/or outpatient settings.'

"The proposed definition in Senate Bill 1095, House Draft 1 will ensure that our residents have access to and receive the quality health care services that they pay for through their medical insurance plans. For this reason, I strongly support the passage of Senate Bill 1095, House Draft 1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1095, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1211) recommending that S.B. No. 841, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 841, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"I stand in favor. I just ask that the next committee consider perhaps ensuring that the working group consider requiring a look at peanut and other food allergies for the protection of our students' health on this working group. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 841, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1212) recommending that S.B. No. 550, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 550, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support and again just with some brief comments. This bill is likely a candidate for our Rusty Scalpel award by outside community groups. Mr. Speaker, I wanted to apprise the membership about this particular bill. This is in response to the US Alcohol and Tobacco Tax and Trade Bureau's recent decision to approve labels for powdered alcohol, essentially making this new product available in our communities, but subject to states' laws and regulations.

"Currently, five states prohibit the sale of powdered alcohol in their jurisdictions. Two states have added and placed powdered alcohol into their statutory definitions, thereby subjecting it to regulation. California is currently considering emergency legislative action to deal with this very serious new development in the alcohol arena. So I urge Members to take a look at the testimony, and their support. Thank you, Mr. Speaker."

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

"Mr. Speaker, I stand in support but I do have a slight reservation in that I hope you will consider including the Committee on Consumer Protection & Commerce, because the contents that were inserted into the bill were the subject of a bill that was referred to the committee previously. Thank you."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. I would just like to point that the language that was adopted was language that was actually approved by both Health and CPC Committees as this bill had moved previously as a House bill through this Body. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 550, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1213) recommending that S.B. No. 1036, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1036, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TREATMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1214) recommending that S.B. No. 791, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 791, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. With reservations. My reservations stem partly in regards to only up to 18 years of age. Currently, Medicaid provides services for children up to 21 years of age with these particular disorders. So hopefully as we get to the finish line with this measure, this Body will be moving it up to 21 at that point in time. But until such time, I'll be with reservations, Mr. Speaker. Thank you."

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

"Thank you, Mr. Speaker. In support, and I would like to note that there is now medical research that is showing that pesticide spraying near areas where young children are located can be linked to autism. So I think that this is an even larger issue that we as a legislature have a moral duty to address. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 791, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM SPECTRUM DISORDERS," passed Second Reading and was referred to the Committee on Finance, with Representative Jordan voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1215) recommending that S.B. No. 1030, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1030, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I'd like to cast a no vote and note that as it goes through Judiciary, there's no grandfathering clause in this. So if somebody is 20 years old, 20 and a half, they've been smoking for several years, they can't continue. Thank you."

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

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

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

At 1:11 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:11 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1030, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Jordan, Kawakami and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1216) recommending that S.B. No. 519, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 519, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1217) recommending that S.B. No. 1280, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1280, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, ruling on a possible conflict of interest. I own a taxi company, and may this, I should have asked this the first time, but may this be for the remainder of session?" and the Chair ruled, "no conflict."

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

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

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

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

"Mr. Speaker, a no vote, brief comment. Uber and Lyft are offering youth and middle class mobility in the State of Hawaii. Let's give them a chance to thrive, and if, as the opponents of this bill proclaim, that it's taking away business and it's hurting and killing the taxi business, then let's regulate it.

"But Mr. Speaker, this kind of business, this innovative, creative way of transporting in your own car as a ride sharing and collecting money, why do we want to kill it so quickly? Because I think they've said, you guys pass this bill, we're out of town. And if you talk to the young people, they're saying, this is such an innovative thing that's going on in various parts of the mainland, that we would be foolish to kill it with a bill such as this. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1280, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES," was referred to the Committee on Finance, with Representatives Fukumoto Chang and Matsumoto voting aye with reservations, with Representatives Thielen, Tupola and Ward voting no,

and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1218) recommending that S.B. No. 1096, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1096, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ON-BILL PROGRAMS," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1219) recommending that S.B. No. 737, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 737, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. On Standing Committee Report 1219, Senate Bill Number 737, Senate Draft 1, House Draft 1, please note my reservations and may I just have brief comments, please? Thank you, Mr. Speaker. Mr. Speaker, the purpose of this bill was to limit the total amount of fees charged for the deferred deposit of a personal check, also known as payday loans, to an annual percentage rate of 36%.

"I do appreciate the hard work of the CPC Committee of which I am a member, but as we are the Committee on Consumer Protection, I don't believe that the 36% should have been deleted. I believe that the 36% limit was a good thing, and that does benefit consumers. It was stricken out of this version, and for those reasons I'm voting with reservations. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm rising in support with reservations. May the words of the Representative from Kapolei be entered into the Journal as my own? Mr. Speaker, I just want to also add that that 36% cap is also what is given to our military families, they're in and about my community so I'm very much aware of the current payday lending businesses, and I hope we can look again at the policy. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, I also stand with reservations. I would like the comments of the Representative from Kapolei be that of my own. I'd also like to point out that these payday loan lenders specifically target the working poor, and that is why we need the 36%. Thank you," and the Chair "so ordered." (By reference only.)

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

"Reservations. I ask that the previous speaker's words be entered in the Journal as if they were my own. I also think 36% is, boy that's a pretty low bar. I think that's even usury, and the fact that many of these predatory loan companies target the working poor is downright immoral and shameful. And I think frankly it should be almost completely outlawed. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in support. Thank you, Mr. Speaker. Your Committee on Consumer Protection worked on this proposal, and I'd just like to make a notation that we chose to strike out the 36% so that the Committee on Finance, if they so choose to hear the measure, can take a look at the proposal. I'd also like to make a notation that with amendments made in the proposal, Mr. Speaker, that according to some of these calculations, the APR rate will in fact go down to 17%, which actually far exceeds the 36% that is suggested in this proposal. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 737, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed Second Reading and was referred to the Committee on Finance, with Representatives Har, LoPresti, Oshiro, San Buenaventura voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1220) recommending that S.B. No. 1154 be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR COMMISSION," was referred to the Committee on Judiciary, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1221) recommending that S.B. No. 1032, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1032, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1032, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 245, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Finance, with Representatives Jordan, Kawakami, Tupola and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1222) recommending that S.B. No. 577, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 577, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1223) recommending that S.B. No. 1287, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1287, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, with reservations. My concern is basically that the rights proposed here is going to squelch innovation. And that was my concern I voiced at the committee hearing, and that's one of the concerns that was brought up by the broadcasters."

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

"Mr. Speaker, I share the same reservations, Mr. Speaker. Thank you."

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

"I share the same reservations."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative San Buenaventura be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in opposition. I don't think it's feasible to enforce this measure. I think it's going to be impossible to accomplish what this bill states."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1287, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COPYRIGHTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Har, LoPresti, San Buenaventura and Thielen voting aye with reservations, with Representative Kawakami voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1224) recommending that S.B. No. 774, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 774, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF TARO," was referred to the Committee on Finance, with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1225) recommending that S.B. No. 284, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 284, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Please note my reservations on this, Mr. Speaker. As this measure was before us last year, I voted reservations on it as well, informing the

conservationists not to come after me, because as our Health Chair has stated earlier, this should have been the award winner for the Rusty Scalpel last year, Mr. Speaker. Thank you very much."

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

"Mr. Speaker, thank you very much. With reservations. I know that the Chair of Water & Land is trying to accomplish some things in here and I know he's going to do a good job with it, but the bill was bad to begin with and I just have reservations, thank you, at this point."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representatives Jordan and Tokioka be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 284, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Har, Jordan, Onishi and Tokioka voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1226) recommending that S.B. No. 1050, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1050, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1050, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was referred to the Committee on Finance, with Representatives Har and Jordan voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1227) recommending that S.B. No. 401, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 401, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 401, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Jordan, LoPresti, Onishi, Oshiro, Rhoads, Tokioka, Tupola and Ward voting aye with reservations, with Representative Thielen voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1228) recommending that S.B. No. 349, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 349, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 349, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Jordan voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1229) recommending that S.B. No. 1214, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1214, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Stand. Com. 1229 refers to Senate Bill 1214, which is the request from Hawaiian Electric Company and its subsidiaries for special purpose revenue bonds, and I'm rising to speak against the measure, Mr. Speaker. Thank you.

"Mr. Speaker, Hawaiian Electric has submitted a request to the Public Utilities Commission to rush ahead the proposed sale of Hawaiian Electric to NextEra, and at the same time they're coming in here asking for SPRBs, at one point it was in the amount of \$800 million. It's a lot of money for a company that very likely no longer will exist. NextEra has touted itself as being very well funded, that it's going to ride into Hawaii like a knight on a white horse and solve all of our energy problems.

"Well, Mr. Speaker, in a filing, the United States Securities and Exchange Commission, form 10-K for the fiscal year ended December 31st, 2014, has noted NextEra and its subsidiary are also known as Florida Power & Light Company, it can be materially adversely affected as a result of new or revised laws, regulations or interpretations or other regulatory initiatives. This is in Florida, its operation, and specifically as it's relevant to this bill and to Hawaii, that any government incentives that facilitate the

installation of solar generating facilities on residential or other rooftops could have a material adverse effect on Florida Power Light, NextEra's business financial conditions, *et cetera*. There can be no assurance that the utility will be able to respond adequately to such regulatory changes, which could have a material adversarial effect on the utility's business financial conditions.

"What this means, Mr. Speaker, is that in Florida, NextEra has been successful in preventing homeowners from putting in solar. They have one of the lowest solar percentages in the nation, and that's in sunny Florida. So with NextEra coming here to take over, you know very well that their first objective would be to prevent solar from expanding on rooftops here. And the whole purpose would be because they don't make the money that they need to make, and as the Securities and Exchange Commission said, they are likely to go under financially where solar becomes a major player.

"So this is the situation where we have Hawaiian Electric, number one saying, let's rush this sale, let NextEra buy us out, but at the same time Legislature, approve an \$800 million SPRB for us.

"I think we should stop, as a Body, helping Hawaiian Electric, who wants to sell and be out of here by the end of this year, and instead look at all the other different SPRB applicants and take a look at what would be good for this state.

"The other thing, Mr. Speaker, I think we had better be very wary and very aware of a new utility coming in that's been told by the Securities and Exchange Commission, you'll fail if you allow solar to be on rooftops. Is that the new utility we want for Hawaii? I think not. Thank you."

Representative LoPresti rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. A no vote, please. I want to commend my colleague from Kailua for all her research efforts, and please record a no vote for me from 1229 through Stand. Com. 1233. Thank you."

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

"Thank you, Mr. Speaker. A ruling on a potential conflict of interest. I'm a shareholder in Hawaiian Electric Company, which has done very well over the past several years. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, ruling on a potential conflict. I am also a shareholder in Hawaiian Electric Corporation," and the Chair ruled, "no conflict."

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

"In support. I notice the amount is blank, so I'm okay with this for now. Thank you very much, Mr. Speaker."

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

"Mr. Speaker, no vote, brief comment. Mr. Speaker, the mantra of my office for the last eight years has been solar on every roof. And now because of the behavior of HECO, it's been batteries under every house. Mr. Speaker, I think what my colleague from Kailua has mentioned and what we are now doing with HECO's foot in the aisle for getting solar on every roof, to do this I think is premature. If in effect there is a sale, it's moot, and if there's not a sale, why do it now, because there's not supposed to be a decision until the end of this year or sometime next year. So I would say the best way to do this is kick it down the line like we do with other problems we don't know what to do with, kick the can down for another year. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. Just very briefly, I'd like to note that the Body and legislatures prior to us has approved a number of SPRBs, I believe nine over the last several decades, for the utilities. And that's because they need the capital and they need the financing to be able to implement infrastructure upgrades to reduce costs for electricity for everybody else.

"Now I certainly do share many of the concerns that have been raised by prior speakers about what happens in the future from here forward. That said, I think that your Committee on Energy & Environmental Protection is on the record as having moved other measures, bills and resolutions, that try to address some of these concerns.

"With this particular measure, the reason that it's moving forward is because there is a window of time before the Public Utilities Commission is to approve any takeover of Hawaiian Electric Utilities that would be in receipt of these SPRBs. So what the committee recommendation made in this bill as we amended it was to restrict that period of time and that value of money that this SPRB would be eligible for so that if there is a successor utility that comes in, say in the next year or two, they would have to, if they wanted to take advantage of any of this, come back to the Legislature and justify themselves and ask for a new bill.

"Secondly, what we put in this measure was something which consumers have been asking for for decades, and that's transparency in billing and transparency in the operations of the utilities. Everybody knows what the total value of the bill that comes to them from the utilities is, and that's in many cases hundreds of dollars per month. But what we don't know is what the utility spends that money on. What percentage goes to profit, what percentage goes to infrastructure upgrades, what percentage goes to pay back debt, and everything else, and on and on.

"And to have transparency to understand whether or not any of the things that we do here, or the PUC does, should be justified. Any policy decisions, we have to know transparently what's happening, and consumers deserve the right to know just the same. And as a provision in this measure that we put in, utilities have to open those books up, and on every single electric bill for any utility subject to the receipt of this funding, they would have to do so for the first time in the State's history. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I respect what the Chair of Energy & Environmental Protection is trying to do. I do not respect what Hawaiian Electric is doing to this Legislature. They had no real information or justification why on one hand they're saying, we want to be out of here by the end of 2015, and on the other hand they're saying, give us an \$800 million SPRB. So they're talking out of both sides of their mouth.

"And then we know that at NextEra, which also wants to be in here buying, taking over by the end of 2015, we know that according to the Securities and Exchange Commission, NextEra would be materially impacted with solar continuing to go on rooftops. What is our vision for our state? A solar on every roof that is feasible, or is it to say we will let this monolithic utility come in, take over, and change our whole goal of being energy independent. Thank you, Mr. Speaker."

Representative LoPresti rose, stating:

"Thank you, Mr. Speaker. I'd like to change from reservations to just yes, straight up. Thanks."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1214, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAIIAN ELECTRIC COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, AND HAWAII ELECTRIC LIGHT COMPANY, INC," passed Second Reading and was referred to the Committee on Finance, with Representatives Thielen, Tupola and Ward voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives Belatti and McKelvey, for the Committee on Health and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1230) recommending that S.B. No. 1338, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1338, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1338, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CONNECTOR," passed Second Reading and was referred to the Committee on Finance, with Representatives Cullen, DeCoite, Fukumoto Chang, Har, Jordan, Matsumoto and Tokioka voting aye with reservations, with Representatives McDermott, Tupola and Ward voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives Belatti and McKelvey, for the Committee on Health and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1231) recommending that S.B. No. 1028, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1028, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1028, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CONNECTOR," passed Second Reading and was referred to the Committee on Finance, with Representatives Cullen, DeCoite, Fukumoto Chang, Har, Jordan, Matsumoto and Tokioka voting aye with reservations, with Representatives McDermott, Tupola and Ward voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1232) recommending that S.B. No. 1291, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1291, SD2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Mr. Speaker, no vote and few brief comments. Mr. Speaker, I appreciate the work that has been done on this bill, and I want to remind Members that I'm a proponent of medicinal marijuana. But we are trying to strike right balance. And I've also been a proponent of home rule. And my opposition stems from that home rule issue. This basically prohibits a landlord from making a decision on his own personal property. We still allow landlords to discriminate against pet owners, and I believe that pets are therapeutic and medicinal. But I feel that this measure oversteps those bounds, and for those reasons in opposition."

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

Representative Har rose, stating:

"Mr. Speaker, I apologize. Can you please have the Clerk change my reservations to a no vote, please? Thank you."

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

"Mr. Speaker, I also vote with reservations. I echo the sentiments of the Representative from Kauai. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1291, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, Cachola, Cullen, DeCoite, Fukumoto Chang, Jordan, Matsumoto, Oshiro, San Buenaventura, Tokioka, Tsuji and Yamane voting aye with reservations, with Representatives Har, Kawakami, McDermott, Tupola and Ward voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

Representatives Belatti and Rhoads, for the Committee on Health and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1233) recommending that S.B. No. 682, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 682, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I stand in support of SB 682, SD 2, HD 1, with reservations.

"First, I would like the record to reflect my sincere appreciation for the mutual decision of the Health and Judiciary Committee Chairs to make the following recommendations and amendments to SB 682, SD 2, to comport to the previous 'House position' in HB 321, HD 1 with some additional useful amendments, brought forth in SB 682, SD 2.

"As you may recall, earlier this session, HB 321, HD 1, became the primary measure in the House to establish medical marijuana production facilities and dispensaries, and now SB 682, SD 2, as received from the Senate, seeks to amend the definition of a 'certifying physician to be the qualifying patient's primary care physician' and also legalize and permit the transportation of medical marijuana from and between a patient, caregiver, medical marijuana production center or dispensary through the public domain and space. These two issues are important as one seeks to properly address questions regarding which licensed doctors may issue a certificate to use medical marijuana and the other seeks to address the present legality of transporting medical marijuana from a caregiver to patient and also contemplate the eventual transportation of medical marijuana from a production facility to a dispensary and/or to the qualifying patient. Hence, I do not disagree with the targets of the measure but only the means by which it is addressed.

"Mr. Speaker, although I appreciate the redefining which licensed physician may issue a certificate for use of medical marijuana, I am still concerned that even with the inclusion of a 'bona fide physician-patient relationship' as a limiting requirement, there is still a degree of subjectivity as to how it will be defined, and the Chair of the Judiciary Committee described a real-life example where a bona fide physician-patient relationship may have arisen even with little prior knowledge of his medical history or less than several hours of acquaintance. Certainly, we all do not want to enable the 'fly-by-night' or 'pot-doctors' to come in to our communities and issue unwarranted certificates. I find the current draft language to still be inadequate, and if adopted as drafted may inadvertently allow which we all despise and seek to prohibit.

"Likewise, Mr. Speaker, I have a similar concern with the current language that defines 'transport' to mean transportation of medical marijuana between a qualifying patient and qualifying patient's primary caregiver, a licensed medical marijuana production center and licensed medical dispensary, and licensed medical marijuana production center and another licensed medical marijuana production center. Although the present language may address the issues raised in a recent Hawaii Supreme Court decision, it may not be prescriptive enough and may need to be defined more precisely to place a limitation on the amount that can be transferred between the various parties and the duration of time in which the transportation must occur. Let me explain. For one, there must be a limitation of the amount that can be legally transported between a qualifying primary caregiver and a qualifying patient. That is, the amount being delivered or carried from the 'grower' to the 'user' must have a bearing on the then 'adequate supply' or under present law, four ounces and/or seven plants and no more. Anymore shall be a per se violation of HRS 321 between the two, caregiver and patient, no more than the 'adequate supply' can be possessed. On the other hand, that same amount or quantity may not be appropriate to what may be transportable by the production center to the licensed medical marijuana dispensary. In this case and as currently described in the draft medical marijuana dispensary bills, it appears that each dispensary will be allowed to serve an unlimited number of patients, and therefore have inventoried and available for sale an amount that probably exceeds the present adequate supply or more than four ounces and/or seven plants.

"Likewise, the transportation of an amount of medical marijuana between a licensed production center and another licensed production center should also be considered. Again, if we are concerned about diversion of otherwise legal medical marijuana into the hands of minors or illegal black market, the quantity and amount of marijuana being carried, even in plain view through the public space, must be limited and rationally related to the purpose of the transport and no more and no less than appropriate depending on the starting point, intermediate, and final destination. A strict accounting of quantity carried for a limited and certain

duration would lessen the diversion of marijuana from legitimate users to the illegal ones. It is my understanding that in Colorado, all deliveries are packaged in banded and sealed containers that indicate any premature opening before delivery. A 'real-time' GPS activated monitoring system also tracks the route, speed and traffic conditions between transportation points.

"Similarly, Mr. Speaker, I suggest that any transportation through the public place is limited in the 'time and duration' that it may be in the public space. For instance, it should not be permissible to transport a delivery of medical marijuana from a production center to a dispensary over the course of several days. A delivery from Wahiawa to Waipahu should not take several hours even during rush hour traffic. Not only would this increase the diversion potential, but could also endanger the general public as the product being transported has a monetary value of several thousand dollars for every pound, and this is presently a predominately 'cash and carry' business. In fact, there have been several reports of attempted robbery and car-jacking in Colorado, but fortunately no reported serious injury or fatality yet.

"Likewise, any transportation of any amount should not be used as a legal device or shield to protect the illegal transportation and distribution of marijuana. The current law and mere exhibition of a valid medical marijuana card already serves to deflect any law enforcement inquiry or investigation, and any law addressing the transportation of the same should be drafted very carefully to not permit the illegal diversion and transfer to the minors and those without the legal authority and credentials to possess and use medical marijuana. But, this may not be as simple as it seems, as even current security firms and courier services may think twice before transporting money that may be viewed by federal law enforcement as involvement in a criminal enterprise. Again, this is a complicated and evolving area of public policy of integrating two sets of policies and seeking to reconcile both purposes of promoting the public good.

"Mr. Speaker, there are, however, some very good amendments made in this draft that improves upon and better the previous house position in HB 321, HD 1. They are as follows:

- (1) Lowering from 26 to 6 the number of dispensary licenses to be offered by the Department of Health by July 1, 2016, and 12 more that may be offered by July 1, 2017. This is more in line with the request by the Departments of Health and the Attorney General, and although it does not leave the number of licenses to the sole discretion of Department of Health based upon actual demand and need, still it does demonstrate recognition that a more limited initial launch of a new commercial medical marijuana policy may lead to better and more promising outcomes for both regulators and the regulated businesses.
- (2) Lowering the number of medical marijuana production centers from the current 30 licenses to some other, hopefully lower amount, by March 1, 2016, and March 1, 2017, respectively also demonstrates recognition that a more limited initial launch of a new commercial medical marijuana policy may lead to better and more promising outcomes for both regulators and the regulated businesses.
- (3) Prohibiting primary caregivers from cultivating medical marijuana for qualifying patients after June 30, 2018; provided that a primary caregiver who is the parent, guardian, or person having legal custody of a qualifying patient who is a minor or an adult lacking the legal capacity may cultivate marijuana for the qualifying patient is a very good amendment. For one, it addresses a major deficiency of states like California, Colorado, Nevada, New Mexico, Oregon, Rhode Island and Vermont, where 'home grow' is allowed even with established medical marijuana dispensaries, and where such home grow marijuana has shown to find its way into the illegal or black market. This amendment is significant and will address to some degree the concerns of law enforcement who would find it difficult if not impossible to distinguish between legally grown and licensed marijuana products, and illegal grown and distributed marijuana and products. This amendment in essence would make the dispensary the surrogate primary caregiver, and therefore eliminate the need for

the primary caregiver as the sole and exclusive source of a patient's medical marijuana.

- (4) Limiting authorized sources of the medical marijuana for the qualifying patient commencing July 1, 2018 to either a licensed dispensary or cultivation by the patient him or herself is another good amendment to the current house position and addresses many if not all of the 'home grow' concerns of law enforcement and states that allow for home grow along with medical dispensaries. If this is the intention, it would probably be made clearer by inserting 'either' among 'or' so that the patient has a choice but cannot have access to both. Again, as I suggested in the public hearing on HB 321 in discussion with the Task Force members in attendance and in past debates on Second and Third Reading, this 'closed' system or 'custom grow' by the dispensary to a specific customer or patient would enable the commercial operator to have the certainty of a purchase contract while providing the patient with a constant and reliable source of medical marijuana. This serves the needs of the patient, lowers the over-production of marijuana and possible diversion to illegal sources, and enables the dispensary and/or production facility or commercial grower to operate as a legitimate business without competition from the gray or black markets. In my discussion with some commercial licensed and permitted marijuana producers in Colorado, they strongly recommended that we prohibit the home grow if and once medical marijuana becomes available through dispensaries. The only exception they both could agree upon was if the patient lived in some location some distance from the dispensary. Mr. Speaker, in my humble opinion this would be 'best practices' to prohibit all home grow after dispensaries are open and providing medical marijuana, as has been done in states like Connecticut, Delaware, Florida, Illinois, Maryland, Minnesota, Missouri, New Hampshire, New Jersey, New York and the District of Columbia, to curb a source of illegal marijuana, and it is admirable and well intentioned. To both Health and Judiciary Chairs I extend my sincere kudos and applaud their actions.

Still, it is important to note that this is probably the best time or the only time to make this change and prohibit home grow for both patients and caregivers when dispensaries open, as it would be difficult if next to impossible without the 'trade-off' and 'give and take' of the political process between advocates and opponents and other stakeholders. And, one cannot understate the necessity to have and maintain a vigorous and well monitored regulatory scheme compliant with the federal Cole Memorandum standards.

"In close, let me again reassert my belief in and support for a well regulated medical marijuana dispensary system that is further described in my remarks on 2nd Reading on HB 321, HD 1, on February 20, 2015, and on 3rd Reading on HB 321, HD 1, on March 10, 2015. I do see and appreciate the progress of the current draft, and extend my appreciation to the respective Chairs. However, there is more we can do to ensure to address the most important stakeholders concerns and ensure the health and safety of our youth and communities, along with patients and caregivers, and brave and innovative entrepreneurs. To that goal and purpose, do I submit my sincere efforts and time. Thank you very much, Mr. Speaker."

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

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

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

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

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

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

Representative Aquino's written remarks are as follows:

"Thank you, Mr. Speaker. With reservations on Senate Bill 682.

"Mr. Speaker, my reservations mainly stem from the language in the bill that pertains to the certifying authority. My concern is the certifying authority is now a physician that has a bona fide relationship with the patient. It is not clear what that is exactly. The current existing statute requires that the certifying doctor should be the primary care physician, which was changed just several years ago. The reason for this change then was to ensure the certifying physician knows the patient and sees that individual on a regular basis. This standard should not be lowered at this time. Aloha."

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

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

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

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

"Thank you, Mr. Speaker. In support. Thank you, Mr. Speaker. Mr. Speaker, Senate Bill 682 is now our version of House Bill 321 which includes medical marijuana dispensaries. Mr. Speaker, I really would like to thank this Body, because this House Draft 1 truly is a version that has taken into account many of the comments that have been expressed on this Floor previously.

"I do want to point to you, Mr. Speaker, that there are three major changes that I think individuals and Members need to be aware of. First, this bill further limits the number of dispensaries and adopts a phased in approach for the creation of dispensaries and production centers in our great state. In year one, it is limited to six dispensaries licensed in July 2016, and dispensing to be allowed by January 2017. In year two, another six would be allowed, and then thereafter the Department of Health is being given the flexibility to determine whether or not other licenses have to be given in light of any changes or greater understanding about how the dispensaries are operating.

"Second, and very, very important, Mr. Speaker, is new provisions in here that would subject those who link patient cards together to grow cooperatively to some degree of regulations which we do not have today. There's also a very important provision that phases out cultivation by primary caregivers in 2018. This is especially important in light of yesterday's indictment in Colorado where over 32 people were indicted, and the seizure of 4,600 pounds of marijuana, nearly 2,000 marijuana plants, 10 pounds of hash oil, and about \$1.4 million in cash from a cooperative that allegedly grew for five medical marijuana patients. This provision, which we did not write in light of this Colorado development that just came to light yesterday, will address that problem precisely in our great state.

"Finally, Mr. Speaker, we've added a third provision that creates a medical marijuana advisory commission that allows for greater participation for those from the counties. This is in response to those requests for more participation and addressing the home rule concerns.

"So, Mr. Speaker, I really want to thank you and this Body for allowing both the Health and Judiciary Committees to continue to work on this bill, and I believe that when we head into conference we will have sufficient provisions in which to really craft a good bill for the patients and the people of this state. Thank you, Mr. Speaker."

Representative Har rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in opposition to Senate Bill 682, SD 2, HD 1. The purpose of this bill is to, among other things, create a number of medical marijuana dispensaries throughout the State of Hawaii, gradually expanding over an extent of time. It would also allow a qualified patient, primary caregiver, owner or employee to transport medical marijuana, under certain conditions.

"While this draft addresses many of my previous concerns, marijuana remains a Schedule I drug, and is illegal under federal law via the Controlled Substance Act (21 U.S. Code Chapter 13). Specifically:

"21 U.S. Code § 841 - Prohibited acts A

(a) Unlawful acts

Except as authorized by this subchapter, it shall be unlawful for any person knowingly or intentionally—

(1) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or

(2) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance."

"The responsibility of the Legislature is to protect our citizens and children. Therefore, by disregarding the provisions of the Controlled Substances Act, we are teaching our community and children that drugs are acceptable. We are opening doors to federal offenses, ensuring our citizens are prosecutable under federal law because they have chosen to manufacture and dispense marijuana.

"In addition, Governor John Hickenlooper of the State of Colorado recently stated that legalizing marijuana in Colorado was a major mistake, and that it was 'reckless'. He further stated that 'the drug war has been a "disaster" since legalizing marijuana in Colorado. Mr. Speaker, we need to learn from the mistakes of other states. The experiences of Colorado and the words of Governor Hickenlooper should be sufficient warning to the lawmakers of this state.

"Finally, in a recent hearing before the House Health Committee, in response to HCR 136: *Requesting the Hawaii Bankers Association to opine whether member financial institutions and their staff who choose to service medical marijuana-related businesses risk civil and criminal prosecuting under federal law*, the Executive Director of the Hawaii Bankers Association, Edward Pei, also warned that as long as medical marijuana is illegal under federal laws, the Bank Secrecy Act, the PATRIOT Act, and the Comprehensive Drug Abuse Prevention and Control Act, all banks in the United States are taking major risks and challenges if they choose to finance or lend to those who are involved in medical marijuana in any form. Consequences could result in civil and criminal penalties, banks losing their banking charters, as well as their reputation. Therefore, with these federal laws in place, it is premature to provide for medical marijuana dispensaries, until the federal government removes marijuana as a Schedule I drug.

"Mr. Speaker, the consequences of this bill could be detrimental to the people of Hawaii, and should carefully be analyzed. For these reasons I am opposed to Senate Bill 682 SD 2, HD 1."

Representative Fukumoto Chang rose in support of the measure and asked that the remarks of Representative Belatti be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to respond, stating:

"Mr. Speaker, second time, and a couple of things if I may add to my no vote. She said the bill addresses all the concerns that most people have had. Well it didn't address my concerns. Number one, was the license fee. \$30,000 versus if you want to run a Longs or a Walgreens its \$338. Are we in this for a cash cow? Are we here really to help people medicinally or are we here to make money for the State of Hawaii? That's another concern that was not addressed.

ROUGH DRAFT

"Secondly, about the black market. About the incident that just happened on the mainland, Mr. Speaker. You think these people are stupid who are out there growing it for the black market now are going to stop? They're going to jump for it and they're going to get more prolific in terms of what they're going to be able to beat a price for somebody who has to package it, has to pay \$30,000 for a license renewable every year, has to do all of these other regulations. You think the price on the street is not going to go down? Right now it's \$20 per gram.

"When I know what the price is in these dispensaries, then I'll say, yeah this was really right we kept the black market away and all these things that happened on the mainland they're not going to happen here. Well, Mr. Speaker, I think that's a little bit overly idealistic, optimistic.

"The point is, Mr. Speaker, we don't know the territory that we're heading in yet. We know that there's a slippery slope on other mainland progress where you put this in place and then you basically get recreational marijuana, which I don't think is what the people of the State want. They want to help, and I want to help those who medicinally need this.

"But we're treating medicine like it's a drug rather than treating medicine like a medicine, which as I said earlier, if it's really a medicine, let's get it legitimized into the Longs, the Walgreens, and the other places where medicine is very professionally, very well handled, and not with \$30,000 licenses but with only \$338 to get a license to get a run a Longs and a pharmaceutical. For those reasons, Mr. Speaker, a lot of the things that are still out there are not answered by this bill, but the bill is a bit of a step forward to what it was before. Thank you."

Representative LoPresti rose in support of the measure and asked that the remarks of Representative Belatti be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 682, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, Cachola, Cullen, DeCoite, Johanson, Jordan, Keohokalole, Matsumoto, Oshiro, Tokioka, Tsuji and Yamane voting aye with reservations, with Representatives Har, McDermott, Tupola and Ward voting no, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Tupola and carried, the rules were suspended for the purpose of considering a certain Senate Bill for Third Reading by consent calendar. (Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha were excused.)

THIRD READING

S.B. No. 103, SD 1:

Representative Saiki moved that S.B. No. 103, SD 1 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, could I request my vote as a strong 'with Romy'. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 103, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 45 ayes, with Representative Say voting aye with reservations, and with Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha being excused.

At 1:49 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 103, SD 1

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
21	Committee on Consumer Protection & Commerce, then to the Committee on Finance
80	Committee on Finance
114	Committee on Public Safety
<u>H.C.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
46	Committee on Consumer Protection & Commerce, then to the Committee on Finance
156	Committee on Education, then to the Committee on Finance
178	Committee on Public Safety

ADJOURNMENT

At 1:51 o'clock p.m., on motion by Representative Evans, seconded by Representative Tupola and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 30, 2015. (Representatives Choy, Ing, Lowen, Luke, McKelvey and Pouha were excused.)

HOUSE COMMUNICATIONS

House Communication dated March 27, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following measure:

H.B. No. 952, HD 2, SD 1