

THE
 TWENTY-SIXTH LEGISLATURE
 STATE OF HAWAII
 REGULAR SESSION OF 2012
 JOURNAL OF THE HOUSE

FIRST DAY

Wednesday, January 18, 2012

In accordance with the provisions of Section 10, Article III of the Constitution of the State of Hawaii, the House of Representatives of the Legislature of the State of Hawaii, convened in Regular Session of 2012.

The Honorable Calvin K.Y. Say, Speaker of the House of Representatives, called the House to order at 10:02 o'clock a.m.

The invocation was then delivered by Mr. Tyler Mizota, a senior at Punahou School and the grandson of Representative Ito, after which the Roll was called showing all Members present.

The Speaker then welcomed and recognized the following honored and distinguished guests:

Governor Neil Abercrombie, who was presented a lei by Representative Jo Jordan;

Chief Justice Mark E. Recktenwald, who was presented a lei by Representative Linda Ichiyama;

Members of the Fukuoka Assembly and members of the Japan-USA Friendship Committee seated in the gallery, who were here to sign a document for the 30th anniversary of the Affirmation of the Hawaii and Fukuoka Sister Legislature Relationship:

Assembly Member Takahiro Inoue;
 Assembly Member Masahiko Shinkai;
 Assembly Member Michito Oshima;
 Assembly Member Kazuhisa Kiriaki;
 Mr. Masato Moriya, Executive Director of the Assembly;
 Mr. Saisho Minori, Deputy Director of the Office of the Assembly;
 and
 Mr. Bert Kobayashi, President of the Hawaii Fukuoka Kenjin Kai.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1 through 153) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1, dated September 30, 2011, transmitting the report, Status of the Kaho'olawe Rehabilitation Trust Fund, prepared by the Department of Land and Natural Resources, Kaho'olawe Island Reserve Commission pursuant to Section 6K-9.5(e), HRS.

Gov. Msg. No. 2, dated September 23, 2011, transmitting a Report Relating to the Final Report to the Legislature on the Findings of the Task Force Regarding the Issue of Pharmacists Vaccinating Minors and the Inclusion of Pharmacies in Health Information Exchange, prepared by the Department of Health pursuant to Act 125(10), SLH 2010.

Gov. Msg. No. 3, dated October 31, 2011, transmitting the Comprehensive Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 2010, prepared by the Department of Accounting and General Services Comptroller pursuant to Section 40-5, HRS.

Gov. Msg. No. 4, dated October 7, 2011, transmitting the report, Geothermal Royalties Dispositions and Status of Geothermal and Cable System Development Fiscal Year 2010-2011, prepared by the Department of Land and Natural Resources pursuant to Sections 182-18 and 196D-11, HRS.

Gov. Msg. No. 5, dated October 7, 2011, transmitting the Project-Funded Staff Services Budget Report Fiscal Year 2011-2012, prepared by the Department of Land and Natural Resources pursuant to Act 164, Section 42, SLH 2011.

Gov. Msg. No. 6, dated November 4, 2011, transmitting the Department of Taxation's Annual Report 2009-2010, prepared by the Department of Taxation pursuant to Section 231-3(8), HRS.

Gov. Msg. No. 7, dated November 7, 2011, transmitting a Report on Budgetary and Other Issues Regarding Invasive Species, prepared by the Department of Land and Natural Resources pursuant to Section 194-2, HRS.

Gov. Msg. No. 8, dated November 7, 2011, transmitting a Report Relating to Public Land Liability, and Recommendations of the Task Force on Beach and Water Safety, prepared by the Department of Land and Natural Resources pursuant to Act 82, Section 4, SLH 2003, as amended by Act 152, SLH 2007, Act 81, SLH 2009, and Act 190, SLH 1996, as amended by Act 101, SLH 1999, as amended by Act 170, SLH 2002, as amended by Act 152, SLH 2007, as amended by Act 81, SLH 2009.

Gov. Msg. No. 9, dated November 7, 2011, transmitting a report Urging DLNR to Work With Moanalua Gardens Foundation to Execute a Memorandum of Understanding for the use of Kaimananui (Moanalua) Valley for Educational and Cultural Purposes, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No. 173 (2011).

Gov. Msg. No. 10, dated November 7, 2011, transmitting a Report on Revenues Generated from General Administrative Penalties Imposed Under Chapter 183, HRS, prepared by the Department of Land and Natural Resources pursuant to Section 183-5, HRS.

Gov. Msg. No. 11, dated November 7, 2011, transmitting the Progress Report Regarding the Final Determination of Ownership and Jurisdiction of an Unimproved Section of Kaimakani Street, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No. 78 (2011).

Gov. Msg. No. 12, dated November 7, 2011, transmitting a Report on the Status of the Issuance of Incidental Take Licenses for Endangered, Threatened, Proposed, and Candidate Species; and the Condition of the Endangered Species Trust Fund for the Period July 1, 2010 – June 30, 2011, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195D-26, HRS.

Gov. Msg. No. 13, dated November 7, 2011, transmitting a Report Relating to the Wildlife Revolving Fund Fiscal Year 2011, prepared by the Department of Land and Natural Resources pursuant to Section 183D-10.5, HRS.

Gov. Msg. No. 14, dated November 7, 2011, transmitting a Report Relating to the Forest Stewardship Program, prepared by the Department

of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195F-6, HRS.

Gov. Msg. No. 15, dated November 7, 2011, transmitting a Report Relating to the Natural Area Reserves System, Natural Area Partnership Program, and the Financial Condition of the Natural Area Reserve Fund, prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 16, dated November 7, 2011, transmitting a Report Relating to the Land Conservation Fund and the Legacy Land Conservation Program, prepared by the Department of Land and Natural Resources pursuant to Section 173A-5, HRS.

Gov. Msg. No. 17, dated November 7, 2011, transmitting a Report on the Hawaii Statewide Trail and Access System "Na Ala Hele," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 198D-9(7), HRS.

Gov. Msg. No. 18, dated November 9, 2011, transmitting a Report Relating to the State Budget, prepared by the Department of Education pursuant to Act 164, Section 47, SLH 2011.

Gov. Msg. No. 19, dated November 9, 2011, transmitting a Report on Identification of Rivers and Streams Worthy of Protection, prepared by the Department of Land and Natural Resources pursuant to Section 174C-31(c) (4), HRS.

Gov. Msg. No. 20, dated November 9, 2011, transmitting a Report on Administratively Established Accounts and Funds, prepared by the Department of Land and Natural Resources pursuant to Section 37-52.5, HRS.

Gov. Msg. No. 21, dated November 9, 2011, transmitting a Report on the Hawaii Historic Preservation Special Fund for Fiscal Year 2010-2011, prepared by the Department of Land and Natural Resources pursuant to Section 6E-3, HRS.

Gov. Msg. No. 22, dated November 9, 2011, transmitting the Progress Report Regarding the Establishment of the Public Land Trust Inventory, prepared by the Department of Land and Natural Resources pursuant to Act 54, Section 3, SLH 2011.

Gov. Msg. No. 23, dated November 9, 2011, transmitting the Report Urging the Department of Land and Natural Resources to Determine Whether Lands Along the Waipio Peninsula and Waipahu Shorelines are Accreted Lands and Therefore State Property for Prospective Use as a State Park, prepared by the Department of Land and Natural Resources pursuant to H.C.R. No. 85, H.D. 1 (2011).

Gov. Msg. No. 24, dated November 9, 2011, transmitting the State Fiscal Year 2011 Report on the Hawaii Dam and Reservoir Safety Program, prepared by the Department of Land and Natural Resources pursuant to Section 179D-29, HRS.

Gov. Msg. No. 25, dated November 9, 2011, transmitting a Report on the Accounting of all Receipts from Lands Described in Section 5(f) of the Admission Act for Fiscal Year 2010-2011, prepared by the Department of Land and Natural Resources pursuant to Act 178, Section 5, SLH 2006.

Gov. Msg. No. 26, dated November 22, 2011, transmitting a Report on Proposed Sales or Exchanges of Sand Island Parcels, prepared by the Department of Land and Natural Resources pursuant to Act 235, SLH 2011.

Gov. Msg. No. 27, dated November 22, 2011, transmitting a Report Identifying Goals, Objectives, and Policies, to Provide a Basis for Determining Priorities and Allocating Limited Public Funds and Human Resources, prepared by the Department of Land and Natural Resources pursuant to Act 100, Sections 6 and 7, SLH 1999.

Gov. Msg. No. 28, dated November 28, 2011, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June

30, 2011, prepared by the Department of Education, Hawaii State Public Library System, pursuant to Act 129, SLH 1989, and Act 327, SLH 1993, as amended by Act 45, SLH 1999.

Gov. Msg. No. 29, dated December 9, 2011, transmitting the Annual Report on Total Number of Requests for a Due Process Hearing Relating to the Reimbursement of Costs for a Child's Placement Filed by a Parent or Guardian of a Child with a Disability, prepared by the Department of Education pursuant to Act 179, SLH 2008.

Gov. Msg. No. 30, dated December 9, 2011, transmitting the Mandatory Expulsion Policy for Possession of a Firearm SY 2010-2011 Report, prepared by the Department of Education pursuant to Section 302A-1134, HRS.

Gov. Msg. No. 31, dated September 30, 2011, transmitting the Report Statistics of Hawaii Agriculture 2009.

Gov. Msg. No. 32, dated December 9, 2011, transmitting the Consolidation of High Technology Development Corporation and Hawaii Strategic Development Corporation Report, prepared by the Department of Business, Economic Development, and Tourism, High Technology Development Corporation and Hawaii Strategic Development Corporation, pursuant to Act 164, Section 121, SLH 2011.

Gov. Msg. No. 33, dated December 12, 2011, transmitting a Report Relating to an Inventory of U.S. Department of Housing and Urban Development and U.S. Department of Agriculture Rental Projects in Hawaii, prepared by the Department of Business, Economic Development and Tourism, Hawaii Housing Finance and Development Corporation, pursuant to Act 193, Section 3, SLH 2011.

Gov. Msg. No. 34, dated December 12, 2011, transmitting the Report on Disaster Relief Expenditures Resulting from the October 15, 2006 Kiholo Bay Earthquake, prepared by the Department of Land and Natural Resources pursuant to Act 78, Section 5, SLH 2007.

Gov. Msg. No. 35, dated December 12, 2011, transmitting the Report on Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing, prepared by the Department of Land and Natural Resources pursuant to Act 176, Section 12, SLH 1999.

Gov. Msg. No. 36, dated December 12, 2011, transmitting the Report on the Status of the Program for Environmentally-Themed Products to Support the Environment, prepared by the Department of Land and Natural Resources pursuant to Section 195D-5.5, HRS.

Gov. Msg. No. 37, dated December 13, 2011, transmitting a letter fulfilling the reporting requirement of Act 213, SLH 2008, regarding expenditures of qualified rehabilitation programs and related activities.

Gov. Msg. No. 38, dated December 15, 2011, transmitting the Comprehensive Accountability System Report, prepared by the Department of Education pursuant to Section 302A-1004 (b), HRS.

Gov. Msg. No. 39, dated December 2, 2011, transmitting a report on the two-year project on the use of nurse aides as substitute caregivers in community care foster family homes, prepared by the Department of Human Services, Social Services Division, pursuant to Act 221, SLH 2011.

Gov. Msg. No. 40, dated December 2, 2011, transmitting the Spouse and Child Abuse Special Account Report, prepared by the Department of Human Services, Social Services Division, pursuant to Section 346-7.5, HRS.

Gov. Msg. No. 41, dated December 2, 2011, transmitting the Housing First Report, prepared by the Department of Human Services, Benefit, Employment and Support Services Division, pursuant to Section 346-378, HRS.

Gov. Msg. No. 42, dated December 9, 2011, transmitting the Annual Report on Goals and Objectives for fiscal year ending June 30, 2011,

prepared by the Department of Accounting and General Services pursuant to Act 100, SLH 1999.

Gov. Msg. No. 43, dated December 9, 2011, transmitting the Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2010 through June 30, 2011, prepared by the Department of Accounting and General Services pursuant to Section 138-6, HRS.

Gov. Msg. No. 44, dated December 9, 2011, transmitting the Annual Report on the Building Code Council for the period December 2010 through December 2011, prepared by the Department of Accounting and General Services pursuant to Act 82, SLH 2007.

Gov. Msg. No. 45, dated December 9, 2011, transmitting the Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or less for Fiscal Year 2010-2011, prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS.

Gov. Msg. No. 46, dated December 13, 2011, transmitting the 2010-2011 Annual Report of the Hawaii Civil Rights Commission, prepared by the Department of Labor and Industrial Relations pursuant to Sections 368-3, 368-4, and 515-9, HRS.

Gov. Msg. No. 47, dated December 13, 2011, transmitting the Hawaii Occupational Safety and Health Report of Contested Cases for fiscal year ending June 30, 2011, prepared by the Department of Labor and Industrial Relations pursuant to Section 396-11, HRS.

Gov. Msg. No. 48, dated December 13, 2011, transmitting the Employment and Training Fund Program Annual Report, prepared by the Department of Labor and Industrial Relations, Workforce Development Division, pursuant to Section 383-128, HRS.

Gov. Msg. No. 49, dated December 13, 2011, transmitting the 2010-2011 Annual Report of the State Fire Council, prepared by the Department of Labor and Industrial Relations.

Gov. Msg. No. 50, dated December 14, 2011, transmitting the Immunosuppressant Medication Report, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Act 92, Section 3, SLH 2007.

Gov. Msg. No. 51, dated December 14, 2011, transmitting the Medicaid Lien Report, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-29.5, HRS.

Gov. Msg. No. 52, dated December 15, 2011, transmitting the 2012 Exempt Study Report, prepared by the Department of Human Resources Development pursuant to Act 300, SLH 2006.

Gov. Msg. No. 53, dated December 16, 2011, transmitting the Report on QUEST Recipients, prepared by the Department of Human Services, Med-QUEST Division, pursuant to H.C.R. No. 199, H.D. 1 (2010).

Gov. Msg. No. 54, dated December 16, 2011, transmitting the Annual Report of the Stadium Authority - Stadium Special Fund for fiscal year ending June 30, 2011, prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS.

Gov. Msg. No. 55, dated December 16, 2011, transmitting the Electronic Filing Progress Report, prepared by the Public Utilities Commission pursuant to Act 69, Section 5, SLH 2011.

Gov. Msg. No. 56, dated December 16, 2011, transmitting the Special Fund Report for fiscal year ending June 30, 2011, prepared by the Public Utilities Commission pursuant to Section 269-33(c), HRS.

Gov. Msg. No. 57, dated December 16, 2011, transmitting the Report on Operations of the Filing Office for Financing Statements Under the Uniform Commercial Code, Secured Transactions (Revised Article 9), prepared by the Department of Land and Natural Resources pursuant to Section 490:9-527, HRS.

Gov. Msg. No. 58, dated December 16, 2011, transmitting the Public Utilities Commission's Annual Report for fiscal year ending June 30, 2011, pursuant to Section 269-5, HRS.

Gov. Msg. No. 59, dated December 19, 2011, transmitting the Special Unemployment Insurance Administration Fund Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-127, HRS.

Gov. Msg. No. 60, dated December 19, 2011, transmitting the Special Compensation Fund Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 386-151, HRS.

Gov. Msg. No. 61, dated December 19, 2011, transmitting the Special Fund for Temporary Disability Benefits Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 392-61, HRS.

Gov. Msg. No. 62, dated December 19, 2011, transmitting the Premium Supplementation Fund Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 393-41, HRS.

Gov. Msg. No. 63, dated December 19, 2011, transmitting the Employment and Training Fund Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-128, HRS.

Gov. Msg. No. 64, dated December 19, 2011, transmitting the Unemployment Insurance Trust Fund Annual Report, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-121, HRS.

Gov. Msg. No. 65, dated December 19, 2011, transmitting the Hoisting Machine Operators' Advisory Board Annual Report for fiscal year ending June 30, 2011, prepared by the Department of Labor and Industrial Relations pursuant to Section 396-20, HRS.

Gov. Msg. No. 66, dated December 19, 2011, transmitting the Executive Supplemental Budget for the Budget Period 2011-2013, the Budget in Brief - FY 2013 Executive Supplemental Budget, and the Variance Report for FYs 2011-2012, prepared by the Department of Budget and Finance pursuant to Sections 37-72 and 37-75, HRS.

Gov. Msg. No. 67, dated December 20, 2011, transmitting the Report Relating to Rental Housing Trust Fund Project Awards, prepared by the Department of Business, Economic Development and Tourism, Hawaii Housing Finance and Development Corporation, pursuant to Section 201H-202(f), HRS.

Gov. Msg. No. 68, dated December 21, 2011, transmitting the Hawaii Labor Relations Board Annual Report for fiscal year ending June 30, 2011, prepared by the Department of Labor and Industrial Relations pursuant to Section 89-5, HRS.

Gov. Msg. No. 69, dated December 21, 2011, transmitting the Report Relating to Repeal of School-level Minor Repair and Maintenance Account, prepared by the Department of Education pursuant to Act 31, SLH 2010.

Gov. Msg. No. 70, dated December 21, 2011, transmitting the Report Relating to School Year and Instructional Time, prepared by the Department of Education pursuant to Act 52, SLH 2011.

Gov. Msg. No. 71, dated December 21, 2011, transmitting the Hawaii Teacher Standards Board 2012 Annual Report, pursuant to Section 302A-803(4), HRS.

Gov. Msg. No. 72, dated December 23, 2011, transmitting the Fiscal Year 2011 Annual Report of the Narcotics Enforcement Division, prepared by the Department of Public Safety pursuant to Section 329-11, HRS. [Report revised on January 6, 2012.]

Gov. Msg. No. 73, dated December 23, 2011, transmitting the Report on Accreditation of the Sheriff Division by the Commission on Accreditation for the Law Enforcement Agencies (CALEA), prepared by the Department of Public Safety pursuant to Act 111, SLH 2011. [Report revised on January 6, 2012.]

Gov. Msg. No. 74, dated December 23, 2011, transmitting the 2011 Annual Report of the Crime Victim Compensation Commission, prepared by the Department of Public Safety. [Report revised on January 6, 2012.]

Gov. Msg. No. 75, dated December 23, 2011, transmitting the Gender Responsive Community Based Programs for Women Annual Report, prepared by the Department of Public Safety pursuant to Section 367D-007, HRS. [Report revised on January 6, 2012.]

Gov. Msg. No. 76, dated December 23, 2011, transmitting the Return of Out-of-State Inmates Annual Report, prepared by the Department of Public Safety pursuant to Section 353H-7, HRS. [Report revised on January 6, 2012.]

Gov. Msg. No. 77, dated December 23, 2011, transmitting the Report on Inmate Mental Health Services at Oahu Community Correctional Center, Halawa Correctional Facility, and Women's Community Correctional Center, and Mental Health Services for Committed Persons, prepared by the Department of Public Safety pursuant to Act 213, Section 105, SLH 2007, and Act 144, SLH 2007. [Report revised on January 6, 2012.]

Gov. Msg. No. 78, dated December 23, 2011, transmitting the Report on Services for Children of Incarcerated Parents, prepared by the Department of Public Safety and the Department of Human Services pursuant to Act 240, SLH 2006. [Report revised on January 6, 2012.]

Gov. Msg. No. 79, dated December 23, 2011, transmitting the Report Relating to Cognitive Restructuring, prepared by the Department of Public Safety pursuant to Act 193, SLH 2010. [Report revised on January 6, 2012.]

Gov. Msg. No. 80, dated December 23, 2011, transmitting the Sexual Assaults in Correctional Facilities Report, prepared by the Department of Public Safety pursuant to Act 194, SLH 2010. [Report revised on January 6, 2012.]

Gov. Msg. No. 81, dated December 23, 2011, transmitting the Feasibility of Establishing an Earned-Time Program for Hawaii's Non-Violent and Low-Level Drug Offenders Report, prepared by the Department of Public Safety pursuant to H.C.R. No. 126 (2011). [Report revised on January 6, 2012.]

Gov. Msg. No. 82, dated December 23, 2011, transmitting the Annual Report on Goals and Objectives, prepared by the Department of Public Safety pursuant to Act 100, Sections 6 and 7, SLH 1999. [Report revised on January 6, 2012.]

Gov. Msg. No. 83, dated December 23, 2011, transmitting the Annual Report on the Status of the Federal Reimbursement Maximization Special Fund, prepared by the Department of Public Safety pursuant to Section 353C-7(c), HRS. [Report revised on January 6, 2012.]

Gov. Msg. No. 84, dated December 23, 2011, transmitting the Overtime Cost Report, prepared by the Department of Public Safety pursuant to Act 164, Section 133, SLH 2011. [Report revised on January 6, 2012.]

Gov. Msg. No. 85, dated December 23, 2011, transmitting the Report on the Feasibility of Establishing a Public-Private Partnership for the Construction and Operation of Prisons in Hawaii, prepared by the Department of Public Safety pursuant to H.C.R. No. 208 (2011). [Report revised on January 6, 2012.]

Gov. Msg. No. 86, dated December 23, 2011, transmitting the Criminal Offender Treatment Act Report, prepared by the Department of Public Safety pursuant to Section 353G, HRS. [Report revised on January 6, 2012.]

Gov. Msg. No. 87, dated December 23, 2011, transmitting the Hawaii Correctional Industries Annual Report for Fiscal Year 2011, prepared by

the Department of Public Safety pursuant to Section 354D-3.5, HRS. [Report revised on January 6, 2012.]

Gov. Msg. No. 88, dated December 29, 2011, transmitting the Mortgage Foreclosure Dispute Resolution Program Report, prepared by the Department of Commerce and Consumer Affairs, Office of Administrative Hearings, pursuant to Act 48, Section 41, SLH 2011.

Gov. Msg. No. 89, dated December 29, 2011, transmitting the 2011 Annual Compliance Resolution Fund Report for fiscal year ending June 30, 2011, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 26-9(o), HRS, and Act 100, SLH 1999.

Gov. Msg. No. 90, dated December 29, 2011, transmitting a Report relating to the development and implementation of a pain and palliative care policy, prepared by the Department of Commerce and Consumer Affairs, Board of Nursing, pursuant to H.C.R. No. 55 (2011).

Gov. Msg. No. 91, dated December 29, 2011, transmitting the Hawaii Real Estate Commission's Annual Report for fiscal year ending June 20, 2011, pursuant to Section 467-4(5), HRS, incorporating the Condominium Management Education Fund Report and the Condominium Education Trust Fund Report, pursuant to Sections 514A-133(d) and 514B-73(d), HRS, prepared by the Department of Commerce and Consumer Affairs, Real Estate Branch.

Gov. Msg. No. 92, dated December 29, 2011, transmitting the Report Relating to Remote Dispensing, prepared by the Department of Commerce and Consumer Affairs, Board of Pharmacy, pursuant to Act 212, SLH 2008.

Gov. Msg. No. 93, dated December 29, 2011, transmitting the Medical Claims Conciliation Panel and the Design Claims Conciliation Panel Report, prepared by the Department of Commerce and Consumer Affairs pursuant to Sections 671-20 and 672B-17, HRS.

Gov. Msg. No. 94, dated December 29, 2011, transmitting the Report of the Unlicensed Contractor Law Enforcement Task Force, prepared by the Department of Commerce and Consumer Affairs pursuant to H.C.R. No. 286, H.D. 1 (2011).

Gov. Msg. No. 95, dated December 29, 2011, transmitting the External Review Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 432E-13, HRS.

Gov. Msg. No. 96, dated December 29, 2011, transmitting the Independent Review Organization External Review Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Act 230, Section 11, SLH 2011.

Gov. Msg. No. 97, dated December 29, 2011, transmitting the Loss Mitigation Grant Program Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Section 431:22-102(c), HRS.

Gov. Msg. No. 98, dated December 29, 2011, transmitting the Annual Report of the Insurance Commissioner, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 431:2-211, HRS.

Gov. Msg. No. 99, dated December 29, 2011, transmitting the 2011 Annual Report of the Office of Information Practices pursuant to Section 92F-42(7), HRS.

Gov. Msg. No. 100, dated December 29, 2011, transmitting the Annual Report on the Development and Expansion of Telework Initiatives, prepared by the Department of Commerce and Consumer Affairs, Cable Television Division, pursuant to Act 199, SLH 2010.

Gov. Msg. No. 101, dated December 29, 2011, transmitting the Annual Report on the Receipt and Expenditure of Federal Moneys from the American Recovery and Reinvestment Act (ARRA), prepared by the Department of Commerce and Consumer Affairs, Cable Television Division, pursuant to Section 440G-11.5, HRS.

Gov. Msg. No. 102, dated December 16, 2011, transmitting the Report on the Compacts of Free Association and Employment Core Services for Low-Income Persons for the fiscal year ending June 30, 2011, prepared by the Department of Labor and Industrial Relations pursuant to Act 158, SLH 2008.

Gov. Msg. No. 103, dated December 19, 2011, transmitting the Federal Grants Search, Development, and Application Revolving Fund Report, prepared by the Department of Education pursuant to Section 302A-1405, HRS.

Gov. Msg. No. 104, dated December 19, 2011, transmitting the Federal and Trust Funds Report, prepared by the Department of Education pursuant to Section 29-25, HRS.

Gov. Msg. No. 105, dated December 19, 2011, transmitting the Carryover of Funds Report, prepared by the Department of Education pursuant to Section 37-41.5, HRS.

Gov. Msg. No. 106, dated December 19, 2011, transmitting the Transfers of Appropriated Funds and Positions Report, prepared by the Department of Education pursuant to Section 37-74(d), HRS.

Gov. Msg. No. 107, dated December 19, 2011, transmitting the State Educational Facilities Improvement Special Fund Report, prepared by the Department of Education pursuant to Section 36-32, HRS.

Gov. Msg. No. 108, dated December 19, 2011, transmitting the Annual Report for Repair and Maintenance, prepared by the Department of Education pursuant to Sections 36-35 and 302A-1312, HRS.

Gov. Msg. No. 109, dated December 19, 2011, transmitting a Report Relating to Education – School Impact Fees, prepared by the Department of Education pursuant to Act 245, SLH 2007.

Gov. Msg. No. 110, dated December 19, 2011, transmitting a Report Relating to the State Budget, prepared by the Department of Education pursuant to Act 164, Section 41, SLH 2011.

Gov. Msg. No. 111, dated December 15, 2011, transmitting the Overseas Office Financial Audit, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 180, SLH 2010.

Gov. Msg. No. 112, dated December 23, 2011, transmitting the Board of Education's Review of its By-laws, Policies, Applicable Administrative Rules and Statutes to Improve the Effectiveness of the Educational Delivery System, prepared by the Department of Education pursuant to S.C.R. No. 79, S.D. 1 (2011).

Gov. Msg. No. 113, dated December 28, 2011, transmitting the 2011 Annual Report of the Hawaii Public Housing Authority pursuant to Section 356D-20, HRS.

Gov. Msg. No. 114, dated December 28, 2011, transmitting the Report on Land Dispositions Made of Public Lands for Calendar Year 2011, prepared by the Department of Land and Natural Resources pursuant to Section 171-29, HRS.

Gov. Msg. No. 115, dated January 6, 2012, transmitting a Report Relating to the State Budget, prepared by the Department of Education pursuant to Act 164, Section 132, SLH 2011.

Gov. Msg. No. 116, dated January 6, 2012, transmitting a Report Relating to the State Budget, prepared by the Department of Education pursuant to Act 164, Section 132, SLH 2011.

Gov. Msg. No. 117, dated December 7, 2011, transmitting the Report on General Fund Amounts Transferred to the Department of Budget and Finance's Programs for Retirement Benefits, prepared by the Department of Budget and Finance pursuant to Act 164, Sections 96 and 97, SLH 2011.

Gov. Msg. No. 118, dated December 28, 2011, transmitting the Annual Report on the Number of Pen Register Orders and Orders for Trap and Trace Devices Applied for by Law Enforcement Agencies of the State, prepared by the Department of the Attorney General pursuant to Section 803-47(c), HRS.

Gov. Msg. No. 119, dated December 28, 2011, transmitting the Annual Report on Litigation Deposits and Trust Fund Transactions Collections Made on Behalf of Other Departments and Agencies, prepared by the Department of the Attorney General pursuant to Section 28-16, HRS.

Gov. Msg. No. 120, dated December 28, 2011, transmitting the Annual Report on the Tobacco Enforcement Special Fund, prepared by the Department of the Attorney General pursuant to Section 28-15(d), HRS.

Gov. Msg. No. 121, dated December 28, 2011, transmitting the Annual Report on the Antitrust Trust Fund, prepared by the Department of the Attorney General pursuant to Section 28-13(d), HRS.

Gov. Msg. No. 122, dated December 28, 2011, transmitting the Annual Report on Recommendations for Denial of Claims for Legislative Relief, prepared by the Department of the Attorney General pursuant to Section 37-77, HRS.

Gov. Msg. No. 123, dated December 28, 2011, transmitting the Annual Report on Goals and Objectives, prepared by the Department of the Attorney General pursuant to Act 100, SLH 1999, as amended by Act 154, SLH 2005.

Gov. Msg. No. 124, dated December 30, 2011, transmitting a Report Regarding Issues Related to Chapter 343, HRS, and the Effectiveness of Act 87, SLH 2009, prepared by the Department of Health, Office of Environmental Quality Control, pursuant to Act 45, SLH 2011.

Gov. Msg. No. 125, dated December 28, 2011, transmitting the Annual Report on the Issuance of Certificates of Identification, prepared by the Department of the Attorney General pursuant to Act 35, SLH 2011. [Report revised on January 9, 2012.]

Gov. Msg. No. 126, dated December 30, 2011, transmitting the Report on the Use of the Hawaii Omnibus Criminal Forfeiture Act, prepared by the Department of the Attorney General pursuant to Section 712A-16(6), HRS.

Gov. Msg. No. 127, dated December 30, 2011, transmitting the Annual Report on the Transportation Improvement Special Fund, prepared by the Department of Transportation pursuant to Section 264-19(e), HRS.

Gov. Msg. No. 128, dated December 30, 2011, transmitting the Annual Report on Bikeway Projects and Expenditures, prepared by the Department of Transportation pursuant to Section 264-18, HRS.

Gov. Msg. No. 129, dated January 6, 2012, transmitting the Annual Audit and Report for Fiscal Year 2010, prepared by the Hawaii Health Systems Corporation pursuant to Section 323F-22(a), (b) and (c), HRS.

Gov. Msg. No. 130, dated December 13, 2011, transmitting the 2011 Annual Report of the Hawaii Strategic Development Corporation, pursuant to Section 211F-15, HRS.

Gov. Msg. No. 131, dated December 16, 2011, transmitting the Report on the Energy Program Operations, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 164, Section 123, SLH 2011.

Gov. Msg. No. 132, dated December 20, 2011, transmitting the 2011 Annual Report of the State of Hawaii Overseas Office, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201-84, HRS.

Gov. Msg. No. 133, dated December 21, 2011, transmitting a letter informing the Legislature of a scanning error on the compact discs of the

Executive Supplemental Budget transmitted on December 19, 2011, and sending the link for the download of the corrected file.

Gov. Msg. No. 134, dated December 21, 2011, transmitting the FY2011 Annual Report of the High Technology Innovation Corporation, pursuant to Section 206M-56, HRS.

Gov. Msg. No. 135, dated December 29, 2011, transmitting the Annual Evaluation of the Hawaii Unemployment Compensation Fund for fiscal year ending June 30, 2011, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-126.5, HRS.

Gov. Msg. No. 136, dated December 30, 2011, transmitting the FY2010-2011 Annual Report of the Office of Planning, prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Section 205A-3(10), HRS.

Gov. Msg. No. 137, dated January 6, 2012, transmitting the Report on Parental Preferences in Government Contracts, Programs, and Services, prepared by the Department of Human Resources Development pursuant to Act 162, SLH 2002.

Gov. Msg. No. 138, dated January 6, 2012, transmitting the biennial update on State Support for Achieving Renewable Portfolio Standards, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 95, SLH 2004.

Gov. Msg. No. 139, dated January 6, 2012, transmitting the Photovoltaic Working Group Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 198, SLH 2011.

Gov. Msg. No. 140, dated January 10, 2012, transmitting the Report Requesting the BOE and DOE to Collaborate with Parent Organizations to Develop Statewide Policies for Family Engagement for Hawaii's Public Schools, prepared by the Department of Education pursuant to S.C.R. No. 145 (2011).

Gov. Msg. No. 141, dated January 10, 2012, transmitting the Report, Establishment of a Statewide Greenways System for Hawaii, prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Act 233, SLH 2011.

Gov. Msg. No. 142, dated January 10, 2012, transmitting the Clean Energy Initiatives/Barrel Tax Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 73, SLH 2010.

Gov. Msg. No. 143, dated January 11, 2012, transmitting the Interim Report on Expanding Bio-fuel Production within the State, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 203, SLH 2011.

Gov. Msg. No. 144, dated December 16, 2011, transmitting the Adult Dental Care Report, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Act 25, Section 3, SLH 2011.

Gov. Msg. No. 145, dated December 19, 2011, transmitting the School-by-School Expenditure Report, prepared by the Department of Education pursuant to Section 302A-1004(d), HRS.

Gov. Msg. No. 146, dated December 21, 2011, transmitting the FY2011 Annual Report of the High Technology Development Corporation, pursuant to Section 206M-3.5, HRS.

Gov. Msg. No. 147, dated December 23, 2011, transmitting the Hawaii Small Business Regulatory Review Board's 2010 Annual Report and 2010 Periodic Review - Evaluation Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Sections 201M-5(f) and 201M-7, HRS.

Gov. Msg. No. 148, dated December 23, 2011, transmitting the Hawaii Small Business Regulatory Review Board's 2011 Annual Report, prepared

by the Department of Business, Economic Development and Tourism pursuant to Section 201M-5(f), HRS.

Gov. Msg. No. 149, dated December 30, 2011, transmitting the Psychotropic Medication Report, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-59.9, HRS.

Gov. Msg. No. 150, dated January 9, 2012, transmitting the Report on Goals, Objectives and Policies, prepared by the Department of Transportation pursuant to Act 100, Section 7, SLH 1999.

Gov. Msg. No. 151, dated January 9, 2012, transmitting the Report on Rental Motor Vehicle Customer Facility Charges, prepared by the Department of Transportation pursuant to Act 226, Section 11, SLH 2008.

Gov. Msg. No. 152, dated January 9, 2012, transmitting the Report on the Circumstances of Rates and Charges That Have Been Established, prepared by the Department of Transportation pursuant to Section 261-7(e), HRS.

Gov. Msg. No. 153, dated January 9, 2012, transmitting the Project-Funded Staff Services Budget Report, the Travel-Related Expenses Compensated by Non-State Organizations Report, and the Special Maintenance Program Report, prepared by the Department of Transportation pursuant to Act 164, Sections 43, 44 and 46, HRS.

The following message from the Governor (Gov. Msg. No. 501) was received and announced by the Clerk:

Gov. Msg. No. 501, dated January 1, 2012, appointing Tom Okamura to the 33rd House District with a term expiring November 6, 2012.

The Speaker appointed the Sergeant-at-Arms to escort Mr. Tom Okamura and the Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, to the rostrum.

The Speaker then requested that the Chief Justice administer the Oath of Office.

OATH OF OFFICE

The Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, addressed Mr. Okamura and administered the Oath of Office in accordance with the provisions of the Constitution of the State of Hawaii.

The Speaker then presented to the Members of the House the newest Member of the House, Representative Tom Okamura.

Representative Cindy Evans then presented Representative Okamura with lei on behalf of the Members of the House.

At 10:15 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:21 o'clock a.m.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 1 through 59) were received by the Clerk and were placed on file:

Dept. Com. No. 1, dated October 18, 2011, from Hermina Morita, Chair, Public Utilities Commission, transmitting the report pursuant to HRS 269-16(d), on its Decision and Order regarding PUC Docket No. 2009-0049 – Application of Wai'ola O Moloka'i. for Approval of Rate Increases; Revised Rate Schedules; and Revised Rules.

Dept. Com. No. 2, dated October 24, 2011, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis:

Regulation of Large-Scale Dog Breeders and Facilities, pursuant to Section 23-9, HRS.

Dept. Com. No. 3, dated October 21, 2011, from Hermina Morita, Chair, Public Utilities Commission, transmitting the report pursuant to HRS 269-16(d), on its Final Decision and Order regarding PUC Docket No. 2008-0083 – Application of Hawaiian Electric Company, Inc. for Approval of Rate Increases and Revised Rate Schedules and Rules.

Dept. Com. No. 4, dated October 12, 2011, from David K. Tanoue, Director, Department of Planning and Permitting, City and County of Honolulu, transmitting a notice of availability of the Review Report of the 'Ewa Development Plan, pursuant to Ordinance 00-16.

Dept. Com. No. 5, dated October 12, 2011, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the following audit reports as of June 30, 2010:

- Department of Accounting and General Services (Egami & Ichikawa CPAs Inc.)
 - State Parking Revolving Fund *Financial and Compliance Audit*
 - State Motor Pool Revolving Fund *Financial and Compliance Audit*
- Department of Health *Financial and Compliance Report and Internal Control and Business Issues Report* (Accuity LLP)
 - Drinking Water Treatment Revolving Loan Fund *Financial Statements and Internal Control and Business Issues Report*
 - Water Pollution Control Revolving Fund *Financial Statements*
- Department of Transportation
 - Airports Division
 - *Financial Statements and Supplemental Schedules*
 - *Single Audit Reports*
 - Harbors Division (Kobayashi, Kanetoku, Doi, Lum & Yasuda CPAs LLC)
 - *Financial Statements and Supplemental Information*
 - *Report to the Auditor, State of Hawaii*
 - *Single Audit Reports*
- Hawaii Employer-Union Health Benefit Trust Fund *Annual Financial Report* (Macias Gini & O'Connell LLP CPAs)
- Hawaii Housing Finance and Development Corporation *Financial and Compliance Audit* (Accuity LLP)
 - Hawaii Rental Housing System Revenue Bond Fund *Financial Statements*
 - Kamaaina Hale Project *Financial Statements*
 - Kekuilani Gardens *Financial Statements and Internal Controls and Business Issues Report*
 - Rental Housing Trust Fund *Financial Statements*
 - Single Family Mortgage Purchase Revenue Bond Fund *Financial Statements*
- Hawaii Public Housing Authority Banyan Street Manor *Financial Statements* (KMH LLP)
- Hawaii Tourism Authority (KPMG LLP)
 - *Financial Statements*
 - *Report on Internal Control and Financial Planning*
- Stadium Authority (Kobayashi, Kanetoku, Doi, Lum & Yasuda CPAs LLC)
 - *Financial Statements*
 - *Report to the Auditor and the Board of Directors*
 - *Management Letter*
 - *Internal Control over Financial Reporting for Parking Revenue*
 - *Agreed-Upon Procedures for the Reserve Account of Centerplate, Inc. and the Food and Beverage Concession Operations*
 - *Agreed-Upon Procedures for Swap Meet Operations*
 - *Schedule of Gross Swap Meet Receipts, Commissions, and Net Swap Meet Proceeds Receivable*
 - *Schedule of Sales, Commissions, and Commissions Receivable*

Dept. Com. No. 6, dated October 26, 2011, from Bruce S. Anderson, President and Executive Officer, Hawaii Health Systems Corporation, transmitting a report on the certification of losses from participation in the Quest, Quest Expanded Access programs and providing services to Uninsured patients for the quarter ending September 30, 2011, in accordance to Act 178, SLH 2005, Section 160.

Dept. Com. No. 7, dated October 28, 2011, from Scott T. Nago, Chief Election Officer, Office of Elections, transmitting the Report to the Legislature in accordance with Section 31 of Act 164, SLH 2011.

Dept. Com. No. 8, dated November 4, 2011, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the State of Hawaii Comprehensive Annual Financial Report for the fiscal year ended June 30, 2010, administered by the Office of the Auditor as authorized under Section 8, Act 1, SLH 2009, conducted by Deloitte & Touche LLP, and funded through the Audit Revolving Fund, established pursuant to Section 23-3.6, HRS.

Dept. Com. No. 9, dated November 9, 2011, from Kalbert K. Young, Director of Finance, Department of Budget and Finance, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 2011, with the Attorney General and Comptroller in concurrence, in accordance with Section 39-92(e) and Section 39-93(d), Part IV of Chapter 39, HRS.

Dept. Com. No. 10, dated November 28, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Hawaii P-20 Partnerships for Education and Plans for Education in the 21st Century, as required by Act 281, SLH 2007.

Dept. Com. No. 11, dated November 28, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Transfer of Appropriated Funds & Positions, as required by Section 37-74, HRS.

Dept. Com. No. 12, dated November 30, 2011, from Howard Todo, Vice President for Budget and Finance and Chief Financial Officer, University of Hawaii, transmitting the Supplemental Operating and Capital Improvements Program (CIP) budget request for Fiscal Year 2012-2013, as approved by the Board of Regents at its September 20, 2011 meeting, pursuant to HRS Chapter 37-68.

Dept. Com. No. 13, dated December 5, 2011, from Harry S. Kubojiri, Police Chief, County of Hawaii, transmitting the annual report on disciplinary action taken against sworn police personnel of the Hawaii Police Department for 2011, pursuant to Chapter 52D-3.5, HRS.

Dept. Com. No. 14, dated December 9, 2011, from James L. Branham, Staff Attorney, Supreme Court, The Judiciary, State of Hawaii, transmitting a report on an incident involving the unauthorized release of personal information from records maintained by the Hawaii Supreme Court, pursuant to HRS sections 487J-4 and 487N-4.

Dept. Com. No. 15, dated December 2, 2011, from Scott T. Nago, Chief Election Officer, Office of Elections, transmitting the Report to the Legislature in accordance with Section 31 of Act 164, SLH 2011.

Dept. Com. No. 16, dated December 6, 2011, from Hermina Morita, Chair, Public Utilities Commission, transmitting the report pursuant to HRS 269-16(d), on its Final Decision and Orders in Docket Nos. 2005-0103 and 2007-0180 on November 10, 2011.

Dept. Com. No. 17, dated December 7, 2011, from Louis M. Kealoha, Chief of Police, City and County of Honolulu, transmitting the 2011 Annual Report to the Legislature, pursuant to Section 52D-3.5, HRS.

Dept. Com. No. 18, dated December 8, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Salary, as required by Section 304A-1004, HRS.

Dept. Com. No. 19, dated December 8, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Tuition & Fees Special Fund Expenditures for the Purpose of Generating Private Donations, as required by Section 304A-2153, HRS.

Dept. Com. No. 20, dated December 8, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on

Student Scholarship and Assistance Special Fund, as required by Section 304A-2159, HRS.

Dept. Com. No. 21, dated December 9, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Teacher Education Coordinating Committee, as required by Section 304A-1202, HRS.

Dept. Com. No. 22, dated December 9, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Operations of the Hawaii Research Center for Future Studies, as required by Section 304A-3253, HRS.

Dept. Com. No. 23, dated December 9, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Nursing Scholars Program, as required by Section 304A-3305, HRS.

Dept. Com. No. 24, dated December 12, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Goals, Objectives/Policies, Action Plan and Performance Measures, as required by Act 100, SLH 1999.

Dept. Com. No. 25, dated December 12, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report from the Medical Education Council, as required by Section 304A-1704, HRS.

Dept. Com. No. 26, dated December 12, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report by the University of Hawaii at Manoa School of Travel Industry Management to develop enhancements for the tourism-related capabilities of the University of Hawaii Economic Research Organization Data Portal and an online tutorial and provide regular in-person training seminars to visitor industry professionals on how to use the Data Portal to assist in decision-making, as required by HCR 273 SD 1, 2011.

Dept. Com. No. 27, dated December 14, 2011, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Performance Audit of the Hawaii Public Charter School System, pursuant to Section 23-9, HRS.

Dept. Com. No. 28, dated December 15, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on the Community College Conference Center Revolving Fund, as required by Section 304A-2273, HRS.

Dept. Com. No. 29, dated December 15, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on University of Hawaii Procurement Procedures, as required by Act 82, SLH 2010.

Dept. Com. No. 30, dated December 15, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on The Construction Academy Curriculum, as required by Section 304A-144, HRS.

Dept. Com. No. 31, dated December 15, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on the Mauna Kea Lands, as required by Section 304A-1905, HRS.

Dept. Com. No. 32, dated December 16, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Uncollectible Accounts FY2011, as required by Section 40-82, HRS.

Dept. Com. No. 33, dated December 19, 2011, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Review of Revolving Funds, Trust Funds, and Trust Accounts of the Office of the Governor, Office of the Lieutenant Governor, Department of Education and Hawaii State Public Library System, and Office of Hawaii Affairs, pursuant to Section 23-9, HRS.

Dept. Com. No. 34, dated December 20, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on Research and Training Revolving Fund, as required by Section 304A-2253, HRS.

Dept. Com. No. 35, dated December 20, 2011, from Roger McKeague, Executive Director, Charter Schools Administrative Office, transmitting the Budget Proviso Reports, pursuant to Act 164, SLH 2011, Provisos 19, 20 and 22.

Dept. Com. No. 36, dated December 20, 2011, from Robin K. Matsunaga, Ombudsman, transmitting Office of the Ombudsman, Report Number 42, pursuant to Section 96-16, HRS.

Dept. Com. No. 37, dated December 22, 2011, from Sanjeev "Sonny" Bhagowalia, Chief Information Officer, State of Hawaii, transmitting the Office of Information Management and Technology's update on the information technology strategic plan of the State of Hawaii, prepared by the Chief Information Officer, as requested by Act 84, SLH 2011.

Dept. Com. No. 38, dated December 28, 2011, from Clyde W. Namu'o, Chief Executive Officer, Office of Hawaiian Affairs, transmitting Native Hawaiian Roll Commission Report to the Governor Abercrombie and the Hawaii State Legislature, pursuant to Section 5 of Act 195, SLH 2011.

Dept. Com. No. 39, dated December 29, 2011, from Charlotte Carter-Yamauchi, Acting Director, Legislative Reference Bureau, transmitting on behalf of the Mortgage Foreclosure Task Force, the Final Report of the Mortgage Foreclosure Task Force to the Legislature for the Regular Session of 2012, in accordance with Act 162, SLH 2010.

Dept. Com. No. 40, dated December 29, 2011, from Charlotte Carter-Yamauchi, Acting Director, Legislative Reference Bureau, transmitting on behalf of the Interim Board of Directors of the Hawaii Health Connector, the Hawaii Health Connector Interim Board of Directors Report to the 2012 Legislature, in accordance with Act 205, SLH 2011.

Dept. Com. No. 41, dated December 16, 2011, from Rodney A. Maile, Administrative Director of the Courts, The Judiciary, State of Hawaii, transmitting the following annual and legislatively-mandated reports from the Hawaii State Judiciary:

- *The Judiciary's Supplemental Budget (2011-2013), and Variance Report (2010-2012)*, pursuant to Act 159, SLH 1974 and Chapter 37, HRS.
- *The Judiciary's 2011 Annual report Statistical Supplement*, pursuant to Section 601-3, HRS.
- *The Judiciary's Center for Alternative Dispute Resolution Annual Report*, pursuant to Section 613-4, HRS.
- *The Judiciary's King Kamehameha V – Judiciary History Center Annual Report*, pursuant to Section 6F-4, HRS.
- *Report on the Limited News Media Privilege Against the Compelled Disclosure of Sources and Unpublished Information*, pursuant to Act 113, SLH 2011.
- *Report on the Implementation of the Hawaii Uniform Collaborative Law Act*, pursuant to House Resolution 174 (2011).
- *Report on Statewide Substance Abuse Treatment Monitoring Program*, pursuant to Section 601-21, HRS.
- *Report on Parental Preferences in Government Contracts*, pursuant to Section 577-7.5, HRS.
- *Report on the Parent Education Special Fund*, pursuant to Section 607-5.6, HRS.
- *Report on the Spouse and Child Abuse Special Account*, pursuant to Section 607-3.6, HRS.

Dept. Com. No. 42, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report from the Hawaii Natural Energy Institute, as required by Section 304A-1891, HRS.

Dept. Com. No. 43, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on

the University of Hawaii Risk Management Special Fund, as required by Section 304A-2151, HRS.

Dept. Com. No. 44, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University Revenue Bonds Issued FY2011, as required by Section 304A-2689, HRS.

Dept. Com. No. 45, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii's Continued Participation in the Western Interstate Commission on Higher Education, as required by Section 304A-3205, HRS.

Dept. Com. No. 46, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Quarterly Report on Expenditure of Funds from the Tobacco Settlement Agreement for University Revenue Undertakings FY2012, as required by Act 164, SLH 2011 (Section 23).

Dept. Com. No. 47, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on Uses of University of Hawaii Special Funds to Finance Projects Where the Method of Financing is Designated to be by University of Hawaii Revenue Bonds, as required by Act 164, SLH 2011 (Section 69).

Dept. Com. No. 48, dated December 13, 2011, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report on University of Hawaii Project Adjustment Fund, as required by Act 164, SLH 2011 (Sections 78 and 79).

Dept. Com. No. 49, dated December 29, 2011, from Clyde W. Namu'o, Chief Executive Officer, Office of Hawaiian Affairs, transmitting the Office of Hawaiian Affairs' 2011 Annual Report, pursuant to Section 10-15, HRS.

Dept. Com. No. 50, dated December 5, 2011, from Kalbert K. Young, Director of Finance, Department of Budget and Finance, transmitting the Final Estimate of State Growth Rate and General Fund Expenditure Ceiling, for FYs 12-13, pursuant to Article VII, Section 9, Hawaii State Constitution, and Chapter 37, Part V, HRS.

Dept. Com. No. 51, dated December 21, 2011, from Kalbert K. Young, Director of Finance, Department of Budget and Finance, transmitting the FY 11 Special Fund Assessments for Central Services report pursuant to Section 36-27, and FY 11 Departmental Administrative Expenses report pursuant to Section 36-30, HRS.

Dept. Com. No. 52, dated December 28, 2011, from Noel T. Ono, Director, City and County of Honolulu, Department of Human Resources, transmitting the Annual Report of Retiree Hired, pursuant to Section 88-9(f), HRS.

Dept. Com. No. 53, dated December 14, 2011, from Harry S. Kubojiri, Police Chief, County of Hawaii, transmitting a letter in place of the Hawaii Police Department's report to the legislature concerning electric guns and their use during the past year, pursuant to Section 134-16(d), HRS.

Dept. Com. No. 54, dated December 30, 2011, from Louis M. Kealoha, Chief of Police, City and County of Honolulu, transmitting a Report to the Legislature Concerning Electric Guns in the Custody and Control of the Honolulu Police Department, pursuant to Section 134-16(d), HRS.

Dept. Com. No. 55, dated December 31, 2011, from Gary Yabuta, Chief of Police, County of Maui, transmitting a Report Relating to the Possession and Use of Electric Guns, pursuant to Section 134-16, HRS.

Dept. Com. No. 56, dated December 31, 2011, from Gary Yabuta, Chief of Police, County of Maui, transmitting a Report Relating to Uniform Information Practices, pursuant to Act 242.

Dept. Com. No. 57, dated December 31, 2011, from Gary Yabuta, Chief of Police, County of Maui, transmitting a Report Relating to Uniform Information Practices, pursuant to Act 242.

Dept. Com. No. 58, dated January 6, 2012, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the 2011 Annual Report of the Research Corporation of the University of Hawaii, pursuant to Section 304A-3007, HRS.

Dept. Com. No. 59, dated January 9, 2012, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Report from the University of Hawaii Public Policy Center on the Progress Made in Implementing Sustainability Guidelines, as required by Act 181, SLH 2011.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communication (Misc. Com. No. 1) was received by the Clerk and was placed on file:

Misc. Com. No. 1, dated December 27, 2011, from Jory Watland, Executive Director, Hawaii Health Authority, transmitting the 2011 Update to 'Report by the Health Futures Task Force on a Health Care Assurance Program', and the original Report by the Health Futures Task Force on a Health Care Assurance Program, pursuant to Section 322H-2, HRS.

INTRODUCTIONS

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

Representative Har introduced family members, Uncle Joseph 'Butchy' and Aunt Barbara Lee visiting from Hawthorne, California. They were accompanied by her husband, Dr. Vincent Todd.

Representative Fontaine introduced his family visiting from Maui: his wife, Mrs. Paige Fontaine with her father and step-mother, Mr. Takao and Mrs. June Shiroma; his children, Ms. Angelique Fontaine and Mr. Phillip Fontaine; and exchange student, Mr. Manon Leone from Belgium.

Speaker Say then recognized the many Hawaii State Teachers Association retirees who were seated in the gallery.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 1666 through 1990) passed First Reading by title and were referred to Printing:

H. B. Nos.

1666 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Wooley.

1667 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Takumi and Belatti.

1668 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Belatti.

1669 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Cullen, by request.

1670	"A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."	1686	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
	Introduced by: Representative Choy.		Introduced by: Representative Rhoads.
1671	"A BILL FOR AN ACT RELATING TO PROCUREMENT."	1687	"A BILL FOR AN ACT RELATING TO HEALTH CARE."
	Introduced by: Representative Choy.		Introduced by: Representative Rhoads.
1672	"A BILL FOR AN ACT RELATING TO TAXATION."	1688	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
	Introduced by: Representative Choy.		Introduced by: Representative Rhoads.
1673	"A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES."	1689	"A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
	Introduced by: Representative Choy.		Introduced by: Representatives Rhoads and M. Lee.
1674	"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."	1690	"A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."
	Introduced by: Representatives Takumi and Nishimoto.		Introduced by: Representative Rhoads.
1675	"A BILL FOR AN ACT RELATING TO ENERGY."	1691	"A BILL FOR AN ACT RELATING TO LABOR."
	Introduced by: Representatives Takumi and Belatti.		Introduced by: Representative Rhoads.
1676	"A BILL FOR AN ACT RELATING TO PUBLIC WORKS."	1692	"A BILL FOR AN ACT RELATING TO SMOKING."
	Introduced by: Representatives Takumi and Rhoads.		Introduced by: Representatives Rhoads and Brower.
1677	"A BILL FOR AN ACT RELATING TO WORK-SHARING."	1693	"A BILL FOR AN ACT RELATING TO SPECIAL WASTE DISPOSAL."
	Introduced by: Representatives Takumi and Rhoads.		Introduced by: Representatives Rhoads, Brower, Luke and Manahan.
1678	"A BILL FOR AN ACT RELATING TO TAXATION."	1694	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representative Takumi.		Introduced by: Representative Choy.
1679	"A BILL FOR AN ACT RELATING TO WAGES."	1695	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representatives Takumi and Rhoads.		Introduced by: Representative Choy.
1680	"A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."	1696	"A BILL FOR AN ACT RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING."
	Introduced by: Representatives Takumi and Rhoads.		Introduced by: Representatives Rhoads, Luke, Manahan and Brower.
1681	"A BILL FOR AN ACT RELATING TO LABOR."	1697	"A BILL FOR AN ACT RELATING TO TAX."
	Introduced by: Representatives Takumi and Rhoads.		Introduced by: Representative Rhoads.
1682	"A BILL FOR AN ACT RELATING TO LABOR."	1698	"A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS."
	Introduced by: Representatives Takumi and Rhoads.		Introduced by: Representative Rhoads.
1683	"A BILL FOR AN ACT RELATING TO JUNIOR KINDERGARTEN."	1699	"A BILL FOR AN ACT RELATING TO LABOR."
	Introduced by: Representatives Takumi and Belatti.		Introduced by: Representative Rhoads.
1684	"A BILL FOR AN ACT RELATING TO HARBORS."	1700	"A BILL FOR AN ACT RELATING TO THE SALE OF TOBACCO PRODUCTS."
	Introduced by: Representatives Rhoads and Manahan.		Introduced by: Representative Rhoads.
1685	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."		
	Introduced by: Representatives Rhoads and C. Lee.		

1701 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."
Introduced by: Representative Rhoads, by request.

1702 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."
Introduced by: Representative Rhoads.

1703 "A BILL FOR AN ACT RELATING TO UNDERSERVED AREAS."
Introduced by: Representative Evans.

1704 "A BILL FOR AN ACT RELATING TO TITLE INSURERS."
Introduced by: Representative Evans.

1705 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representative Evans.

1706 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
Introduced by: Representative Evans.

1707 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS."
Introduced by: Representative Evans.

1708 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
Introduced by: Representative Evans.

1709 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER."
Introduced by: Representative Evans.

1710 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES."
Introduced by: Representative Mizuno.

1711 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES."
Introduced by: Representative Mizuno.

1712 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Representative Mizuno.

1713 "A BILL FOR AN ACT RELATING TO MEDICAID."
Introduced by: Representative Mizuno.

1714 "A BILL FOR AN ACT RELATING TO MEDICAID."
Introduced by: Representative Mizuno, by request.

1715 "A BILL FOR AN ACT RELATING TO INCOME TAX."
Introduced by: Representative Mizuno.

1716 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE."
Introduced by: Representative Mizuno.

1717 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION."
Introduced by: Representative Thielen.

1718 "A BILL FOR AN ACT RELATING TO HAWAII-GROWN PRODUCE."
Introduced by: Representative Thielen.

1719 "A BILL FOR AN ACT RELATING TO PUBLIC EDUCATION."
Introduced by: Representative Thielen.

1720 "A BILL FOR AN ACT RELATING TO SOLAR ENERGY."
Introduced by: Representative Thielen, by request.

1721 "A BILL FOR AN ACT RELATING TO BIRDS."
Introduced by: Representative Thielen.

1722 "A BILL FOR AN ACT RELATING TO POLICE POWERS."
Introduced by: Representative Yamane.

1723 "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM."
Introduced by: Representative Yamane.

1724 "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES."
Introduced by: Representative Yamane.

1725 "A BILL FOR AN ACT RELATING TO ELEVATOR SAFETY."
Introduced by: Representatives Chang, Awana, Chong, Ito, Kawakami, Mizuno, Souki, Tsuji and Yamashita.

1726 "A BILL FOR AN ACT RELATING TO ENERGY."
Introduced by: Representative Coffman.

1727 "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP RESEARCH."
Introduced by: Representatives Souki, Chang, Thielen and Marumoto.

1728 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SIXTH REPRESENTATIVE DISTRICT."
Introduced by: Representative Luke.

1729 "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS."
Introduced by: Representatives Evans, Mizuno and Morikawa.

1730	"A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."	1744	"A BILL FOR AN ACT RELATING TO COMPENSATION."
	Introduced by: Representative Evans.		Introduced by: Representatives Rhoads and Say.
1731	"A BILL FOR AN ACT RELATING TO A PUBLIC EMPLOYEE SUGGESTION PROGRAM."	1745	"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."
	Introduced by: Representative Evans.		Introduced by: Representatives Hanohano and C. Lee.
1732	"A BILL FOR AN ACT RELATING TO EDUCATION."	1746	"A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
	Introduced by: Representative Evans.		Introduced by: Representatives Rhoads, Brower, Ichiyama, Luke and Saiki.
1733	"A BILL FOR AN ACT RELATING TO THE HOMELESS."	1747	"A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."
	Introduced by: Representatives Mizuno, Aquino, Awana, Brower, Cabanilla and Manahan.		Introduced by: Representatives Marumoto and Tsuji.
1734	"A BILL FOR AN ACT RELATING TO THE HOMELESS."	1748	"A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."
	Introduced by: Representatives Mizuno, Aquino, Awana, Brower, Cabanilla, Manahan, Morikawa and Yamane.		Introduced by: Representatives Marumoto and Tsuji.
1735	"A BILL FOR AN ACT RELATING TO THE HOMELESS."	1749	"A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."
	Introduced by: Representatives Mizuno, Aquino, Awana, Brower, Cabanilla, Manahan, Morikawa, Yamane and Ichiyama.		Introduced by: Representative Say, by request.
1736	"A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE."	1750	"A BILL FOR AN ACT RELATING TO HOUSING."
	Introduced by: Representative Yamane.		Introduced by: Representative Say, by request.
1737	"A BILL FOR AN ACT RELATING TO MENTAL HEALTH."	1751	"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
	Introduced by: Representative Yamane.		Introduced by: Representative Say, by request.
1738	"A BILL FOR AN ACT RELATING TO MENTAL HEALTH."	1752	"A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
	Introduced by: Representative Yamane.		Introduced by: Representative Say, by request.
1739	"A BILL FOR AN ACT RELATING TO MENTAL HEALTH."	1753	"A BILL FOR AN ACT RELATING TO LIABILITY."
	Introduced by: Representative Yamane.		Introduced by: Representative Say, by request.
1740	"A BILL FOR AN ACT RELATING TO INFORMATION ACCESS."	1754	"A BILL FOR AN ACT RELATING TO ELECTIONS."
	Introduced by: Representative Yamane.		Introduced by: Representative Say, by request.
1741	"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG."	1755	"A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."
	Introduced by: Representative Yamane.		Introduced by: Representative Say, by request.
1742	"A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."	1756	"A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
	Introduced by: Representatives Souki and Ichiyama.		Introduced by: Representative Say, by request.
1743	"A BILL FOR AN ACT RELATING TO DRIVER LICENSING."	1757	"A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."
	Introduced by: Representatives Souki and Ichiyama.		Introduced by: Representative Say, by request.
		1758	"A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."
			Introduced by: Representative Say, by request.

1759	"A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."	1773	"A BILL FOR AN ACT RELATING TO ACCUSED TO TRANSPORT WITNESS OR WITNESSES."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1760	"A BILL FOR AN ACT RELATING TO TIME SHARE ZONING."	1774	"A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1761	"A BILL FOR AN ACT RELATING TO PRIVATIZATION OF GOVERNMENT SERVICES."	1775	"A BILL FOR AN ACT RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1762	"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."	1776	"A BILL FOR AN ACT RELATING TO COMMUNICATION SERVICE PROVIDERS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1763	"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."	1777	"A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1764	"A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTEE OFFICERS."	1778	"A BILL FOR AN ACT RELATING TO UNAUTHORIZED COMPUTER ACCESS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1765	"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES."	1779	"A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1766	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO RATIFICATION OF CONSTITUTIONAL AMENDMENTS."	1780	"A BILL FOR AN ACT RELATING TO AQUATIC LIFE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1767	"A BILL FOR AN ACT RELATING TO SIMULATED FIREARMS."	1781	"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1768	"A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."	1782	"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1769	"A BILL FOR AN ACT RELATING TO CIVIL ACTIONS."	1783	"A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
1770	"A BILL FOR AN ACT RELATING TO COUNTIES."	1784	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINTH REPRESENTATIVE DISTRICT."
	Introduced by: Representative Say, by request.		Introduced by: Representative Keith-Agaran.
1771	"A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION."	1785	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representative Say, by request.		Introduced by: Representative Keith-Agaran.
1772	"A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY."	1786	"A BILL FOR AN ACT RELATING TO HAWAII GOOD AGRICULTURAL PRACTICES."
	Introduced by: Representative Say, by request.		Introduced by: Representative Keith-Agaran, by request.

1787	"A BILL FOR AN ACT RELATING TO AGRICULTURE." Introduced by: Representatives Keith-Agaran, Brower, C. Lee, Luke, McKelvey, Morikawa, Nakashima, Yamane, Yamashita, Hashem and Souki.	1800	"A BILL FOR AN ACT RELATING TO THE JUDICIARY." Introduced by: Representative Say, by request.
1788	"A BILL FOR AN ACT RELATING TO COMPUTER CRIME." Introduced by: Representatives Keith-Agaran, Aquino, Brower, C. Lee, Luke, Nishimoto and Rhoads.	1801	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1789	"A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI." Introduced by: Representative Keith-Agaran, by request.	1802	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1790	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES." Introduced by: Representatives Keith-Agaran, Brower, C. Lee, Luke, Nakashima, Nishimoto, Rhoads, Yamashita, Coffman, McKelvey and Souki.	1803	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1791	"A BILL FOR AN ACT RELATING TO HOMICIDE." Introduced by: Representatives Keith-Agaran, Souki and Yamashita.	1804	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1792	"A BILL FOR AN ACT RELATING TO IRAN." Introduced by: Representatives Ito and Chang.	1805	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1793	"A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES." Introduced by: Representatives Chang and Ito.	1806	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1794	"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING." Introduced by: Representatives Cabanilla, Carroll, Ching, Mizuno, Pine, Souki, Wooley, Chang, Cullen and Ichiyama.	1807	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1795	"A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS." Introduced by: Representatives Cabanilla, Chang, Mizuno, Pine and Ichiyama.	1808	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1796	"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING." Introduced by: Representatives Cabanilla, Mizuno and Thielen.	1809	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1797	"A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE." Introduced by: Representative Say, by request.	1810	"A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say.
1798	"A BILL FOR AN ACT RELATING TO THE PENAL CODE." Introduced by: Representative Say, by request.	1811	"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." Introduced by: Representative Say.
1799	"A BILL FOR AN ACT RELATING TO SALARIES." Introduced by: Representative Say, by request.	1812	"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." Introduced by: Representative Say.
		1813	"A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS." Introduced by: Representative Say.

1814 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS."
Introduced by: Representative Say.

1815 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
Introduced by: Representative Say.

1816 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
Introduced by: Representative Say.

1817 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
Introduced by: Representative Say.

1818 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
Introduced by: Representative Say.

1819 "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."
Introduced by: Representative Say.

1820 "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP RESEARCH."
Introduced by: Representative Say, by request.

1821 "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING."
Introduced by: Representative Say, by request.

1822 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representative Say, by request.

1823 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Representative Say, by request.

1824 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING."
Introduced by: Representative Say, by request.

1825 "A BILL FOR AN ACT RELATING TO BINGO."
Introduced by: Representative Say, by request.

1826 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Representative Say, by request.

1827 "A BILL FOR AN ACT RELATING TO COFFEE."
Introduced by: Representative Say, by request.

1828 "A BILL FOR AN ACT RELATING TO SINGLE-USE PLASTIC CHECKOUT BAGS."
Introduced by: Representative Say, by request.

1829 "A BILL FOR AN ACT RELATING TO LEASES."
Introduced by: Representative Say, by request.

1830 "A BILL FOR AN ACT RELATING TO ARBITRATION."
Introduced by: Representative Say, by request.

1831 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."
Introduced by: Representative Say, by request.

1832 "A BILL FOR AN ACT RELATING TO FOOD SAFETY."
Introduced by: Representatives Yamane, Manahan, Tsuji, Yamashita and Chong.

1833 "A BILL FOR AN ACT RELATING TO LIABILITY."
Introduced by: Representatives Evans, Awana and Hashem.

1834 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representative Oshiro.

1835 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."
Introduced by: Representative Oshiro.

1836 "A BILL FOR AN ACT RELATING TO STATE FINANCES."
Introduced by: Representative Oshiro.

1837 "A BILL FOR AN ACT RELATING TO GOVERNMENT."
Introduced by: Representative Oshiro.

1838 "A BILL FOR AN ACT RELATING TO STATE BONDS."
Introduced by: Representative Oshiro.

1839 "A BILL FOR AN ACT RELATING TO WATER SERVICE CONSUMPTION DATA."
Introduced by: Representative Oshiro.

1840 "A BILL FOR AN ACT RELATING TO STATE-OWNED BANK."
Introduced by: Representatives Oshiro and Tsuji.

1841 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Representative McKelvey.

1842 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
Introduced by: Representative McKelvey.

1843 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
Introduced by: Representative McKelvey.

1844 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
Introduced by: Representative McKelvey.

1845	"A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."	1859	"A BILL FOR AN ACT RELATING TO BUILDING CODES."
	Introduced by: Representative McKelvey.		Introduced by: Representative Herkes.
1846	"A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIAWA GENERAL HOSPITAL."	1860	"A BILL FOR AN ACT RELATING TO BUSINESS REGULATIONS."
	Introduced by: Representatives Oshiro, M. Lee and Yamane.		Introduced by: Representative Herkes.
1847	"A BILL FOR AN ACT RELATING TO CIVIL SERVICE."	1861	"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."
	Introduced by: Representative Rhoads.		Introduced by: Representative Herkes.
1848	"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."	1862	"A BILL FOR AN ACT RELATING TO FORECLOSURES."
	Introduced by: Representative Rhoads.		Introduced by: Representative Herkes.
1849	"A BILL FOR AN ACT RELATING TO LABELING."	1863	"A BILL FOR AN ACT RELATING TO FORECLOSURES."
	Introduced by: Representative Marumoto, by request.		Introduced by: Representative Herkes.
1850	"A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION."	1864	"A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE."
	Introduced by: Representatives Souki, Ichiyama, Keith-Agaran, Rhoads, Yamane and Herkes.		Introduced by: Representative Herkes.
1851	"A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."	1865	"A BILL FOR AN ACT RELATING TO VOG."
	Introduced by: Representative Yamashita.		Introduced by: Representative Herkes.
1852	"A BILL FOR AN ACT RELATING TO THE OMBUDSMAN."	1866	"A BILL FOR AN ACT RELATING TO THE VOG TASK FORCE."
	Introduced by: Representative Yamashita.		Introduced by: Representative Herkes.
1853	"A BILL FOR AN ACT RELATING TO THE LEGISLATURE."	1867	"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
	Introduced by: Representative Yamashita.		Introduced by: Representative Herkes, by request.
1854	"A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU."	1868	"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."
	Introduced by: Representative Yamashita.		Introduced by: Representative Herkes.
1855	"A BILL FOR AN ACT RELATING TO THE AUDITOR."	1869	"A BILL FOR AN ACT RELATING TO AGRICULTURE."
	Introduced by: Representative Yamashita.		Introduced by: Representative Herkes.
1856	"A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM."	1870	"A BILL FOR AN ACT RELATING TO CONSTRUCTION ON PUBLIC LANDS."
	Introduced by: Representatives Thielen and McKelvey.		Introduced by: Representative Herkes.
1857	"A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM."	1871	"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
	Introduced by: Representatives Thielen and McKelvey.		Introduced by: Representative Herkes.
1858	"A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION."	1872	"A BILL FOR AN ACT RELATING TO HURRICANE PROPERTY INSURANCE."
	Introduced by: Representatives Oshiro and Rhoads.		Introduced by: Representative Herkes.

1873	"A BILL FOR AN ACT RELATING TO PAHALA PUBLIC LIBRARY."	1887	"A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
	Introduced by: Representative Herkes.		Introduced by: Representatives Manahan, Aquino, Cullen, Rhoads and Yamane.
1874	"A BILL FOR AN ACT RELATING TO VOG."	1888	"A BILL FOR AN ACT RELATING TO AIR CARRIER FEES."
	Introduced by: Representative Herkes.		
1875	"A BILL FOR AN ACT RELATING TO FORECLOSURES."		Introduced by: Representatives Manahan, Aquino, Cullen, Yamane, Ichiyama and Souki.
	Introduced by: Representative Herkes.	1889	"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
1876	"A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."		Introduced by: Representative Rhoads.
	Introduced by: Representative Herkes.	1890	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE LAPSING OF APPROPRIATIONS FOR THE CONSTRUCTION OR ACQUISITION OF PUBLIC SCHOOL FACILITIES."
1877	"A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."		Introduced by: Representative Say, by request.
	Introduced by: Representative Herkes, by request.	1891	"A BILL FOR AN ACT RELATING TO EDUCATION."
1878	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."		Introduced by: Representative Say, by request.
	Introduced by: Representative Herkes.	1892	"A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION."
1879	"A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER."		Introduced by: Representative Say.
	Introduced by: Representative Herkes, by request.	1893	"A BILL FOR AN ACT RELATING TO ECONOMIC REVITALIZATION."
1880	"A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES."		Introduced by: Representative Say.
	Introduced by: Representative Herkes.	1894	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
1881	"A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."		Introduced by: Representative Say.
	Introduced by: Representative Herkes.	1895	"A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
1882	"A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."		Introduced by: Representative Say.
	Introduced by: Representative Herkes.	1896	"A BILL FOR AN ACT RELATING TO INSURANCE."
1883	"A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."		Introduced by: Representative Say.
	Introduced by: Representatives Cabanilla, Mizuno, Awana, Chang, Ito and Nakashima.	1897	"A BILL FOR AN ACT RELATING TO CONTRACTORS."
1884	"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."		Introduced by: Representative Takumi, by request.
	Introduced by: Representatives Cabanilla, Mizuno, Awana, Chang, Ito and Nakashima.	1898	"A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE BOARD."
			Introduced by: Representative Takumi, by request.
1885	"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."	1899	"A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
	Introduced by: Representatives Cabanilla, Ito, Mizuno, Awana, Chang and Nakashima.		Introduced by: Representatives Manahan, Brower, Ichiyama, Rhoads and Yamane.
1886	"A BILL FOR AN ACT RELATING TO CHILD SAFETY."	1900	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representatives Manahan, Aquino, Cullen, Mizuno and Yamane.		Introduced by: Representative Mizuno, by request.

1901	"A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."	1916	"A BILL FOR AN ACT RELATING TO HEALTH."
	Introduced by: Representative Mizuno.		Introduced by: Representative Mizuno.
1902	"A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS."	1917	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Mizuno, Brower, Hanohano and McKelvey.
1903	"A BILL FOR AN ACT RELATING TO FOOD LABELING."	1918	"A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Mizuno, Choy, Hanohano, Hashem and McKelvey.
1904	"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."	1919	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Mizuno, Brower, Hanohano, Hashem and McKelvey.
1905	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."	1920	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Mizuno, Brower, Hanohano, Hashem and McKelvey.
1906	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."	1921	"A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Mizuno, Brower, Hanohano and McKelvey.
1907	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."	1922	"A BILL FOR AN ACT RELATING TO THE FEDERAL VIOLENCE AGAINST WOMEN ACT."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Mizuno, Brower and Cabanilla.
1908	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."	1923	"A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Keith-Agaran, McKelvey, Souki and Yamashita.
1909	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."	1924	"A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION, TO BOTH REQUIRE THE LEGISLATURE TO ENACT LAWS TO AUTHORIZE THE COUNTIES TO ISSUE TAX INCREMENT BONDS AND TO EXCLUDE THE BONDS FROM DETERMINATIONS OF THE FUNDED DEBT OF THE COUNTIES."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Keith-Agaran, Yamashita, Coffman, McKelvey and Nakashima.
1910	"A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."	1925	"A BILL FOR AN ACT RELATING TO LIQUOR."
	Introduced by: Representatives Mizuno, Aquino, Awana, Manahan and Yamane.		Introduced by: Representatives Keith-Agaran, Brower, Kawakami, C. Lee, Luke, McKelvey, Morikawa, Nishimoto, Aquino, Chang, Chong, Choy, Nakashima, Souki and Tsuji.
1911	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."	1926	"A BILL FOR AN ACT RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS."
	Introduced by: Representative Mizuno.		Introduced by: Representatives Keith-Agaran, Aquino, Cullen, Morikawa and Nakashima.
1912	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."		
	Introduced by: Representative Mizuno.		
1913	"A BILL FOR AN ACT RELATING TO MEDICAID."		
	Introduced by: Representatives Mizuno and Yamane.		
1914	"A BILL FOR AN ACT RELATING TO HEALTHCARE."		
	Introduced by: Representatives Mizuno and Yamane.		
1915	"A BILL FOR AN ACT RELATING TO MEDICAID."		
	Introduced by: Representative Mizuno.		

1927 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING COMMISSION LAW."

Introduced by: Representative Keith-Agaran, by request.

1928 "A BILL FOR AN ACT RELATING TO TESTING FOR INTOXICANTS."

Introduced by: Representatives Keith-Agaran, Aquino, C. Lee, Nakashima and Souki.

1929 "A BILL FOR AN ACT RELATING TO PRODUCTION OF DOCUMENTS IN CRIMINAL PROCEEDINGS."

Introduced by: Representatives Keith-Agaran, Aquino, Chong and McKelvey.

1930 "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY."

Introduced by: Representative Coffman.

1931 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Keith-Agaran, Aquino and Mizuno.

1932 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Representatives Keith-Agaran, Aquino and Mizuno.

1933 "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS."

Introduced by: Representatives Keith-Agaran, Aquino and Mizuno.

1934 "A BILL FOR AN ACT RELATING TO TOXIC PRODUCTS."

Introduced by: Representative Saiki.

1935 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Representatives Takai, Mizuno and Nishimoto.

1936 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."

Introduced by: Representative Aquino.

1937 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION."

Introduced by: Representative Aquino.

1938 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."

Introduced by: Representatives Ito, Chang, Aquino, Chong, Cullen, Fontaine, Johanson, Souki, Tokioka, Tsuji and Yamashita.

1939 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Tsuji, Awana, Chong, Hashem, Ito and McKelvey.

1940 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE INSPECTORS."

Introduced by: Representatives Tsuji, Awana, Chong, Hashem, Ito, McKelvey and Yamashita.

1941 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL INSPECTION FACILITIES AND RELATED INFRASTRUCTURE."

Introduced by: Representatives Tsuji, Awana, Chong, Hashem, Ito, McKelvey and Yamashita.

1942 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Awana, Chong, Hashem, Ito and McKelvey.

1943 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Tsuji, Awana, Hashem, Ito, McKelvey and Chong.

1944 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ASSOCIATION OF CONSERVATION DISTRICTS."

Introduced by: Representatives Tsuji, Awana, Chang, Hashem, Ito and McKelvey.

1945 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representatives Tsuji, Awana, Hashem, Ito, McKelvey and Chong.

1946 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Representatives Tsuji, Awana, Chang, Chong, Hashem and Ito.

1947 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Awana, Chong, Hashem and Ito.

1948 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Awana, Chong, Hashem, Ito and McKelvey.

1949 "A BILL FOR AN ACT RELATING TO BUILDING PERMITS."

Introduced by: Representatives Tsuji, Chong, Hashem and Ito.

1950 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representatives Tsuji, Ito, Chong and Hashem.

1951	"A BILL FOR AN ACT RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES."	1963	"A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA."
	Introduced by: Representatives Yamane, Manahan and Yamashita.		Introduced by: Representatives Yamane, Aquino and Cullen.
1952	"A BILL FOR AN ACT RELATING TO BONE MARROW TRANSPLANTS."	1964	"A BILL FOR AN ACT RELATING TO HEALTH."
	Introduced by: Representative Yamane.		Introduced by: Representative Yamane.
1953	"A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE."	1965	"A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR PHARMACISTS."
	Introduced by: Representatives Yamane, Aquino, Cullen, Har and Say.		Introduced by: Representative Yamane.
1954	"A BILL FOR AN ACT RELATING TO HEALTH."	1966	"A BILL FOR AN ACT RELATING TO VACCINATIONS."
	Introduced by: Representatives Yamane, Belatti, Hanohano, C. Lee, Mizuno, Morikawa and Wooley.		Introduced by: Representative Yamane.
1955	"A BILL FOR AN ACT RELATING TO HOME CARE."	1967	"A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION."
	Introduced by: Representatives Yamane, Aquino, Cullen, Manahan and Mizuno.		Introduced by: Representatives Yamane, Manahan, Morikawa and Say.
1956	"A BILL FOR AN ACT RELATING TO HEALTH."	1968	"A BILL FOR AN ACT RELATING TO CIGARETTES."
	Introduced by: Representatives Yamane, Aquino, Awana, Cabanilla, Chang, Chong, Choy, Evans, Hanohano, Har, Ichiyama, Ito, C. Lee, Manahan, Mizuno, Morikawa, Nakashima, Okamura, Rhoads, Say, Souki, Takai, Tsuji, Wooley and Yamashita.		Introduced by: Representatives Yamane, Aquino, Cullen, Manahan and Say.
1957	"A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION."	1969	"A BILL FOR AN ACT RELATING TO CONTRACTS."
	Introduced by: Representatives Yamane, Belatti, Hanohano, C. Lee, Mizuno, Morikawa and Wooley.		Introduced by: Representatives Yamane, Aquino, Brower, Cullen, Hanohano, C. Lee, Manahan, Nakashima, Rhoads, Takai, Tokioka and Har.
1958	"A BILL FOR AN ACT RELATING TO DENTAL SERVICES."	1970	"A BILL FOR AN ACT RELATING TO CHILDREN."
	Introduced by: Representatives Yamane, Hanohano, Mizuno and Morikawa.		Introduced by: Representative Yamane.
1959	"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM."	1971	"A BILL FOR AN ACT RELATING TO HOUSING."
	Introduced by: Representatives Yamane, Hanohano, C. Lee, Mizuno, Morikawa and Belatti.		Introduced by: Representative Evans.
1960	"A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS."	1972	"A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."
	Introduced by: Representatives Yamane, Hanohano, C. Lee, Mizuno and Morikawa.		Introduced by: Representatives Evans and Carroll.
1961	"A BILL FOR AN ACT RELATING TO TOBACCO."	1973	"A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAMS."
	Introduced by: Representative Yamane.		Introduced by: Representatives Carroll, Awana and Evans.
1962	"A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE."	1974	"A BILL FOR AN ACT RELATING TO VETERANS."
	Introduced by: Representatives Yamane, Hanohano, C. Lee, Mizuno and Morikawa.		Introduced by: Representatives Evans, Aquino, Cabanilla, Cullen, Ito, M. Lee, McKelvey, Takai, and Oshiro.
		1975	"A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."
			Introduced by: Representative Evans.

1976 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI OF THE HAWAII CONSTITUTION TO PROVIDE DEDICATED FUNDING FOR THE HAWAII STATEWIDE TRAIL AND ACCESS PROGRAM AND THE STATE PARKS SPECIAL FUND."

Introduced by: Representatives Evans, Awana, Hanohano, Morikawa, Nakashima, Chang, Kawakami and Tsuji.

1977 "A BILL FOR AN ACT RELATING TO STATE PARKS AND TRAILS."

Introduced by: Representatives Evans, Awana, Hanohano, Morikawa, Nakashima, Chang, Kawakami and Tsuji.

1978 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representatives Evans, Awana, Carroll and McKelvey.

1979 "A BILL FOR AN ACT RELATING TO ELEVATORS."

Introduced by: Representative Evans.

1980 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Evans.

1981 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION."

Introduced by: Representative Say, by request.

1982 "A BILL FOR AN ACT RELATING TO CEMETERIES."

Introduced by: Representative Say, by request.

1983 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS."

Introduced by: Representative Say, by request.

1984 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE."

Introduced by: Representative Say, by request.

1985 "A BILL FOR AN ACT RELATING TO INNOCENCE REDRESS."

Introduced by: Representative Say, by request.

1986 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Representative Say, by request.

1987 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Say, by request.

1988 "A BILL FOR AN ACT RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT."

Introduced by: Representative Say, by request.

1989 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Say, by request.

1990 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN RECOGNITION."

Introduced by: Representative Say, by request.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 1) was read by the Acting Clerk and the following action taken:

H.R. No. 1, entitled: "HOUSE RESOLUTION RELATING TO THE OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE," was jointly offered by Representatives Chong and Ward.

Representative Chong moved that H.R. No. 1, be adopted, seconded by Representative Ward.

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

"When I first came in to office, one of the first people I did meet was CJ Leong. And one of the things I learned about CJ, other than she's very professional, very competent, and very, extremely smart, was her ability to listen, her loyalty to the House, the Body and the people of Hawaii, and her wisdom that she always gives. And I thank her for that."

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

"Mr. Speaker, I can't say enough for CJ Leong because she fills big shoes left by my constituent Pat Shimizu. But I know there's something that's not known by all of you. This lady gave part of her life for the person who she's taking the place of. Something that very few of us ever do, have the opportunity to do, or would do.

"So CJ, your brain, your beauty, your presence here is welcomed. And we look forward to having a unanimous vote for you to be with us for many, many years ahead. Thank you, Mr. Speaker."

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

Representative Tokioka's written remarks are as follows:

"Mahalo, Mr. Speaker, for allowing me to submit written comments in support of House Resolution 1. It is truly an honor to support this Resolution of an individual who is beyond capable, extremely qualified and there is no question as to her dedication to this Body and institution. This individual goes above and beyond the call of duty not only in her career, but in her personal life as well as she risked her own life to save a life of another. For these reasons and many others I strongly support House Resolution 1."

Representative Har rose in support of 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 support of HR1 and the appointment of CJ Leong as the Chief Clerk of the House of Representatives.

"Ms. Leong has served in the House for more than 25 years, most recently as the Director of the House Majority Staff Office, and prior to that served ably as the Assistant Clerk of the House of Representatives. Ms. Leong has always exhibited professionalism, intelligence, and respect for the institution, making her more than qualified for the Chief Clerk position. Ms. Leong knows and understands the procedures used in the

House of Representatives and continues to strive for excellence in making the House of Representatives efficient for both the institution and its Members. I am fortunate to consider Ms. Leong both a trusted colleague and a personal friend, and there is no doubt in my mind that she will continue her dedicated and professional service to this Body. I can think of no one more suited to take on the responsibility and honor of serving as Chief Clerk, and accordingly stand in strong support of the Resolution.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 1, was adopted.

The Chair then administered the Oath of Office to Ms. CJ Leong.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Luke introduced Ms. Leong's father, Mr. Peter Leong, and his wife, Mrs. Merrily Leong.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 2) was announced by the Clerk and the following action taken:

H.R. No. 2, entitled: "HOUSE RESOLUTION RELATING TO THE CAUCUS LEADERS AND THE COMMITTEE ASSIGNMENTS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE," was offered by Representative Say.

On motion by Representative Chong, seconded by Representative Ward and carried, H.R. No. 2, was adopted.

The following concurrent resolutions (H.C.R. Nos. 1 and 2) were announced by the Clerk and the following action taken:

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2012," was jointly offered by Representatives Chong and Ward.

On motion by Representative Chong, seconded by Representative Ward and carried, H.C.R. No. 1, was adopted.

H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was jointly offered by Representatives Say, Chong, Manahan and Ward.

On motion by Representative Chong, seconded by Representative Ward and carried, H.C.R. No. 2, was adopted.

At this time, the Speaker delivered his address, stating:

"The Chair would like to give an Opening Day Address. And I will be very, very brief for all of you and our visitors in the gallery.

"Let me start off by saying, welcome Members to the 2012 Regular Session of the Twenty-Sixth Legislature. And a very special welcome to our recently appointed Member, Representative Tom Okamura of District 33, Aiea, Halawa, and Red Hill.

"Today I am glad and relieved to say that we will probably not have to make another extraordinary effort to balance the State budget during this Session. This situation will be a welcomed departure from the past three Sessions because of the great recession. We had to balance the State budget by a combination of painfully difficult expenditure reductions and

targeted revenue enhancements, but we maintained essential public service without, without increasing the general excise tax rate or the income tax on low- and moderate-income persons.

"We all rejected extremism and expediency in favor of reason and fortitude, and we took a balanced and responsible approach. And for that effort Hawaii is in a much better place, today, compared to our peers on the mainland. I commend all of you for a job well done.

"In continuing on the journey, the economic recovery although still fragile, is on its way. We in this Chamber, however, must remain cautious. Cautious. The fragility of the economic recovery requires the continuation of our balanced and responsible approach during the 2012 Regular Session.

"For the short term, we must maintain stability with respect to the State budget. Maintaining stability means no new taxes for State government from residents and business. Maintaining stability means no major general fund appropriation increase for the expansion of State programs. For this effort and this Session, we must focus on maintaining the economic recovery and promoting immediate job growth. And we all must be creative and innovative in one's thinking. We must make difficult choices, some of which may be opposed by segments of this community. We must seek ways to expedite the construction of State projects so that money flows into the community. We must also seek ways to avoid mandates on businesses that will increase their costs of doing business here in the State of Hawaii. I am confident that we will make these choices using the same balanced and responsible approach of the past three Sessions.

"Our recovery effort depends on a strong, solid foundation, and maintaining a foundation today, will enable us to pursue our dreams in the future. Dreams such as a Hawaii, Representative Coffman, powered exclusively by alternative energy resources, requiring no export of dollars. A Hawaii with broadband coverage for all schools, businesses and homes. A Hawaii in which healthcare is universally and affordably available to all. A Hawaii in which everyone lives in an affordable home, paying no more than one-third of their income for their rent or mortgage.

"And dreams of a Hawaii with a thriving and diversified economy, this means a Hawaii with a military presence that is fully appreciated for its importance to our nation and our Pacific allies' defense, and our State economy and social mix. A Hawaii with a visitor industry that continues to be the envy of the world. A Hawaii in which agriculture is a viable and sustaining enterprise that feeds our people, supports alternative energy and exports products.

"And for all of us, a Hawaii with a public education system that produces business professional and governmental leaders able to effectively guide our State in the future, and even lead the world in selected areas of expertise.

"But more mundane than this Body has addressed in the past two years, but that is very important, is a dream of a Public Employees Retirement and Health Fund systems with no unfunded liability so that our children and grandchildren do not have to carry the burden of increasing governmental fringe benefit contributions.

"I have many such dreams, as do all of you. Fulfilling the dreams, however, would require the expenditure of substantial taxpayers' money; money that we do not have today. Despite this intrusion of reality, let us not abandon our dreams. Let us continue the groundwork for the achievement of the dreams. Later, when the economy and public resources return to robust growth, we will then have the opportunity for full implementation. Let us be confident that our unselfish work of today will lead tomorrow to the Hawaii that we all dream about. To all of you, thank you very much."

The Chair then recognized Representative Ward, the Minority Leader, to present the Minority's response.

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

"Thank you, Mr. Speaker. *Aloha mai kakou. Aloha.* Good morning, and welcome to the peoples' House. The House I like to call the marketplace of ideas. Good ideas that the Speaker has just given out. I was hoping Governor Abercrombie would still be here. I see the Chief Justice, the gentlemen from Fukuoka, welcome. HSTA, and other former representatives. Thank you for coming to the first business day of the State Legislature.

"Mr. Speaker, we are here doing a scaled-down opening. We don't have singing. We don't have dancing because of what's going on outside of this Capitol. There's a lot of anxiety out there. People are fearful of their jobs. People are fearful that the cost of living might go up. People are fearful that we may have a State budget that goes beyond and we may have to raise taxes and fees like, Mr. Speaker, last year. \$600 million was added on after we left the Session here. Mr. Speaker what I want to do in the beginning though, is to be grateful that we have a chance to say the, not the opposing, but the minority view.

"When people are anxious they need to hear straight talk like you gave. They need to hear hope. They need to hear assurance. They need to know what is going on. And the Minority, on behalf of myself, are grateful that we can offer a four-point recovery of confidence to create jobs, put a check on spending, and ensure more overall government accountability and transparency, and protect our community from organized crime. Yes, you heard correctly. Organized crime. If we're to succeed in this, Mr. Speaker, we've got to think outside of the box. We've got to think outside of this square box here. We got to start thinking entrepreneurially. We have to start innovatively, and creatively.

"Mr. Speaker, yes we've balanced the budget after the last three Sessions. But if all we do is balance the budget, beat our chest, and say, 'We've done it, by doing fees and taxes,' we will not be fully serving the people of Hawaii. We've got to do more than that. We've got to be what made America great in the beginning. What made Hawaii great in the beginning. And that was expansion of the pie. It's called growth. We've got to start being growth pie makers. We've got to expand the pie, Mr. Speaker. Not just cut it up in different pieces. We've got to think the way that America made us great.

"And one of the first ways to do that, and that's our first priority, is to start creating jobs and begin with creating green jobs. Let me illustrate why jobs are so necessary to be created. When we started in the 2011 Session, there were 39,621 people unemployed. Now one year later, there are over 41,000 people who are unemployed. That's about 150 people per month that have lost a job since we came in to Session. I think there's a better way to do that than having what all of you have heard me saying is their job killer number one, job killer number two. I hope we don't have to do that this Session because it's that private sector that hires these people. And the question is, have we had anything to do with the job killing that took place over the last twelve months?

"Mr. Speaker, one of the lead proposals that we want to do, and I know our lead proponent of energy is Representative Thielen, is to put the PACE bill back in to place. That's for solar on everybody's roof. The PACE bill, the Los Angeles version, is to be able to have homeowners save on their electric bill by installing renewable energy systems and paying for it over twenty years. Mr. Speaker, we've had incentives in place and we should keep those in place, but let's face it. Only 25 percent of our nation, of our State, has solar on their roof. In the Nation of Israel, they have 90 percent solar on their roof. If Israel can do it, we can do it also, Mr. Speaker. We can do it also. Right now, we have only three to four percent photovoltaic on our roof, and Germany has five to ten percent. If they can do it, we can do it because we are as world-class as they are, and we have more sun and we have more opportunity to be the best in the world.

"Another job creation strategy is to give veterans who have served in the Gulf to come back and have a tax credit. It's a veteran-owned business, that they will be given a preference in the procurement process of which we have a billion dollars and have three percent set aside so they can hire people. They can be franchised after they come back from serving their people.

"Lastly we're proposing hiring incentives for those who are unemployed. Those who are getting unemployment insurance, transfer that in to a tax credit and the employer will be sponsored and made whole.

"Our second priority, Mr. Speaker, and I know time is limited and I'm going to go a little bit quicker on this, is to build confidence in the people of Hawaii. Job creation doesn't work just by passing legislation, if there is so much uncertainty out there. And literally, right now there are trillions of dollars that are sitting on the sidelines because of a lack of confidence in policymakers, a lack of confidence in the economy. If we are going to be predictable in what we do Mr. Speaker, we need to be able to be sure of what we say and what we do so the confidence of the American people is not where it is now. In a recent poll by the Rasmussen Organization, 35 percent of Americans believe that it was possible to get rich by working hard. Sixty-five percent of our people don't believe that they can get rich by working hard. That is an attitudinal shift and the level of confidence in our economy is very, very hurting. And I say that because the equity that the little man had was in his house, and Mr. Speaker we have to get rid of these foreclosures and all the danger to what that was as the essence of building the American Dream.

"The third priority is accountability and transparency in government. I'm really pleased that the Governor was here. I wanted him to hear that when he said to the Hawaii Tax Foundation in Waikiki last month, he was going to try to put in place a positive financial report every quarter that people could see and count on and know that is real, and not some kind of a jury-rig or something meant to fool you. We have online balances legislation that we are going to be promoting. And we also have our usual annual Excel sheet budget online put together by the Minority Caucus. Also for transparency, we'd like to have fiscal notes passed. It's come up every year. Basically it's price tags so when we pass a piece of legislation, people will know, we will know how much it costs and right now, it's a hit and miss.

"Lastly Mr. Speaker, our last priority is to protect our communities. I said earlier, organized crime is out there. This is not the Al Capone type. This is online cyber crimes. We are being hacked, bribed, extorted, robbed of our identities, and massive fraud is going on unpunished. Beginning with an information briefing that was put together by Representative Fontaine and Representative Pine, our Caucus bills will make it easier to help Hawaii's citizens who are being victimized every day. And for example, we are going to have penalties for unauthorized access to a computer. There's going to be that Internet service providers who will have to maintain certain records and for a certain period of time, and it will help in the evidence that police have which now when they're reported, they can do nothing because they have no evidence to do that.

"Mr. Speaker, we think these are four priorities that are important. Now as you indicated, we have to keep our military strong. We have to keep our industry for tourism strong. And we need to keep the tax credits for our solar. And I would appeal to Speaker Emeritus from Maui, please lead us not into temptation for a quick fix for gambling, even though I know every year you're going to do it. It's a quick fix. It's not going to work Joe, but you can do it. With the forecast in the budget, the red ink by 2016 of \$312 million. It's a time to stop spending and I was going to look at Mr. Abercrombie, the Governor, and say, 'You know, we can't expand programs.' Thank you Mr. Speaker, for saying that no State programs should be expanded. That is greatly appreciated. And it's not the time to suffocate our small businesses with a steep increase in our Unemployment Insurance Tax. And I thank Representative Rhoads who made the front page of the newspaper who said we're going to decline the rate. We're not going to give that steep rate increase in unemployment insurance. Representative Rhoads, I hope you keep your word on that because that's very, very important.

"Finally, Mr. Speaker, let this Session be one of gratitude. Let's thank our small businesses who hire people. You know, we thank people at the airport who serve in the military. Let's thank the small businesses. Thank you for hiring your employees. Thank you for staying on the course. Right now, survival is success. As long as they're still in business, they're still successful.

"But I want to end with what Senator Inouye reminded us during APEC. And I want to commend everyone in Hawaii for APEC because we hit a

homerun on the world stage. We internationalized aloha. We put it to the test and we succeeded. Mr. Speaker, Senator Inouye said we should be proud of what Hawaii has done and can do. He said we have the best bank, the best airline, we're the national leader in renewable energy, have the largest solar telescope in the world, serve as the home of the Pacific Command where we basically supervise the security of 50 percent of the world's geography, have the biggest shipyard, Pearl Harbor, have one of only two missile ranges in the nation, and grow 80 percent of the world's seed corn. With these seven strengths defining our competitive position in the global economy, Mr. Speaker, we are an exception place, Mr. Speaker.

"We live in an exceptional nation. If we're going to achieve our potential this Session, let us try to be all we can by being job creators, pie expanders, confidence builders and protect our community from cyber criminals. God bless the House, the people of Hawaii and our great nation. Thank you, and aloha."

The Chair then addressed Representative Ward, stating:

"Representative Ward, Thank you, very much. But may I make a correction for the Members of the House and the audience. That when you recognize a Member, you recognize them from the district he or she comes from and not their name on the Floor of the House. You got that? Everybody got that? In our debate on the Floor it's recognizing the Member by that particular district, and not by name. Thank you."

ANNOUNCEMENTS

Representative M. Lee: "Mr. Speaker, I would just like to invite the Members, both male and female, to stop by our office to sign the bills that are going to be part of the Women's Caucus Package and also the bills that are going to be part of the Kupuna Caucus Package. Thank you."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.B. **Nos.**

Referred to:

1666	Committee on Transportation, then to the Committee on Judiciary	1676	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1667	Committee on Education, then to the Committee on Finance	1677	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
1668	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance	1678	Committee on Economic Revitalization & Business, then to the Committee on Finance
1669	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	1679	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance
1670	Jointly to the Committee on Economic Revitalization & Business and the Committee on Higher Education, then to the Committee on Finance	1680	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance
1671	Committee on Economic Revitalization & Business, then to the Committee on Finance	1681	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance
1672	Committee on Judiciary, then to the Committee on Finance	1682	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
1673	Committee on Education, then to the Committee on Finance	1683	Committee on Education, then to the Committee on Finance
1674	Committee on Higher Education, then to the Committee on Finance	1684	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary
1675	Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance	1685	Committee on Transportation, then to the Committee on Judiciary
		1686	Committee on Economic Revitalization & Business, then to the Committee on Finance
		1687	Committee on Health, then to the Committee on Finance
		1688	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		1689	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
		1690	Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
		1691	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
		1692	Committee on Health, then to the Committee on Judiciary
		1693	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance
		1694	Committee on Economic Revitalization & Business, then to the Committee on Finance
		1695	Committee on Judiciary, then to the Committee on Finance

1696	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance	1719	Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance
1697	Committee on Finance	1720	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
1698	Committee on Labor & Public Employment, then to the Committee on Finance	1721	Committee on Health, then to the Committee on Judiciary
1699	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	1722	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Judiciary
1700	Committee on Health, then to the Committee on Judiciary	1723	Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
1701	Committee on Public Safety & Military Affairs, then to the Committee on Agriculture, then to the Committee on Finance	1724	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1702	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1725	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Finance
1703	Committee on Health, then to the Committee on Consumer Protection & Commerce	1726	Committee on Energy & Environmental Protection, then to the Committee on Finance
1704	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1727	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1705	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1728	Committee on Finance
1706	Committee on Housing, then to the Committee on Consumer Protection & Commerce	1729	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
1707	Committee on Tourism, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1730	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
1708	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	1731	Committee on Labor & Public Employment, then to the Committee on Finance
1709	Committee on Judiciary	1732	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1710	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1733	Jointly to the Committee on Housing and the Committee on Human Services, then to the Committee on Finance
1711	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1734	Jointly to the Committee on Housing and the Committee on Human Services, then to the Committee on Finance
1712	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	1735	Jointly to the Committee on Housing and the Committee on Human Services, then to the Committee on Finance
1713	Committee on Human Services, then to the Committee on Finance	1736	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1714	Committee on Human Services, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	1737	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1715	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1738	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1716	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1739	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1717	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	1740	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1718	Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance	1741	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1742 Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1743 Committee on Transportation, then to the Committee on Judiciary

1744 Committee on Labor & Public Employment, then to the Committee on Finance

1745 Jointly to the Committee on Hawaiian Affairs and the Committee on Health, then to the Committee on Finance

1746 Committee on Housing, then to the Committee on Consumer Protection & Commerce

1747 Committee on Agriculture, then to the Committee on Finance

1748 Committee on Agriculture, then to the Committee on Finance

1749 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1750 Committee on Housing, then to the Committee on Judiciary

1751 Committee on Labor & Public Employment, then to the Committee on Finance

1752 Committee on Labor & Public Employment, then to the Committee on Finance

1753 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1754 Committee on Judiciary, then to the Committee on Finance

1755 Committee on Judiciary, then to the Committee on Finance

1756 Committee on Judiciary, then to the Committee on Finance

1757 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance

1758 Committee on Economic Revitalization & Business, then to the Committee on Finance

1759 Committee on Transportation, then to the Committee on Judiciary

1760 Committee on Tourism, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

1761 Committee on Labor & Public Employment, then to the Committee on Finance

1762 Committee on Labor & Public Employment, then to the Committee on Finance

1763 Committee on Labor & Public Employment, then to the Committee on Finance

1764 Committee on Labor & Public Employment, then to the Committee on Judiciary

1765 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1766 Committee on Judiciary, then to the Committee on Finance

1767 Committee on Judiciary

1768 Committee on Economic Revitalization & Business, then to the Committee on Finance

1769 Committee on Judiciary, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

H.B.
No.

Re-referred to:

168 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance

ADJOURNMENT

At 10:50 o'clock a.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 19, 2012. (Representative Takumi was excused.)

OTHER COMMUNICATIONS



HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

October 27, 2011

RECEIVED

2011 OCT 27 P 2:30

SPEAKER'S OFFICE

Speaker Calvin K.Y. Say and Members of the
Hawaii State House of Representatives
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Mr. Speaker and Members of the House:

I write to notify you that I will be retiring from the Hawaii House on November 30, 2011. I have on this day accepted a position with the Hawaii State Bar Association, and will be the Executive Director of this organization beginning on December 1, 2011.

This was a very difficult decision for me as I have spent almost half of my life here with the Hawaii House. The Hawaii House is indeed my second home, and you and the Members and the staff, are my second family.

People here at the Capitol have been with me through life's joys and challenges. People in the Capitol helped me through my pregnancy and rejoiced with me when I gave birth to my daughter, Melissa, almost twenty-six years ago. When I experienced difficulties in my personal life, people in the Capitol helped me through dark times with encouraging words. When I began to experience health problems, people in the Capitol, especially the CCO staff, helped me watch my diet by keeping me away from sweets and fried foods, made sure I made it to exercise class, and helped me find the time to rest when I got tired on long deadline nights. And of course, at the Capitol, especially my "sister", CJ, was with me every step of the way when I had the kidney transplant two years ago.

I realized fully how fortunate I was to have people in the Capitol as my second family during the post-surgery recovery period. The Capitol phone calls and get well messages helped me through the hospitalization and recuperation periods. At the hospital, CCO and HMSO staff wore hospital masks and sanitized their hands and made sure I had short visits to keep me in a positive frame of mind.

When I returned home, the phone calls, cards, emails and fruit baskets were in abundance. Whenever I needed to talk to someone for companionship during my 30-

day "home quarantine" after the surgery, I could always find someone in the Capitol to call. Rep. Marumoto dropped by the first Saturday I was home and surprised me with a box of manapua—something I could not eat for 2 years due to dietary restrictions. CCO staff drove to Hawaii Kai with lunch [and light desk work] when they could. The Minority Caucus sent Chinese food. And when I was finally medically cleared to come back to the Capitol, a month earlier than initially forecasted, I had to argue with you, Mr. Speaker, for permission to come back to work.

My close to 30 years in the House was never boring. Each day was different, especially during the legislative sessions. I was privileged to be a part of many historic and sometimes tumultuous decision-making activities. And it was most fulfilling to be a part of administrative and procedural changes. I came to the House when magnetic cards were used for committee work and typewriters were normally used for office business. We have now moved to the networks, dual-screen computers and laptops, websites and webcasting of proceedings.

I have had the privilege of serving 5 House Speakers. Mahalo to Speaker Peters who personally recruited me from the City Council to serve in the then-House Majority Research Office. Speaker Richard Kawakami was the visionary who taught me how to use legislative studies and research to formulate a 5-year issue plan. Speaker Kihano showed me that compassion was a necessary quality in a leader. I will be forever grateful to Speaker Souki, a leader who has never wavered in his lifelong support for the poor, the aged, the disabled, and the disadvantaged, and who never hesitates to speak his mind, for appointing me to the position of House Clerk. And finally to you Mr. Speaker, I thank you for the trust you have placed in me over the years as our respective administrative roles in the House expanded significantly, especially in the areas of personnel management and internal fiscal control.

I have thoroughly enjoyed my tenure here in the House. And I have enjoyed serving you and all of the members of the House on both sides of the aisle for the past three decades. It has been a privilege to work with the diverse House permanent staff and the hundreds of session staff I have met. The staff is truly the heart and backbone of this great institution.

My family and I will forever remain grateful for all of the opportunities and friendships the House has provided me with.

Before closing I would like to take this opportunity to thank and acknowledge the staff of the House Clerk's Office, some who have been with me for over 20 years. The CCO permanent staff is a talented, hard working group of people who have supported me and made it possible for me to do my job. They quietly work behind the scenes and help run the House smoothly making it look effortless. They are true professionals who do not seek accolades or praise, but are satisfied when the group effort results in

success. They are the ones who really deserve praise and thanks. I would not have been able to do my job without each and every one of them.

I leave the House with a very heavy heart, and the House will always remain a part of me. In my heart I will always remain "Pat from the House".

Sincerely,



Patricia Mau-Shimizu
Hawaii House Clerk

cc: All House Staff

CALVIN K.Y. SAY
SPEAKER

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

November 25, 2011

MEMORANDUM

TO: House Chief Clerk Patricia Mau-Shimizu
FROM: Speaker Calvin K.Y. Say *Calvin Say*
SUBJECT: Appointment of C.J. Leong as Acting Chief Clerk

I have appointed Ms. C.J. Leong to serve as the Acting House Chief Clerk after your retirement. The appointment will take effect on December 1, 2011. Ms. Leong's salary will be provided in a forthcoming memorandum

cc: Ms. C.J. Leong, Acting House Chief Clerk-Designate
✓ Mr. Brian Takeshita, House Assistant Chief Clerk



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

December 6, 2011

The Honorable Calvin Say
Speaker of the House of Representatives
Hawaii State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Speaker Say:

I would like to take this opportunity to inform you that I have accepted an appointment by Governor Neil Abercrombie to serve as his Deputy Chief of Staff. Therefore, I hereby submit my notice of resignation as State Representative, House District 33 effective December 6, 2011.

It has been an honor and a privilege to serve District 33 and the State of Hawaii these past eleven years. I appreciate the opportunities I have been given to serve as Majority Floor Leader and Majority Leader during my time with you all, and will forever keep everyone's wisdom and guidance close to my heart.

As I look forward to taking on this new challenge, I leave the people's house with a heavy heart because of the many special relationships I have formed with my colleagues and the dedicated support staff within this venerable institution. However, I know our work will continue together as we all strive for a better future for Hawaii.

Aloha,



Blake K. Oshiro
State Representative

cc: The Honorable Neil Abercrombie, Governor, State of Hawaii
Ms. CJ Leong, Chief Clerk, Hawaii State House of Representatives

Representative Blake K. Oshiro, 33rd District
Also • Halewa Heights • Pearlridge • Roanoke
State Capitol #422 • Honolulu, Hawaii 96813
Phone: (808) 586-6340 • Fax: (808) 586-6341 • E-Mail: repboshiro@capitol.hawaii.gov
www.capitol.hawaii.gov

SECOND DAY

Thursday, January 19, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:02 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Mr. Emil Romolor of Representative Aquino's office, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 154) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 154, dated January 4, 2012, transmitting the Annual Report of the Hawaii Employer-Union Health Benefits Trust Fund for fiscal year ending June 30, 2011, pursuant to Chapter 87A, HRS.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 60 and 61) were received by the Clerk and were placed on file:

Dept. Com. No. 60, dated January 11, 2012, from Hermina Morita, Chair, Public Utilities Commission, transmitting the report pursuant to HRS 269-16(d), on Docket No. 2009-0310, Hawaii Water Service Co., Inc./Ka'anapali Division – Application for Approval of a General Rate Increase and Other Related Matters.

Dept. Com. No. 61, dated January 13, 2012, on M.R.C. Greenwood, President, University of Hawaii System, transmitting the Annual Report on University of Hawaii Special, Revolving, and Trust Funds FY2011, as required by Sections 304A-106 and 304A-2007, HRS, and Act 92, SLH 2011.

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Oshiro introduced Mr. Edgar Ruiz, Executive Director of the Council of State Governments – WEST.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 1991 through 2069) passed First Reading by title and were referred to Printing: (Representative Takai was excused.)

H. B. Nos.

1991 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Awana.

1992 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Representative Awana.

1993 "A BILL FOR AN ACT RELATING TO THE REGULATION OF CLEAN AND SOBER HOMES AND HALFWAY HOUSES."

Introduced by: Representatives Awana, Aquino, Cabanilla, Chong, Manahan, McKelvey, Mizuno, Tsuji, Yamane and Evans.

1994 "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING."

Introduced by: Representatives Awana, Aquino, Cabanilla, Evans, Hanohano, Manahan, McKelvey, Mizuno, Okamura, Yamane, Chong and Tsuji.

1995 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representatives Awana, Aquino, Cabanilla, Evans, Hanohano, Manahan, McKelvey, Mizuno, Okamura, Yamane, Chong and Tsuji.

1996 "A BILL FOR AN ACT RELATING TO VETERAN-OWNED BUSINESSES."

Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.

1997 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Nishimoto.

1998 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Nishimoto.

1999 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Nishimoto.

2000 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Nishimoto.

2001 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representative Nishimoto.

2002 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION."

Introduced by: Representative Oshiro.

2003 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Representative Choy.

2004 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Souki, Aquino, Cullen, Ichiyama, Keith-Agaran, Okamura and Yamashita.

2005	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."	2019	"A BILL FOR AN ACT RELATING TO MORTGAGES."
	Introduced by: Representatives Souki, Aquino, Cullen, Ichiyama, Keith-Agaran, Okamura and Yamashita.		Introduced by: Representative Herkes.
2006	"A BILL FOR AN ACT RELATING TO ETHANOL."	2020	"A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES."
	Introduced by: Representative Souki.		Introduced by: Representative Herkes.
2007	"A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME."	2021	"A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES."
	Introduced by: Representatives Takumi and Belatti.		Introduced by: Representatives M. Lee, Har, C. Lee, Rhoads, Takai, Yamane, Cabanilla and Jordan.
2008	"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."	2022	"A BILL FOR AN ACT RELATING TO EMERGENCY ASSISTANCE."
	Introduced by: Representatives Takumi and Belatti.		Introduced by: Representatives M. Lee, Awana, Brower, Har, Ichiyama, Johanson, Mizuno, Rhoads, Say, Takai and Yamane.
2009	"A BILL FOR AN ACT RELATING TO YELLOW PAGES PHONE BOOKS."	2023	"A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING."
	Introduced by: Representative Takumi.		Introduced by: Representatives M. Lee, Awana, Cabanilla, Mizuno, Takai, Jordan and Rhoads.
2010	"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."	2024	"A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
	Introduced by: Representatives Belatti and Takumi.		Introduced by: Representatives M. Lee, Awana, Chong, Mizuno, McKelvey, Takai, Ward, Jordan and Rhoads.
2011	"A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC HOSPITALIZATION."	2025	"A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
	Introduced by: Representatives Keith-Agaran and Rhoads.		Introduced by: Representatives M. Lee, Awana, Chong, McKelvey, Mizuno, Takai, Ward, Jordan and Rhoads.
2012	"A BILL FOR AN ACT RELATING TO THE STATE BUDGET."	2026	"A BILL FOR AN ACT RELATING TO FUNDS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2013	"A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS."	2027	"A BILL FOR AN ACT RELATING TO COMPUTER CRIME."
	Introduced by: Representatives Chang, Awana, Cullen, Ichiyama, Ito, McKelvey, Mizuno, Okamura, Tsuji, Yamashita, Cabanilla, Chong, Har and Hashem.		Introduced by: Representatives Keith-Agaran, Aquino, Brower, C. Lee, Nishimoto and Rhoads.
2014	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SECOND REPRESENTATIVE DISTRICT."	2028	"A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE."
	Introduced by: Representative Saiki.		Introduced by: Representative Keith-Agaran, by request.
2015	"A BILL FOR AN ACT RELATING TO THE PUBLIC GUARDIAN."	2029	"A BILL FOR AN ACT RELATING TO FIREARMS."
	Introduced by: Representative Saiki.		Introduced by: Representatives Keith-Agaran, Brower, Cullen, Fontaine, C. Lee, Nishimoto, Rhoads, Say, Takumi, Wooley, Yamane, Aquino, Choy, Evans, Manahan, McKelvey, Nakashima, Souki and Yamashita.
2016	"A BILL FOR AN ACT RELATING TO EVIDENCE."	2030	"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."
	Introduced by: Representative Saiki.		Introduced by: Representatives Keith-Agaran, Aquino, Brower, Cullen, Fontaine, Johanson, Kawakami, C. Lee, Luke, Morikawa, Nakashima, Nishimoto, Rhoads, Say, Souki, Takumi and Yamashita.
2017	"A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY."		
	Introduced by: Representatives Herkes and Souki.		
2018	"A BILL FOR AN ACT RELATING TO FORECLOSURES."		
	Introduced by: Representative Herkes.		

2031	"A BILL FOR AN ACT RELATING TO GENETICALLY-ENGINEERED FOOD."	2046	"A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION."
	Introduced by: Representatives Carroll, Awana and C. Lee.		Introduced by: Representatives Ito, Aquino, Awana, Cabanilla, Chang, Chong, Fontaine, Ichiyama, Johanson, Kawakami, M. Lee, Manahan, Marumoto, McKelvey, Okamura, Rhoads, Say, Souki, Thielen, Tsuji, Choy, Cullen, Har, Hashem, Nishimoto, Tokioka and Yamashita.
2032	"A BILL FOR AN ACT RELATING TO HUNTING."	2047	"A BILL FOR AN ACT RELATING TO INFORMATION PROTECTION."
	Introduced by: Representatives Carroll, Manahan, Chong, Jordan and Nakashima.		Introduced by: Representatives Ito, Chang, Har, Manahan, Tsuji, Chong, Souki and Yamashita.
2033	"A BILL FOR AN ACT RELATING TO MORTGAGE COLLECTIONS."	2048	"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
	Introduced by: Representatives Carroll, Awana, Evans, Manahan, Morikawa and Chong.		Introduced by: Representative Cabanilla.
2034	"A BILL FOR AN ACT RELATING TO FOOD LABELING."	2049	"A BILL FOR AN ACT RELATING TO HOUSING."
	Introduced by: Representatives Carroll, Wooley and C. Lee.		Introduced by: Representative Cabanilla.
2035	"A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."	2050	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
	Introduced by: Representative Yamane.		Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Chang, Cullen, Keith-Agaran, Manahan and Herkes.
2036	"A BILL FOR AN ACT RELATING TO TOURISM."	2051	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."
	Introduced by: Representative Brower.		Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Chang, Cullen, Manahan and Herkes.
2037	"A BILL FOR AN ACT RELATING TO TOURISM."	2052	"A BILL FOR AN ACT RELATING TO FORFEITURE."
	Introduced by: Representative Brower.		Introduced by: Representatives Cabanilla, Chang, Aquino and Herkes.
2038	"A BILL FOR AN ACT RELATING TO TOURISM."	2053	"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
	Introduced by: Representative Brower.		Introduced by: Representatives Takai, Belatti, Brower, C. Lee, M. Lee, Morikawa, Nakashima, Nishimoto, Okamura, Takumi and Saiki.
2039	"A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."	2054	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representatives Coffman and Nakashima.		Introduced by: Representatives Takai, Belatti, M. Lee, McKelvey, Morikawa, Nakashima, Nishimoto, Okamura and Saiki.
2040	"A BILL FOR AN ACT RELATING TO THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL."	2055	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representative Coffman.		Introduced by: Representatives Takai, Belatti, Brower, Cabanilla, Carroll, Hanohano, C. Lee, Luke, McKelvey, Morikawa, Nishimoto, Okamura, Saiki, Takumi and M. Lee.
2041	"A BILL FOR AN ACT RELATING TO ELECTRICITY."	2056	"A BILL FOR AN ACT RELATING TO EDUCATION."
	Introduced by: Representative Coffman.		Introduced by: Representatives Takai, Belatti, Morikawa, Nakashima, Nishimoto, Okamura, Johanson, M. Lee, Takumi and Wooley.
2042	"A BILL FOR AN ACT RELATING TO ENERGY."	2057	"A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."
	Introduced by: Representative Coffman.		Introduced by: Representatives Aquino, Cullen, Johanson, McKelvey, Morikawa and Okamura.
2043	"A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."		
	Introduced by: Representatives Coffman and Say.		
2044	"A BILL FOR AN ACT RELATING TO PROCUREMENT."		
	Introduced by: Representatives Ito, Chang, Keith-Agaran, Carroll, Marumoto, McKelvey, Souki, Tsuji and Yamashita.		
2045	"A BILL FOR AN ACT RELATING TO TAXATION."		
	Introduced by: Representatives Ito and Keith-Agaran.		

- 2058 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Representative Takumi.
- 2059 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Representatives McKelvey, Brower and Souki.
- 2060 "A BILL FOR AN ACT RELATING TO CHALLENGE COURSE TECHNOLOGY."
- Introduced by: Representatives McKelvey, Carroll, Yamashita, Nakashima and Souki.
- 2061 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH REPRESENTATIVE DISTRICT."
- Introduced by: Representative Aquino.
- 2062 "A BILL FOR AN ACT RELATING TO MUSIC THERAPY."
- Introduced by: Representative Aquino.
- 2063 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- Introduced by: Representative Aquino.
- 2064 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII WING CIVIL AIR PATROL."
- Introduced by: Representatives Aquino and Cullen.
- 2065 "A BILL FOR AN ACT RELATING TO HAWAII GOOD AGRICULTURAL PRACTICES."
- Introduced by: Representatives Evans, Awana, Belatti, Hashem and McKelvey.
- 2066 "A BILL FOR AN ACT RELATING TO PLANNING AND ECONOMIC DEVELOPMENT."
- Introduced by: Representatives Evans, Awana and McKelvey.
- 2067 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."
- Introduced by: Representatives Evans and Coffman.
- 2068 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Representatives Evans, Keith-Agaran and Souki.
- 2069 "A BILL FOR AN ACT RELATING TO HOUSING."
- Introduced by: Representatives Evans, Manahan and Rhoads.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 3 through 5) and concurrent resolutions (H.C.R. Nos. 3 through 7) were referred to Printing and further action was deferred:

H.R. No. 3, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A HAWAII STATE AIRPORT AUTHORITY TASK FORCE TO DETERMINE THE FEASIBILITY OF ESTABLISHING A HAWAII STATE AIRPORT AUTHORITY," was jointly offered by Representatives Souki and Ichiyama.

H.R. No. 4, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF HAWAII TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was offered by Representative Say, by request.

H.R. No. 5, entitled: "HOUSE RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was offered by Representative Keith-Agaran, by request.

H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING A DRAFT MEMORANDUM OF UNDERSTANDING AND COOPERATION BETWEEN THE STATE OF HAWAII AND THE LEAGUE OF CITIES OF THE PHILIPPINES," was jointly offered by Representatives Mizuno, Aquino, Brower, Cabanilla and Manahan.

H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A HAWAII STATE AIRPORT AUTHORITY TASK FORCE TO DETERMINE THE FEASIBILITY OF ESTABLISHING A HAWAII STATE AIRPORT AUTHORITY," was jointly offered by Representatives Souki and Ichiyama.

H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was offered by Representative Keith-Agaran, by request.

H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006," was offered by Representative Say, by request.

H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADDITION OF FINANCIAL LITERACY EDUCATION TO THE PUBLIC SCHOOL CURRICULUM," was offered by Representative Say, by request.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.B. Nos.

Referred to:

- 1770 Committee on Judiciary, then to the Committee on Finance
- 1771 Committee on Judiciary
- 1772 Committee on Judiciary
- 1773 Committee on Human Services, then to the Committee on Judiciary

1774	Committee on Judiciary, then to the Committee on Finance	1803	Committee on Labor & Public Employment, then to the Committee on Finance
1775	Committee on Judiciary	1804	Committee on Labor & Public Employment, then to the Committee on Finance
1776	Committee on Judiciary	1805	Committee on Labor & Public Employment, then to the Committee on Finance
1777	Committee on Judiciary, then to the Committee on Finance	1806	Committee on Labor & Public Employment, then to the Committee on Finance
1778	Committee on Judiciary	1807	Committee on Labor & Public Employment, then to the Committee on Finance
1779	Committee on Judiciary, then to the Committee on Finance	1808	Committee on Labor & Public Employment, then to the Committee on Finance
1780	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1809	Committee on Labor & Public Employment, then to the Committee on Finance
1781	Committee on Labor & Public Employment, then to the Committee on Finance	1810	Committee on Labor & Public Employment, then to the Committee on Finance
1782	Committee on Labor & Public Employment, then to the Committee on Finance	1811	Committee on Labor & Public Employment, then to the Committee on Finance
1783	Committee on Labor & Public Employment, then to the Committee on Finance	1812	Committee on Labor & Public Employment, then to the Committee on Finance
1784	Committee on Finance	1813	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1785	Committee on Judiciary, then to the Committee on Finance	1814	Jointly to the Committee on Economic Revitalization & Business and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1786	Committee on Agriculture, then to the Committee on Finance	1815	Committee on Labor & Public Employment, then to the Committee on Finance
1787	Committee on Agriculture, then to the Committee on Health, then to the Committee on Finance	1816	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
1788	Committee on Judiciary	1817	Committee on Labor & Public Employment, then to the Committee on Finance
1789	Committee on Judiciary, then to the Committee on Finance	1818	Committee on Labor & Public Employment, then to the Committee on Finance
1790	Committee on Transportation, then to the Committee on Judiciary	1819	Committee on Labor & Public Employment, then to the Committee on Finance
1791	Committee on Transportation, then to the Committee on Judiciary	1820	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1792	Jointly to the Committee on International Affairs and the Committee on Economic Revitalization & Business, then to the Committee on Finance	1821	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1793	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1822	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1794	Committee on Housing, then to the Committee on Judiciary	1823	Committee on Transportation, then to the Committee on Consumer Protection & Commerce
1795	Committee on Housing, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	1824	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1796	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance	1825	Committee on Judiciary, then to the Committee on Finance
1797	Committee on Judiciary, then to the Committee on Finance		
1798	Committee on Judiciary, then to the Committee on Finance		
1799	Committee on Labor & Public Employment, then to the Committee on Finance		
1800	Committee on Judiciary, then to the Committee on Finance		
1801	Committee on Labor & Public Employment, then to the Committee on Finance		
1802	Committee on Labor & Public Employment, then to the Committee on Finance		

1826	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	1853	Committee on Legislative Management
1827	Committee on Agriculture, then to the Committee on Finance	1854	Committee on Legislative Management
1828	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	1855	Committee on Legislative Management
1829	Committee on Economic Revitalization & Business, then to the Committee on Judiciary	1856	Committee on Public Safety & Military Affairs, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1830	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1857	Committee on Public Safety & Military Affairs, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1831	Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	1858	Committee on Labor & Public Employment, then to the Committee on Finance
1832	Jointly to the Committee on Agriculture and the Committee on Health, then to the Committee on Finance	1859	Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce
1833	Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance	1860	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1834	Committee on Finance	1861	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1835	Committee on Finance	1862	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1836	Committee on Finance	1863	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1837	Committee on Finance	1864	Committee on Legislative Management, then to the Committee on Judiciary
1838	Committee on Finance	1865	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1839	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	1866	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1840	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	1867	Jointly to the Committee on Transportation and the Committee on Economic Revitalization & Business, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1841	Committee on Economic Revitalization & Business	1868	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1842	Committee on Economic Revitalization & Business	1869	Committee on Agriculture, then to the Committee on Judiciary
1843	Committee on Economic Revitalization & Business	1870	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance
1844	Committee on Economic Revitalization & Business	1871	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
1845	Committee on Economic Revitalization & Business	1872	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1846	Committee on Health, then to the Committee on Finance	1873	Committee on Education, then to the Committee on Finance
1847	Committee on Labor & Public Employment, then to the Committee on Finance	1874	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1848	Committee on Labor & Public Employment, then to the Committee on Finance		
1849	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance		
1850	Committee on Transportation, then to the Committee on Judiciary		
1851	Committee on Legislative Management		
1852	Committee on Legislative Management		

1875	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	1898	Jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
1876	Committee on Health, then to the Committee on Consumer Protection & Commerce	1899	Committee on Health, then to the Committee on Consumer Protection & Commerce
1877	Committee on Labor & Public Employment, then to the Committee on Finance	1900	Committee on Human Services, then to the Committee on Finance
1878	Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1901	Committee on Human Services, then to the Committee on Finance
1879	Committee on Consumer Protection & Commerce, then to the Committee on Finance	1902	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1880	Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1903	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1881	Committee on Consumer Protection & Commerce, then to the Committee on Finance	1904	Committee on Higher Education, then to the Committee on Finance
1882	Committee on Consumer Protection & Commerce, then to the Committee on Finance	1905	Committee on Human Services
1883	Committee on Housing, then to the Committee on Consumer Protection & Commerce	1906	Committee on Human Services
1884	Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance	1907	Committee on Human Services
1885	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance	1908	Committee on Human Services
1886	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	1909	Committee on Human Services
1887	Committee on Housing, then to the Committee on Finance	1910	Jointly to the Committee on Human Services and the Committee on Health and the Committee on Housing, then to the Committee on Education, then to the Committee on Finance
1888	Committee on Transportation, then to the Committee on Consumer Protection & Commerce	1911	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
1889	Committee on Labor & Public Employment, then to the Committee on Finance	1912	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on International Affairs, then to the Committee on Finance
1890	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	1913	Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance
1891	Committee on Education, then to the Committee on Finance	1914	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1892	Committee on Judiciary, then to the Committee on Finance	1915	Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance
1893	Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection, then to the Committee on Finance	1916	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1894	Committee on Economic Revitalization & Business, then to the Committee on Finance	1917	Jointly to the Committee on Human Services and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1895	Jointly to the Committee on Economic Revitalization & Business and the Committee on Health, then to the Committee on Consumer Protection & Commerce	1918	Committee on Human Services, then jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary
1896	Jointly to the Committee on Economic Revitalization & Business and the Committee on Health, then to the Committee on Consumer Protection & Commerce	1919	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
1897	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce		

1920	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1944	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
1921	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1945	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1922	Committee on Human Services, then to the Committee on Finance	1946	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
1923	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1947	Committee on Agriculture, then to the Committee on Finance
1924	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	1948	Committee on Agriculture, then to the Committee on Judiciary
1925	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce	1949	Committee on Agriculture, then to the Committee on Water, Land, & Ocean Resources
1926	Committee on Health, then to the Committee on Judiciary	1950	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
1927	Committee on Judiciary	1951	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1928	Committee on Transportation, then to the Committee on Judiciary	1952	Committee on Health, then to the Committee on Finance
1929	Committee on Judiciary, then to the Committee on Finance	1953	Committee on Health, then to the Committee on Finance
1930	Committee on Energy & Environmental Protection	1954	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
1931	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance	1955	Committee on Health, then to the Committee on Finance
1932	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1956	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1933	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1957	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1934	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1958	Committee on Health, then to the Committee on Consumer Protection & Commerce
1935	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1959	Committee on Human Services, then to the Committee on Finance
1936	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	1960	Committee on Health, then to the Committee on Judiciary
1937	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance	1961	Committee on Health, then to the Committee on Judiciary
1938	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1962	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1939	Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	1963	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1940	Committee on Agriculture, then to the Committee on Finance	1964	Committee on Health, then to the Committee on Consumer Protection & Commerce
1941	Committee on Agriculture, then to the Committee on Transportation, then to the Committee on Finance	1965	Committee on Health, then to the Committee on Consumer Protection & Commerce
1942	Committee on Agriculture, then to the Committee on Finance	1966	Committee on Health, then to the Committee on Consumer Protection & Commerce
1943	Committee on Agriculture, then to the Committee on Finance	1967	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
		1968	Committee on Public Safety & Military Affairs, then to the Committee on Finance

1969	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	1994	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1970	Committee on Human Services, then to the Committee on Judiciary	1995	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1971	Committee on Housing, then to the Committee on Finance	1996	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
1972	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	1997	Committee on Higher Education
1973	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance	1998	Committee on Higher Education
1974	Committee on Public Safety & Military Affairs, then to the Committee on Finance	1999	Committee on Higher Education
1975	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2000	Committee on Higher Education
1976	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	2001	Committee on Higher Education
1977	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2002	Committee on Finance
1978	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2003	Committee on Economic Revitalization & Business, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce
1979	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2004	Committee on Transportation, then to the Committee on Finance
1980	Committee on Finance	2005	Committee on Transportation, then to the Committee on Finance
1981	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2006	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1982	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2007	Committee on Education, then to the Committee on Finance
1983	Committee on Culture & the Arts, then to the Committee on Finance	2008	Committee on Education, then to the Committee on Finance
1984	Committee on Hawaiian Affairs, then to the Committee on Finance	2009	Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1985	Committee on Judiciary, then to the Committee on Finance	2010	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
1986	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance	2011	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1987	Committee on Human Services, then to the Committee on Finance	2012	Committee on Finance
1988	Committee on Human Services, then to the Committee on Finance	2013	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
1989	Committee on Hawaiian Affairs	2014	Committee on Finance
1990	Committee on Hawaiian Affairs	2015	Committee on Judiciary, then to the Committee on Finance
1991	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2016	Committee on Judiciary
1992	Jointly to the Committee on Health and the Committee on Hawaiian Affairs, then to the Committee on Finance	2017	Committee on Transportation, then to the Committee on Consumer Protection & Commerce
1993	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2018	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2019	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2041	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
2020	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2042	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
2021	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce	2043	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2022	Committee on Health, then to the Committee on Finance	2044	Committee on Economic Revitalization & Business, then to the Committee on Finance
2023	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance	2045	Committee on Economic Revitalization & Business, then to the Committee on Finance
2024	Committee on Labor & Public Employment	2046	Committee on Education, then to the Committee on Finance
2025	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2047	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2026	Committee on Legislative Management, then to the Committee on Finance	2048	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
2027	Committee on Judiciary	2049	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance
2028	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	2050	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2029	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	2051	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2030	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	2052	Committee on Judiciary, then to the Committee on Finance
2031	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2053	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance
2032	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2054	Committee on Energy & Environmental Protection, then to the Committee on Finance
2033	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2055	Committee on Energy & Environmental Protection, then to the Committee on Finance
2034	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2056	Committee on Public Safety & Military Affairs, then to the Committee on Education, then to the Committee on Finance
2035	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2057	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2036	Committee on Tourism	2058	Committee on Health, then to the Committee on Education, then to the Committee on Finance
2037	Committee on Tourism	2059	Committee on Transportation, then to the Committee on Judiciary
2038	Committee on Tourism	2060	Jointly to the Committee on Economic Revitalization & Business and the Committee on Tourism, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2039	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2061	Committee on Finance
2040	Committee on Energy & Environmental Protection, then to the Committee on Finance	2062	Committee on Culture & the Arts, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		2063	Committee on Public Safety & Military Affairs, then to the Committee on Finance

- 2064 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 2065 Committee on Agriculture, then to the Committee on Finance
- 2066 Committee on Water, Land, & Ocean Resources, then to the Committee on Culture & the Arts, then to the Committee on Finance
- 2067 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
- 2068 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
- 2069 Committee on Housing, then to the Committee on Tourism, then to the Committee on Consumer Protection & Commerce

ADJOURNMENT

At 12:08 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, January 20, 2012. (Representative Takai was excused.)

THIRD DAY

Friday, January 20, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:02 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Pastor Allen Cardines of Hope Chapel Nanakuli, after which the Roll was called showing all Members present with the exception of Representatives Kawakami, Okamura, Saiki and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 155 through 180) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 155, dated December 12, 2011, transmitting the 2010-2011 Annual Report of the Disability and Communication Access Board, prepared by the Department of Health pursuant to Section 348F-4, HRS.

Gov. Msg. No. 156, dated December 12, 2011, transmitting the Annual Report on the Receipt and Expenditures from the Trauma System Special Fund, prepared by the Department of Health pursuant to Section 321-22.5(g), HRS.

Gov. Msg. No. 157, dated December 12, 2011, transmitting the Annual Report on the Receipt and Expenditures from the Emergency Medical Services Special Fund, prepared by the Department of Health pursuant to Section 321-234(d), HRS.

Gov. Msg. No. 158, dated December 12, 2011, transmitting a Report Relating to Healthcare-Associated Infections Reporting, prepared by the Department of Health pursuant to Act 177, SLH 2011.

Gov. Msg. No. 159, dated December 12, 2011, transmitting the Annual Report on Initiatives and Improvements in Kalaupapa Settlement and to Track Patient and Non-Patient Costs Separately, Whenever Appropriate and Possible, prepared by the Department of Health pursuant to Section 326-25.5, HRS.

Gov. Msg. No. 160, dated December 13, 2011, transmitting the Annual Audit Report of the Sanitation Branch, prepared by the Department of Health pursuant to Section 321-27.5, HRS.

Gov. Msg. No. 161, dated December 13, 2011, transmitting the Report on the Status of the Sanitation and Environmental Health Special Fund Fiscal Year 2011, prepared by the Department of Health pursuant to Section 321-27, HRS.

Gov. Msg. No. 162, dated December 13, 2011, transmitting the Report on the Financial Condition, Use of Funds, and Performance Outcomes for the Hawaii Tobacco Prevention and Control Trust Fund, submitted by the Department of Health on behalf of Hawaii Community Foundation pursuant to Act 164, Section 16, SLH 2011.

Gov. Msg. No. 163, dated December 13, 2011, transmitting the Report on the Expenditures of Funds from the Tobacco Master Settlement Agreement, prepared by the Department of Health pursuant to Act 164, Section 15, SLH 2011.

Gov. Msg. No. 164, dated December 13, 2011, transmitting the Report on Environmental Response Law and Hawaii Emergency Planning and Community Right to Know Act Financial and Environmental Site Information for FY2011, prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS.

Gov. Msg. No. 165, dated December 13, 2011, transmitting the Annual Report on the Drinking Water Treatment Revolving Loan Fund, prepared by the Department of Health pursuant to Section 340E-33, HRS.

Gov. Msg. No. 166, dated December 13, 2011, transmitting the Annual Report on the State Water Pollution Control Revolving Fund, prepared by the Department of Health pursuant to Section 342D-82, HRS.

Gov. Msg. No. 167, dated December 13, 2011, transmitting the Annual Report that Outlines the Status of the Office of Health Care Assurance Special Fund, prepared by the Department of Health pursuant to Section 321-1.4, HRS.

Gov. Msg. No. 168, dated December 13, 2011, transmitting the Annual Financial Report for the Newborn Metabolic Screening Special Fund, prepared by the Department of Health pursuant to Section 321-291, HRS.

Gov. Msg. No. 169, dated December 13, 2011, transmitting the Annual Report on the Implementation of the State Plan, prepared by the Department of Health pursuant to Section 334-10(E), HRS.

Gov. Msg. No. 170, dated December 13, 2011, transmitting the following reports prepared by the Department of Health, Alcohol and Drug Abuse Division: Report on the Implementation of the State Plan for Substance Abuse, pursuant to Section 321-195, HRS; Report by the Hawaii Drug Advisory Commission on Drug Abuse and Controlled Substances, pursuant to Section 329-3, HRS; Status Report on the Coordination of Offender Substance Abuse Treatment Programs, pursuant to Act 161, Section 10, SLH 2002; and the Progress Report on the Substance Abuse Treatment Monitoring Program, pursuant to Act 40, Section 29, SLH 2004.

Gov. Msg. No. 171, dated December 13, 2011, transmitting a Report on the Implementation of a Statewide Classification Program for Shellfish Growing Areas, prepared by the Department of Health pursuant to H.C.R. No. 238 (2011).

Gov. Msg. No. 172, dated December 14, 2011, transmitting the Report on the Primary Care Incentive Program, prepared by the Department of Health pursuant to Section 321-1.5(6), HRS.

Gov. Msg. No. 173, dated December 16, 2011, transmitting the Annual Report on the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities, prepared by the Department of Health pursuant to Section 340B-12, HRS.

Gov. Msg. No. 174, dated December 16, 2011, transmitting the Annual Report on the Mental Health and Substance Abuse Special Fund, prepared by the Department of Health pursuant to Section 334-15, HRS.

Gov. Msg. No. 175, dated December 19, 2011, transmitting the Annual Report on the Number of Persons Waiting for Developmental Disability or Intellectual Disabilities Services and Supports, prepared by the Department of Health pursuant to Section 333F-6, HRS.

Gov. Msg. No. 176, dated December 19, 2011, transmitting the Annual Report on the Activities under the Neurotrauma Special Fund, prepared by the Department of Health pursuant to Section 321H-4, HRS.

Gov. Msg. No. 177, dated December 20, 2011, transmitting the Report on the Expenditure of all Funds for the Comprehensive Breast and Cervical Cancer Control Program, prepared by the Department of Health pursuant to Act 52, Section 4, SLH 2008.

Gov. Msg. No. 178, dated December 20, 2011, transmitting the Annual Report for the Domestic Violence and Sexual Assault Special Fund, prepared by the Department of Health pursuant to Section 321-1.3, HRS.

Gov. Msg. No. 179, dated December 20, 2011, transmitting the Annual Report on Forensic Patient Data, Specific to the Hawaii State Hospital, prepared by the Department of Health pursuant to Section 334-16, HRS.

Gov. Msg. No. 180, dated January 4, 2012, pursuant to Section 88-9(f), transmitting a letter informing the House that the Department of Human Resources Development reports that no retirants were hired to fill labor shortage or difficult-to-fill positions in the calendar year 2011.

The following messages from the Governor (Gov. Msg. Nos. 181 and 182) were received and announced by the Clerk:

Gov. Msg. No. 181, dated January 19, 2012, transmitting a letter pursuant to Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of H.B. No. 608, Relating to Health, which appropriate funds to support kidney and liver transplants in Hawaii.

Gov. Msg. No. 182, dated January 19, 2012, transmitting a letter pursuant to Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of S.B. No. 809, Relating to the University of Hawaii, which increases the University of Hawaii's authorization to issue revenue bonds for the purpose of financing the construction and maintenance of qualifying capital improvement projects, and also appropriates revenue bond proceeds.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1 and 2) were received and announced by the Clerk:

Sen. Com. No. 1, transmitting H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2012," which was adopted by the Senate on January 19, 2012.

Sen. Com. No. 2, transmitting H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," which was adopted by the Senate on January 19, 2012.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 62 and 63) were received by the Clerk and were placed on file:

Dept. Com. No. 62, dated December 29, 2011, from the State of Hawaii 2011 Reapportionment Commission, submitting the Final Reapportionment Commission Report, pursuant to Article III, Section 4, Hawaii State Constitution, and Section 25-2, HRS.

Dept. Com. No. 63, dated January 5, 2012, from Anthony J.H. Ching, Executive Director, Hawaii Community Development Authority, transmitting the report of the Public Hearing on Repeal of Title 15, Chapter 16, HAR, Relating to the Rules of Practice and Procedure; and Adoption of Title 15, Chapter 219, HAR, Relating to the Rules of Practice and Procedure, pursuant to Act 251, SLH 2006.

INTRODUCTIONS

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

Representative Riviere introduced the 4th grade students and teachers of Waialua Elementary School.

Representative McKelvey introduced UH Hilo instructors with the PISCES (Pacific International Space Center for Exploration Systems) Program: Mr. John Hamilton, Operations Manager, and Mr. Christian Anderson, Assistant Operations Manager.

Representative Ward introduced former UH Board of Regents member, Prof. Malene Hapai, wife of former Representative Archie Hapai, III of the Big Island.

Representative Fontaine introduced Ms. Pamela Tumpap, President of the Maui Chamber of Commerce.

Representative Morikawa introduced Mr. Randy Francisco, President and CEO of the Kauai Chamber of Commerce; and Ms. Cindy Goldstein with Pioneer Hi-Bred.

Representative Ching introduced Mr. David Rolf, Executive Director of the Hawaii Auto Dealers Association.

Representative Carroll introduced Mr. Robert Stephenson, President of the Molokai Chamber of Commerce, and Mr. Daniel Goya, Program Manager-Ka Pa'alana, Partners in Development Foundation.

Representative C. Lee, on behalf of the Windward delegation, introduced members of the Kailua Chamber of Commerce, Ms. Nancy Cullen and Mr. Ryan Kalama; and Kailua resident, Mr. Mark Stoutemyer with Pioneer Hi-Bred.

Representative Rhoads introduced his constituent, Ms. Sherry Menor-McNamara of the Chamber of Commerce of Hawaii.

Representative Evans introduced Ms. Vivian Landrum, President and CEO of the Kona-Kohala Chamber of Commerce.

Representative Marumoto introduced members of the Arthritis Foundation, Ms. Jennifer Hee, President, and Ms. Tiffany Butac, Program Director.

Representative Marumoto also introduced her son's in-laws, Mrs. Mary Carroll and Mr. Joe Mark Davidson from San Diego, California, and their granddaughter, Miss Lani Marumoto.

The following exchange student shadows participating in the Youth Exchange and Study Program (YES) were introduced:

Representative Tokioka introduced his YES shadow, Mr. Ahmad 'Mike' Tabieh of Jordan attending Island School on Kauai. He was accompanied by legislative staff, Ms. Eddieann Lim.

Representative Jordan introduced her YES Program shadow, Mr. Fahmi Afandi of Indonesia attending Waianae High School.

Representative Awana introduced her YES Program shadow, Ms. Salma Kahn of Pakistan attending Nanakuli High and Intermediate School.

Vice Speaker Manahan introduced his YES Program shadow, Ms. Nazlican Kaya of Turkey attending Castle High School. She was accompanied by legislative staff, Ms. Karen Iwamoto; and University of Hawaii student intern, Ms. Radiant Codero.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 2070 through 2149) passed First Reading by title and were referred to Printing: (Representatives Kawakami, Okamura, Saiki, Takai and Tokioka were excused.)

H. B. Nos.

2070 "A BILL FOR AN ACT RELATING TO HIGHWAY TRAFFIC."

Introduced by: Representatives Awana, Evans, Mizuno, Souki and Ichiyama.

2071 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representatives Awana, Mizuno, Souki and Ichiyama.

2072 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representatives Awana, Evans, Mizuno and Souki.

2073 "A BILL FOR AN ACT RELATING TO THE HAWAII LEGACY TRUST FUND."
Introduced by: Representatives Awana, Evans and Mizuno.

2074 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Representatives Awana, Hanohano, Manahan, Mizuno, Evans and McKelvey.

2075 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representative Choy.

2076 "A BILL FOR AN ACT RELATING TO MILK."
Introduced by: Representative Hanohano.

2077 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."
Introduced by: Representative Choy.

2078 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representative Choy.

2079 "A BILL FOR AN ACT RELATING TO THE STATE MICROBE."
Introduced by: Representative Tokioka.

2080 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
Introduced by: Representative Nishimoto, by request.

2081 "A BILL FOR AN ACT RELATING TO MOPEDS."
Introduced by: Representative Nishimoto, by request.

2082 "A BILL FOR AN ACT RELATING TO BUSINESS ENTITIES."
Introduced by: Representative Nishimoto, by request.

2083 "A BILL FOR AN ACT RELATING TO SUN SHADE DEVICES."
Introduced by: Representative Nishimoto, by request.

2084 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING AUTHORITY."
Introduced by: Representatives Luke, Awana, Belatti, Brower, Carroll, Evans, Hanohano, Marumoto, Mizuno, Morikawa, Nishimoto, Okamura, Souki, Cullen, Herkes, Jordan, Pine, Riviere, Thielen and Ward.

2085 "A BILL FOR AN ACT RELATING TO CABLE SERVICE."
Introduced by: Representatives Luke, Awana, Brower, Cabanilla, Hanohano, C. Lee, Mizuno, Morikawa, Nishimoto, Rhoads, Takai, Ching, Chong, Evans, Ichiyama, Johanson, Keith-Agaran, Manahan, Marumoto, Nakashima, Okamura, Riviere, Souki and Tsuji.

2086 "A BILL FOR AN ACT RELATING TO SHERIFFS."
Introduced by: Representatives Luke, Brower, Evans, Morikawa, Nishimoto, Okamura, Cullen, Herkes and Marumoto.

2087 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representatives Luke, Brower, Cabanilla, Evans, Hanohano, Ito, Keith-Agaran, C. Lee, Manahan, Marumoto, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Pine, Takai, Thielen, Ward, Wooley, Awana, Carroll, Ching, Chong, Cullen, Ichiyama, Johanson, Jordan, Riviere, Souki, Tsuji and Yamane.

2088 "A BILL FOR AN ACT RELATING TO THE JOHN A. BURNS SCHOOL OF MEDICINE."
Introduced by: Representatives Luke, Nishimoto, Cullen, Evans, Herkes, Morikawa and Okamura.

2089 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representatives Takumi and Rhoads.

2090 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN BUSINESSES."
Introduced by: Representatives Nakashima, Aquino, Awana, Evans, Hanohano, Ichiyama, Johanson, Kawakami, Manahan, Okamura, Takai, Tsuji, Yamashita, Chong, Herkes, McKelvey and Rhoads.

2091 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Nakashima, Chang, Hanohano, Tsuji, Coffman, Evans and Herkes.

2092 "A BILL FOR AN ACT RELATING TO KANAKA MAOLI FISHPONDS."
Introduced by: Representatives Nakashima, Aquino, Awana, Evans, Hanohano, Har, Ichiyama, Kawakami, Manahan, McKelvey, Okamura, Takai, Tsuji, Yamashita, Chang, Chong, Herkes, Johanson and Rhoads.

2093 "A BILL FOR AN ACT RELATING TO AGRICULTURAL EDUCATION."
Introduced by: Representatives Nakashima, Chang, Evans, Hanohano, Hashem, Herkes and Tsuji.

2094 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL DISASTER RESPONSE."
Introduced by: Representatives Nakashima, Chang, Hanohano, Evans and Tsuji.

2095 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Rhoads and Takumi.

2096 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
Introduced by: Representatives Rhoads, Aquino, Awana, Belatti, Brower, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Cullen, Evans, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Jordan, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Oshiro, Say, Takai, Tokioka, Tsuji, Wooley, Yamane, Yamashita, Saiki, Souki and Takumi.

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| <p>2097 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC."</p> <p>Introduced by: Representative Rhoads.</p> <p>2098 "A BILL FOR AN ACT RELATING TO ELDER ABUSE."</p> <p>Introduced by: Representative Rhoads.</p> <p>2099 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."</p> <p>Introduced by: Representative Rhoads.</p> <p>2100 "A BILL FOR AN ACT RELATING TO BEES."</p> <p>Introduced by: Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hanohano, Hashem, Herkes, McKelvey, Nakashima, Nishimoto, Yamashita and Coffman.</p> <p>2101 "A BILL FOR AN ACT RELATING TO GENETICALLY ENGINEERED FISH."</p> <p>Introduced by: Representatives Carroll and McKelvey.</p> <p>2102 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."</p> <p>Introduced by: Representative Say, by request.</p> <p>2103 "A BILL FOR AN ACT RELATING TO THE BANK OF THE STATE OF HAWAII."</p> <p>Introduced by: Representatives Say, Choy, Herkes, McKelvey, Oshiro and Tsuji.</p> <p>2104 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."</p> <p>Introduced by: Representatives M. Lee, Awana, Belatti, Cabanilla, Hanohano, Ichiyama, Mizuno, Nishimoto, Takai and Jordan.</p> <p>2105 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives M. Lee, Awana, Brower, Hanohano, Mizuno, Morikawa, Choy, Herkes and Nakashima.</p> <p>2106 "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FUNDS."</p> <p>Introduced by: Representatives M. Lee, Awana, Mizuno, Nishimoto, Takai, Chang, Jordan and Rhoads.</p> <p>2107 "A BILL FOR AN ACT RELATING TO COPPER REDEMPTION."</p> <p>Introduced by: Representatives M. Lee, Mizuno, Takai, Aquino, Awana, Cullen and Rhoads.</p> <p>2108 "A BILL FOR AN ACT RELATING TO BODY PIERCING."</p> <p>Introduced by: Representatives Takai, Brower, Evans, Keith-Agaran, Morikawa, Nishimoto and Wooley.</p> <p>2109 "A BILL FOR AN ACT RELATING TO TATTOOS."</p> <p>Introduced by: Representatives Takai, Brower, Keith-Agaran, Morikawa, Nishimoto and Wooley.</p> | <p>2110 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."</p> <p>Introduced by: Representatives Takai, Cabanilla, M. Lee, Morikawa, Nishimoto, Okamura, Wooley, Belatti, Cullen, Johanson and Nakashima.</p> <p>2111 "A BILL FOR AN ACT RELATING TO THE SELECTIVE SERVICE REGISTRATION AWARENESS AND COMPLIANCE ACT."</p> <p>Introduced by: Representatives Takai, Aquino, Awana, Belatti, Cabanilla, Chang, Ching, Cullen, Fontaine, Hanohano, Johanson, Keith-Agaran, M. Lee, Luke, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Wooley, Ichiyama and Souki.</p> <p>2112 "A BILL FOR AN ACT RELATING TO RE-OPENING THE KULANI CORRECTIONAL FACILITY."</p> <p>Introduced by: Representatives Takai, Belatti, Hanohano, M. Lee, Morikawa, Nakashima, Nishimoto, Okamura, Cullen, Johanson and Takumi.</p> <p>2113 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."</p> <p>Introduced by: Representatives Yamane, Aquino, Cullen and Manahan.</p> <p>2114 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE."</p> <p>Introduced by: Representative Yamane.</p> <p>2115 "A BILL FOR AN ACT RELATING TO CANCER."</p> <p>Introduced by: Representative Yamane.</p> <p>2116 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives Yamane, Carroll, Chang, Cullen, Keith-Agaran, Manahan, Morikawa, Souki, Tokioka, Tsuji and Yamashita.</p> <p>2117 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives Yamane and Chang.</p> <p>2118 "A BILL FOR AN ACT RELATING TO FUEL TAX."</p> <p>Introduced by: Representative Hanohano.</p> <p>2119 "A BILL FOR AN ACT RELATING TO PROCUREMENT."</p> <p>Introduced by: Representatives Chong, Choy, Manahan, McKelvey, Say, Tokioka, Yamashita and Herkes.</p> <p>2120 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representatives Chong, Mizuno, Yamashita, M. Lee and Yamane.</p> <p>2121 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."</p> <p>Introduced by: Representatives Chong and Yamashita.</p> <p>2122 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."</p> <p>Introduced by: Representatives Chong, Har, Say and Yamashita.</p> |
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2123	"A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."	2136	"A BILL FOR AN ACT RELATING TO THE SUPER BOWL."
	Introduced by: Representatives Chong, Choy, M. Lee, Oshiro, Tokioka, Tsuji, Yamashita and Say.		Introduced by: Representatives Mizuno, Brower and Cabanilla.
2124	"A BILL FOR AN ACT RELATING TO FIRE PROTECTION."	2137	"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
	Introduced by: Representatives Aquino, Cullen, Manahan and Yamane.		Introduced by: Representatives Mizuno, Awana, Cullen, Hanohano, McKelvey, Okamura, Pine and Thielen.
2125	"A BILL FOR AN ACT RELATING TO AQUARIUM FISH."	2138	"A BILL FOR AN ACT RELATING TO MEDICAID."
	Introduced by: Representative Evans.		Introduced by: Representatives Mizuno, Awana, Hanohano, McKelvey, Okamura, Pine, Thielen, Aquino, Cullen, Evans, Har, Ichiyama and Johanson.
2126	"A BILL FOR AN ACT RELATING TO HOUSING."	2139	"A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS."
	Introduced by: Representatives Evans, Cabanilla and Mizuno.		Introduced by: Representatives Mizuno, Evans, Hanohano, Okamura, Pine, Thielen, Aquino, Cullen, Ichiyama, Johanson and McKelvey.
2127	"A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY."	2140	"A BILL FOR AN ACT RELATING TO CHILD PROTECTION."
	Introduced by: Representatives Evans, Awana, Chang, Coffman, Hanohano, McKelvey, Herkes and Nakashima.		Introduced by: Representatives Mizuno, Awana, Evans, Hanohano, McKelvey, Okamura, Aquino, Cullen, Har, Ichiyama and Pine.
2128	"A BILL FOR AN ACT RELATING TO GRAY WATER."	2141	"A BILL FOR AN ACT RELATING TO EDUCATION."
	Introduced by: Representatives Evans, Hashem and Herkes.		Introduced by: Representatives Mizuno, Aquino, Awana, Cullen, Evans, Hanohano, Har, Johanson, McKelvey, Okamura, Pine, Thielen and Ichiyama.
2129	"A BILL FOR AN ACT RELATING TO AQUARIUM FISH."	2142	"A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."
	Introduced by: Representative Evans.		Introduced by: Representatives Cabanilla and Keith-Agaran.
2130	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."	2143	"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."
	Introduced by: Representatives Mizuno, Aquino, Cabanilla, Carroll, Chang, Cullen, Keith-Agaran, Manahan, Chong and Herkes.		Introduced by: Representatives Cabanilla, Aquino, Carroll, Chong and Keith-Agaran.
2131	"A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES."	2144	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representatives Mizuno, Aquino, Cabanilla, Chang, Cullen, Keith-Agaran, Manahan and Herkes.		Introduced by: Representatives Cabanilla, Aquino, Chong, Ichiyama, Keith-Agaran and Takumi.
2132	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES."	2145	"A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
	Introduced by: Representative Mizuno.		Introduced by: Representatives McKelvey, Evans and Say.
2133	"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."	2146	"A BILL FOR AN ACT RELATING TO TAXATION."
	Introduced by: Representatives Mizuno, Aquino, Awana, Brower, Manahan and Yamane.		Introduced by: Representatives McKelvey, Carroll and Evans.
2134	"A BILL FOR AN ACT RELATING TO CRIME."	2147	"A BILL FOR AN ACT RELATING TO COMPUTER CRIME."
	Introduced by: Representative Mizuno, by request.		Introduced by: Representatives McKelvey, Evans and Ward.
2135	"A BILL FOR AN ACT RELATING TO SPORTS."		
	Introduced by: Representatives Mizuno, Brower and Cabanilla.		

2148 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives McKelvey and Evans.

2149 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KOREAN AND VIETNAM MEMORIAL."

Introduced by: Representatives McKelvey, Carroll and Evans.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 6 through 8) and concurrent resolutions (H.C.R. Nos. 8 through 10) were referred to Printing and further action was deferred:

H.R. No. 6, entitled: "REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO AMEND CHAPTER 188, HAWAII REVISED STATUTES, BY ADDING A NEW SECTION TO BE APPROPRIATELY DESIGNATED PROHIBITING THE SALE OF AQUATIC LIFE FOR AQUARIUM PURPOSES AND AMEND EXISTING SECTION 188F-4 REGARDING THE WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN DUPLICATE; A RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A MORATORIUM ON THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS; AND REQUESTING THE HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT A RULE PROHIBITING THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS," was offered by Representative Say, by request.

H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was jointly offered by Representatives M. Lee, Awana, Brower, Hanohano, Mizuno, Morikawa, Choy, Herkes and Nakashima.

H.R. No. 8, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADDRESS THE HIGH COST OF INCARCERATION WITHOUT REHABILITATION BY ESTABLISHING APPROPRIATE REHABILITATION PROGRAMS IN LIEU OF INCARCERATION FOR CERTAIN CONVICTED INDIVIDUALS," was jointly offered by Representatives C. Lee and Hanohano.

H.C.R. No. 8, entitled: "REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO AMEND CHAPTER 188, HAWAII REVISED STATUTES, BY ADDING A NEW SECTION TO BE APPROPRIATELY DESIGNATED PROHIBITING THE SALE OF AQUATIC LIFE FOR AQUARIUM PURPOSES AND AMEND EXISTING SECTION 188F-4 REGARDING THE WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN MANAGEMENT AREA PLAN AND SECTION 189-11 REGARDING RECEIPTS IN DUPLICATE; A RESOLUTION REQUESTING THE GOVERNOR TO ISSUE A MORATORIUM ON THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS; AND REQUESTING THE HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT A RULE PROHIBITING THE COMMERCIAL TAKE AND SALE OF AQUATIC LIFE TAKEN FOR AQUARIUM PURPOSES FROM STATE WATERS," was offered by Representative Say, by request.

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was jointly offered by Representatives M. Lee, Awana, Brower, Hanohano, Mizuno, Morikawa, Choy, Herkes and Nakashima.

H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADDRESS THE HIGH COST OF INCARCERATION WITHOUT REHABILITATION BY ESTABLISHING APPROPRIATE REHABILITATION PROGRAMS IN LIEU OF INCARCERATION FOR CERTAIN CONVICTED INDIVIDUALS," was jointly offered by Representatives C. Lee and Hanohano.

ANNOUNCEMENTS

Vice Speaker Manahan: "The Chair would like to remind the Members that on Monday we will convene at 9:00 a.m. for our regular floor session, and then convene in Joint Session at 10:00 a.m. in this Chamber for the Governor's State of the State Address."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.B. Nos.</u>	<u>Referred to:</u>
2070	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2071	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2072	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2073	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2074	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2075	Committee on Economic Revitalization & Business, then to the Committee on Finance
2076	Committee on Health, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
2077	Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2078	Committee on Tourism, then to the Committee on Finance
2079	Committee on Health
2080	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2081	Committee on Transportation, then to the Committee on Judiciary

2082	Committee on Economic Revitalization & Business, then to the Committee on Finance	2103	Jointly to the Committee on Economic Revitalization & Business and the Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2083	Committee on Transportation, then to the Committee on Judiciary	2104	Committee on Human Services, then to the Committee on Transportation, then to the Committee on Finance
2084	Committee on Housing, then to the Committee on Legislative Management, then to the Committee on Finance	2105	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2085	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2106	Committee on Education, then to the Committee on Finance
2086	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2107	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2087	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2108	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2088	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance	2109	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2089	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2110	Committee on Public Safety & Military Affairs, then to the Committee on Education
2090	Committee on Economic Revitalization & Business, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2111	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Judiciary
2091	Committee on Education, then to the Committee on Finance	2112	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2092	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2113	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2093	Committee on Agriculture, then jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance	2114	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2094	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2115	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2095	Committee on Economic Revitalization & Business, then to the Committee on Finance	2116	Committee on Health, then to the Committee on Finance
2096	Committee on Labor & Public Employment, then to the Committee on Finance	2117	Committee on Energy & Environmental Protection, then to the Committee on Finance
2097	Committee on Health, then to the Committee on Finance	2118	Committee on Transportation, then to the Committee on Finance
2098	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2119	Committee on Economic Revitalization & Business, then to the Committee on Finance
2099	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2120	Committee on Health, then to the Committee on Finance
2100	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance	2121	Committee on Energy & Environmental Protection, then to the Committee on Finance
2101	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2122	Committee on Economic Revitalization & Business, then to the Committee on Finance
2102	Committee on Labor & Public Employment, then to the Committee on Finance	2123	Committee on Finance
		2124	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		2125	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

2126	Committee on Housing, then to the Committee on Finance	<u>H.R.</u>	
2127	Committee on Education, then to the Committee on Finance	<u>Nos.</u>	<u>Referred to:</u>
2128	Committee on Energy & Environmental Protection, then to the Committee on Finance	3	Committee on Transportation, then to the Committee on Finance
2129	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	4	Committee on Tourism, then to the Committee on Finance
2130	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	5	Committee on Judiciary, then to the Committee on Finance
2131	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	<u>H.C.R.</u>	<u>Referred to:</u>
2132	Committee on Human Services, then to the Committee on Judiciary	<u>Nos.</u>	
2133	Jointly to the Committee on Human Services and the Committee on Culture & the Arts, then to the Committee on Finance	3	Committee on International Affairs, then to the Committee on Finance
2134	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	4	Committee on Transportation, then to the Committee on Finance
2135	Committee on Economic Revitalization & Business, then to the Committee on Finance	5	Committee on Judiciary, then to the Committee on Finance
2136	Committee on Economic Revitalization & Business, then to the Committee on Finance	6	Jointly to the Committee on Hawaiian Affairs and the Committee on Health, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
2137	Committee on Judiciary	7	Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

2138	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	<u>H.B.</u>	
2139	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	<u>Nos.</u>	<u>Re-referred to:</u>
2140	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	1868	Committee on Consumer Protection & Commerce
2141	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	1870	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Finance
2142	Jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, then to the Committee on Education, then to the Committee on Finance	1871	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
2143	Committee on Housing, then to the Committee on Finance	2006	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Consumer Protection & Commerce
2144	Committee on Housing, then to the Committee on Finance	2052	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2145	Committee on Economic Revitalization & Business, then to the Committee on Finance		

ADJOURNMENT

2146	Committee on Economic Revitalization & Business, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2147	Committee on Judiciary
2148	Committee on Finance
2149	Committee on Public Safety & Military Affairs, then to the Committee on Finance

At 12:20 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 9:00 o'clock a.m. Monday, January 23, 2012. (Representatives Kawakami, Okamura, Saiki, Takai and Tokioka were excused.)

FOURTH DAY

Monday, January 23, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 9:04 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Ms. Kate Bryant-Greenwood of Representative Belatti's office, after which the Roll was called showing all Members present with the exception of Representatives M. Lee, Pine and Wooley, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 183 and 184) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 183, dated January 12, 2012, transmitting the Agency Privacy Designee Compliance Listing, prepared by the Department of Accounting and General Services, Information Privacy and Security Council, pursuant to Act 10, SLH 2008, and certification by entities that they will comply with Part VII, Section 11, of Act 10.

Gov. Msg. No. 184, dated January 18, 2012, transmitting the Self-Sufficiency Income Standard Estimates for 2008 and the Report on Criteria Used to Measure Growth of Emerging Industries, prepared by the Department of Business, Economic Development and Tourism pursuant to Sections 201-3(b) and 201-19(b), HRS.

INTRODUCTIONS

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

Representative Aquino introduced Mr. Hernando Tan, President of Unite HERE, Local 5.

Representative C. Lee introduced Mr. Renwick 'Uncle Joe' Tassill.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Thielen and carried, the following bills (H.B. Nos. 2150 through 2319) passed First Reading by title and were referred to Printing: (Representatives Pine and Wooley were excused.)

H. B. Nos.

2150 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Chang, Har, Hashem, Herkes, Ichiyama, Ito, Souki and Tsuji.

2151 "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS."

Introduced by: Representatives Chang, Har, Hashem, Herkes, Ichiyama, Ito, Tsuji and Souki.

2152 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Souki, Aquino, Cullen, Keith-Agaran, Oshiro, Rhoads and Yamashita.

2153 "A BILL FOR AN ACT RELATING TO TOLL ROADS."

Introduced by: Representatives Souki, Ichiyama and Yamashita.

2154 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS."

Introduced by: Representatives Souki, Chang, Chong, Har, Ito, McKelvey, Oshiro, Say, Yamashita and Keith-Agaran.

2155 "A BILL FOR AN ACT RELATING TO JUDICIAL NOMINEES."

Introduced by: Representatives Marumoto, Thielen, Yamashita, Ito, Luke and McKelvey.

2156 "A BILL FOR AN ACT RELATING TO PUBLIC LAND DEVELOPMENT CORPORATION."

Introduced by: Representatives Hanohano, Luke, Wooley and Brower.

2157 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS."

Introduced by: Representatives Har, Chang, Chong, Ito, Say and Souki.

2158 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Har, Aquino, Cullen, Herkes, M. Lee and Yamane.

2159 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Har, Aquino, Cullen, Herkes, M. Lee and Yamane.

2160 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Har, Cullen and McKelvey.

2161 "A BILL FOR AN ACT RELATING TO DOGS."

Introduced by: Representatives Har, Chang, Choy, Cullen, Ito, Kawakami, McKelvey, Yamane, Aquino, Hashem, Ichiyama, Jordan and Tokioka.

2162 "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9."

Introduced by: Representative Herkes.

2163 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Thielen.

2164 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representative Thielen.

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| <p>2165 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."</p> <p>Introduced by: Representative Marumoto.</p> <p>2166 "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE."</p> <p>Introduced by: Representatives Evans, Awana, Hanohano, Hashem, Morikawa, Nakashima, Nishimoto, Carroll, Coffman, Herkes and Tsuji.</p> <p>2167 "A BILL FOR AN ACT RELATING TO GREEN WASTE RECYCLING."</p> <p>Introduced by: Representatives Evans, Awana, Carroll, Chang, Hanohano, Hashem, Morikawa, Nakashima, Nishimoto, Tsuji and Coffman.</p> <p>2168 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."</p> <p>Introduced by: Representative Hanohano.</p> <p>2169 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."</p> <p>Introduced by: Representative Choy.</p> <p>2170 "A BILL FOR AN ACT RELATING TO HEALTH CARE."</p> <p>Introduced by: Representatives M. Lee, Awana, Belatti, Cabanilla, Chong, Jordan, Mizuno and Takai.</p> <p>2171 "A BILL FOR AN ACT RELATING TO PHYSICIANS."</p> <p>Introduced by: Representatives M. Lee, Belatti, Cabanilla, Mizuno, Rhoads, Takai, Aquino, Awana, Chong and Cullen.</p> <p>2172 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives M. Lee, Awana, Mizuno and Rhoads.</p> <p>2173 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives M. Lee, Awana, Mizuno and Rhoads.</p> <p>2174 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."</p> <p>Introduced by: Representatives Keith-Agaran, Belatti, C. Lee, Luke, McKelvey and Rhoads.</p> <p>2175 "A BILL FOR AN ACT RELATING TO ETHICS."</p> <p>Introduced by: Representatives Keith-Agaran, Brower, Cabanilla, Carroll, Chong, Herkes, Ito, Luke, McKelvey, Rhoads, Say, Souki, Tsuji and Yamashita.</p> <p>2176 "A BILL FOR AN ACT RELATING TO EFFICIENCY IN GOVERNMENT."</p> <p>Introduced by: Representatives Okamura, Oshiro and Herkes.</p> <p>2177 "A BILL FOR AN ACT RELATING TO LIQUOR."</p> <p>Introduced by: Representative Say.</p> | <p>2178 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."</p> <p>Introduced by: Representative Say.</p> <p>2179 "A BILL FOR AN ACT RELATING TO THE AUDITOR."</p> <p>Introduced by: Representative Say.</p> <p>2180 "A BILL FOR AN ACT RELATING TO SMOKING."</p> <p>Introduced by: Representative Say, by request.</p> <p>2181 "A BILL FOR AN ACT RELATING TO VACANCIES."</p> <p>Introduced by: Representative Say, by request.</p> <p>2182 "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS."</p> <p>Introduced by: Representative Say, by request.</p> <p>2183 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."</p> <p>Introduced by: Representative Say.</p> <p>2184 "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS."</p> <p>Introduced by: Representative Oshiro.</p> <p>2185 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WEIGHT TAX."</p> <p>Introduced by: Representative Marumoto.</p> <p>2186 "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."</p> <p>Introduced by: Representatives M. Lee and Evans.</p> <p>2187 "A BILL FOR AN ACT RELATING TO THE HOMELESS."</p> <p>Introduced by: Representatives M. Lee, Belatti, Carroll, Hanohano, Jordan, Pine, Yamane and Evans.</p> <p>2188 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representatives M. Lee, Aquino, Carroll, Cullen, Evans, Hanohano, Johanson, Marumoto, McKelvey, Mizuno, Okamura, Pine, Thielen, Yamane, Belatti, Ichiyama, Morikawa, Nishimoto and Riviere.</p> <p>2189 "A BILL FOR AN ACT RELATING TO MEDICAID."</p> <p>Introduced by: Representatives Mizuno, Carroll, Hanohano, Johanson, M. Lee, Marumoto, McKelvey, Morikawa, Okamura, Pine, Thielen, Aquino, Cabanilla, Ichiyama, Kawakami, Luke and Yamane.</p> <p>2190 "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING."</p> <p>Introduced by: Representatives Mizuno, Aquino, Belatti, Carroll, Choy, Cullen, Evans, Hanohano, Ichiyama, Johanson, Kawakami, M. Lee, Marumoto, McKelvey, Morikawa, Okamura, Pine, Thielen, Wooley, Yamane, Fontaine and Riviere.</p> |
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2191	"A BILL FOR AN ACT RELATING TO POWERS OF ATTORNEY." Introduced by: Representatives Mizuno, Awana and M. Lee.	2202	"A BILL FOR AN ACT RELATING TO HEALTH." Introduced by: Representatives Yamane, Evans, Hanohano, Ichiyama, Jordan, Kawakami, M. Lee, Luke, Okamura, Pine and Carroll.
2192	"A BILL FOR AN ACT RELATING TO THE ELDERLY." Introduced by: Representatives Mizuno, M. Lee, Awana and Rhoads.	2203	"A BILL FOR AN ACT RELATING TO JOB CREATION." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2193	"A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION." Introduced by: Representatives M. Lee, Hanohano, Luke, Marumoto, Mizuno, Okamura, Pine, Thielen, Ward, Carroll, Evans, Fontaine, Jordan and Riviere.	2204	"A BILL FOR AN ACT RELATING TO FISCAL NOTES." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2194	"A BILL FOR AN ACT RELATING TO LONG TERM CARE." Introduced by: Representatives Ichiyama, Belatti, Carroll, Evans, Hanohano, Jordan, Kawakami, M. Lee, Okamura, Pine and Yamane.	2205	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 15, OF THE HAWAII STATE CONSTITUTION TO ENACT A SUPERMAJORITY VOTING REQUIREMENT FOR PASSAGE OF LEGISLATION PROPOSING TO RAISE OR CREATE TAXES OR FEES." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2195	"A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS." Introduced by: Representatives Marumoto, Carroll, Evans, Fontaine, Hanohano, Jordan, M. Lee, Mizuno, Morikawa, Okamura, Pine, Riviere, Thielen, Ward and Yamane.	2206	"A BILL FOR AN ACT RELATING TO COMPUTER FRAUD." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2196	"A BILL FOR AN ACT RELATING TO AGING." Introduced by: Representatives Marumoto, Aquino, Carroll, Cullen, Hanohano, Jordan, Kawakami, M. Lee, Mizuno, Okamura, Pine, Thielen, Yamane, Evans and Luke.	2207	"A BILL FOR AN ACT RELATING TO RECORDKEEPING." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2197	"A BILL FOR AN ACT RELATING TO EDUCATION." Introduced by: Representatives M. Lee, Carroll, Evans, Hanohano, Luke, Marumoto, McKelvey, Mizuno, Morikawa, Okamura, Pine, Thielen, Johanson and Wooley.	2208	"A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2198	"A BILL FOR AN ACT RELATING TO KUPUNA CARE." Introduced by: Representatives M. Lee, Belatti, Carroll, Hanohano, Ichiyama, Jordan, Kawakami, Luke, Okamura, Yamane and Evans.	2209	"A BILL FOR AN ACT RELATING TO UNAUTHORIZED COMPUTER ACCESS." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2199	"A BILL FOR AN ACT RELATING TO HEALTH CARE." Introduced by: Representatives M. Lee, Carroll and Evans.	2210	"A BILL FOR AN ACT RELATING TO RENEWABLE FUELS." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2200	"A BILL FOR AN ACT RELATING TO HUMAN SERVICES." Introduced by: Representatives M. Lee, Carroll, Hanohano, Ichiyama, Jordan, Kawakami, Pine, Belatti, Evans and Okamura.	2211	"A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
2201	"A BILL FOR AN ACT RELATING TO LONG-TERM CARE." Introduced by: Representatives M. Lee, Belatti, Carroll, Evans, Hanohano, Jordan, Pine and Yamane.	2212	"A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS." Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.

- 2213 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3 OF THE HAWAII CONSTITUTION REQUIRING THAT THE GOVERNOR AND CHIEF JUSTICE DISCLOSE NAMES OF JUDICIAL NOMINEES IMMEDIATELY UPON RECEIPT OF THOSE NAMES FROM THE JUDICIAL SELECTION COMMISSION."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2214 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6 OF THE HAWAII CONSTITUTION REQUIRING THAT THE GOVERNOR DISCLOSE, AT THE TIME OF EACH NOMINATION, NAMES OF ALL PERSONS NOMINATED TO SERVE IN EXECUTIVE AND ADMINISTRATIVE OFFICES AND DEPARTMENTS."
- Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Pine, Riviere and Thielen.
- 2215 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT."
- Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Pine, Riviere and Thielen.
- 2216 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Riviere and Thielen.
- 2217 "A BILL FOR AN ACT RELATING TO EMPLOYMENT VACANCIES."
- Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Pine, Riviere and Thielen.
- 2218 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2219 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2220 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2221 "A BILL FOR AN ACT RELATING TO VOTING."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2222 "A BILL FOR AN ACT RELATING TO A SILVER ALERT."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2223 "A BILL FOR AN ACT RELATING TO STATE FINANCES."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2224 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2225 "A BILL FOR AN ACT RELATING TO MOTION PICTURES, DIGITAL MEDIA, AND FILM PRODUCTION."
- Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Riviere and Thielen.
- 2226 "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM."
- Introduced by: Representatives M. Lee, Hanohano, Ichiyama, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Aquino, Belatti, Carroll, Evans and Luke.
- 2227 "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES."
- Introduced by: Representatives M. Lee, Evans, Hanohano, Jordan, McKelvey, Morikawa, Pine, Thielen, Belatti, Carroll, Ichiyama, Kawakami and Luke.
- 2228 "A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE WORKPLACE."
- Introduced by: Representatives Marumoto, Carroll, Evans, Hanohano, M. Lee, McKelvey, Morikawa, Thielen, Yamane, Aquino, Belatti, Ichiyama, Jordan, Kawakami and Luke.
- 2229 "A BILL FOR AN ACT RELATING TO BIRTH DEFECTS WARNINGS."
- Introduced by: Representatives Evans, Hanohano, M. Lee, Marumoto, Thielen, Aquino, Belatti, Carroll, Ichiyama and Morikawa.
- 2230 "A BILL FOR AN ACT RELATING TO CANCER."
- Introduced by: Representatives Ichiyama, Cabanilla, Carroll, Evans, Hanohano, Kawakami, M. Lee, Luke, Marumoto, Morikawa, Thielen and Yamane.
- 2231 "A BILL FOR AN ACT RELATING TO COMMUNITY PLACEMENT PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM INCARCERATION TO THE COMMUNITY."
- Introduced by: Representatives Hanohano, Aquino, Carroll, Evans, Ichiyama, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Ward, Yamane, Belatti, Fontaine, Luke and Riviere.
- 2232 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Representatives Jordan, Belatti, Carroll, Evans, Hanohano, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Riviere, Wooley, Yamane and Luke.
- 2233 "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING REQUIREMENTS."
- Introduced by: Representatives Awana, Aquino, Carroll, Cullen, Evans, Fontaine, Hanohano, Ichiyama, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Mizuno, Pine, Thielen, Ward, Yamane and Luke.

- 2234 "A BILL FOR AN ACT RELATING TO MINORS."
Introduced by: Representatives Awana, Belatti, Cabanilla, Carroll, Evans, Hanohano, Ichiyama, Kawakami, M. Lee, Luke, Marumoto, Morikawa, Pine, Thielen and Yamane.
- 2235 "A BILL FOR AN ACT RELATING TO PROSTITUTION."
Introduced by: Representatives Awana, Carroll, Evans, Hanohano, Ichiyama, M. Lee, Luke, Marumoto, McKelvey, Mizuno, Pine, Thielen, Ward, Wooley, Yamane, Belatti, Fontaine, Kawakami and Morikawa.
- 2236 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Representatives Ward, Chang, Fontaine, Har, Ito, Keith-Agaran, Marumoto, Pine, Riviere, Takai, Thielen, Cullen, Morikawa and Souki.
- 2237 "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT."
Introduced by: Representatives Ward, Fontaine, Har, Johanson, Keith-Agaran, Souki and Takumi.
- 2238 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
Introduced by: Representatives Ward, Aquino, Fontaine, Johanson, Takumi and Yamane.
- 2239 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Ward, Ching, Fontaine and Har.
- 2240 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Ward, Ching, C. Lee, McKelvey, Pine, Takai, Evans, Har, Hashem, Marumoto, Morikawa, Riviere, Thielen and Yamashita.
- 2241 "A BILL FOR AN ACT RELATING TO ANTIQUE GAMBLING DEVICES."
Introduced by: Representatives Hashem, Carroll, Evans, McKelvey, Tsuji and Yamashita.
- 2242 "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS."
Introduced by: Representatives Hashem, Aquino, Herkes, Ichiyama, Keith-Agaran, Wooley and Yamane.
- 2243 "A BILL FOR AN ACT RELATING TO BAIL."
Introduced by: Representatives Hashem, Carroll, Evans, McKelvey, Aquino, Keith-Agaran, Rhoads, Tsuji and Yamashita.
- 2244 "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS."
Introduced by: Representatives Hashem, Evans, Tsuji, Aquino, McKelvey and Yamashita.
- 2245 "A BILL FOR AN ACT RELATING TO HAWAII-GROWN PRODUCE."
Introduced by: Representatives Hashem, Aquino, Carroll, Evans, McKelvey, Tsuji and Yamashita.
- 2246 "A BILL FOR AN ACT RELATING TO HAIKU VALLEY."
Introduced by: Representatives Ito, Carroll, Chang, Chong, Har, Thielen, Tsuji, Yamane, Cabanilla and Nakashima.
- 2247 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Representative Ito.
- 2248 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY."
Introduced by: Representatives Ito and Nishimoto.
- 2249 "A BILL FOR AN ACT RELATING TO LANDFILLS."
Introduced by: Representatives Ito, Carroll, Chang, Thielen, Tsuji, Yamane, Chong, Har, Herkes, Nakashima and Tokioka.
- 2250 "A BILL FOR AN ACT RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE."
Introduced by: Representatives Chang, Aquino, Awana, Brower, Cabanilla, Chong, Coffman, Cullen, Evans, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Jordan, Kawakami, Keith-Agaran, Manahan, Mizuno, Morikawa, Nishimoto, Oshiro, Rhoads, Souki, Tokioka, Tsuji, Yamashita, Belatti, Choy, M. Lee and Say.
- 2251 "A BILL FOR AN ACT RELATING TO ELECTIONS."
Introduced by: Representatives Morikawa and Keith-Agaran.
- 2252 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."
Introduced by: Representatives Morikawa, Aquino, Fontaine, Hanohano, Keith-Agaran, C. Lee, Luke, Nakashima, Takumi, Tsuji, Chong, Ichiyama, Saiki and Tokioka.
- 2253 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."
Introduced by: Representatives Morikawa, Aquino, Chong, Fontaine, Hanohano, Keith-Agaran, C. Lee, Luke, Takumi, Tsuji, Ichiyama, Nakashima, Saiki and Tokioka.
- 2254 "A BILL FOR AN ACT RELATING TO THE PRETAX TRANSPORTATION BENEFIT."
Introduced by: Representatives Morikawa, Hanohano, Ichiyama, Keith-Agaran, Nakashima, Saiki and Tsuji.
- 2255 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
Introduced by: Representatives Aquino, Cullen, Ichiyama, Keith-Agaran, M. Lee, Luke, Manahan, Takumi, Yamane, Yamashita and Fontaine.
- 2256 "A BILL FOR AN ACT RELATING TO FIREWORKS."
Introduced by: Representative Aquino, by request.

2257 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."

Introduced by: Representatives Aquino, Cullen, Har, Ichiyama, Ito, Luke, Manahan, Say, Souki, Yamane, Yamashita, Fontaine, Johanson and M. Lee.

2258 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."

Introduced by: Representatives Aquino, Cabanilla, Chong, Cullen, Har, Ito, Manahan and Yamane.

2259 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representative Coffman.

2260 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representative Coffman.

2261 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX."

Introduced by: Representative Coffman.

2262 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Coffman and Chong.

2263 "A BILL FOR AN ACT RELATING TO THE CODE OF ETHICS."

Introduced by: Representatives Coffman, by request, Keith-Agaran, by request.

2264 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives Yamashita and Rhoads.

2265 "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE."

Introduced by: Representative Yamashita.

2266 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Representatives Yamashita, Chong, Choy and McKelvey.

2267 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CLEARCOM, INC., IN THE DEVELOPMENT OF BROADBAND INFRASTRUCTURE IN HAWAII."

Introduced by: Representatives Yamashita, Aquino, Carroll, Choy, Cullen, Har, Hashem, Ichiyama, Ito, Kawakami, Keith-Agaran, Manahan, McKelvey, Morikawa, Nishimoto, Okamura, Rhoads, Souki, Tsuji, Yamane and Chong.

2268 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Representatives Yamashita, Aquino, Carroll, Chong, Choy, Cullen, Hanohano, Har, Hashem, Ichiyama, Ito, Kawakami, Keith-Agaran, Manahan, McKelvey, Morikawa, Nakashima, Nishimoto, Okamura, Oshiro, Rhoads, Say, Souki, Tsuji and Yamane.

2269 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Fontaine, Ching, Riviere, Thielen, Ward, Aquino, Awana, Chang, Johanson, M. Lee, Mizuno, Nakashima, Nishimoto, Okamura, Pine and Takumi.

2270 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representatives Fontaine, Pine, Riviere, Aquino, Ching, Cullen, Johanson and Ward.

2271 "A BILL FOR AN ACT RELATING TO CRIMES."

Introduced by: Representatives Fontaine, Brower, Ching, Pine, Souki, Thielen, Herkes, Ito, Johanson, McKelvey, Rhoads and Riviere.

2272 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."

Introduced by: Representative Yamane.

2273 "A BILL FOR AN ACT RELATING TO CONCUSSIONS."

Introduced by: Representative Yamane.

2274 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES."

Introduced by: Representatives Yamane, Chong, Mizuno and Say.

2275 "A BILL FOR AN ACT RELATING TO HOSPITALS."

Introduced by: Representatives Yamane, Chong, Mizuno and Say.

2276 "A BILL FOR AN ACT RELATING TO SKATEBOARDS."

Introduced by: Representatives Ichiyama, M. Lee, Aquino, Cullen, Fontaine, Hashem, Johanson, Jordan, Okamura, Souki, Takumi and Yamashita.

2277 "A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES."

Introduced by: Representatives Ichiyama, M. Lee, Fontaine, Johanson, Okamura, Souki, Takumi and Yamashita.

2278 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Ichiyama.

2279 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representative Yamane.

2280 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Mizuno, Aquino, Cabanilla, Chang, Cullen, Herkes and Manahan.

2281 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Chang, Cullen, Manahan, Herkes and Keith-Agaran.

2282 "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES."

Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Cullen, Manahan and Herkes.

2283 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Mizuno, Aquino, Cabanilla, Chang, Cullen, Manahan and Herkes.

2284 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."

Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Cullen, Chang and Chong.

2285 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representatives Mizuno, Awana and Yamane.

2286 "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM."

Introduced by: Representatives Mizuno, Awana and Rhoads.

2287 "A BILL FOR AN ACT RELATING TO COMPUTER CRIME."

Introduced by: Representatives Mizuno, Ito, Manahan, Awana, Har, M. Lee and Nishimoto.

2288 "A BILL FOR AN ACT RELATING TO RECORDKEEPING."

Introduced by: Representatives Mizuno, Ito, Manahan, Awana, Har, M. Lee and Nishimoto.

2289 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Representatives Mizuno, Manahan, Awana, Har, M. Lee and Nishimoto.

2290 "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH."

Introduced by: Representatives Mizuno, Aquino, Awana, Cullen, Evans, Hanohano, Har, Ichiyama, McKelvey, Okamura, Pine, Thielen and Johanson.

2291 "A BILL FOR AN ACT RELATING TO FALSE REPORTING TO AUTHORITIES."

Introduced by: Representatives Mizuno, Awana, Evans, Hanohano, McKelvey, Okamura, Pine, Thielen, Aquino, Cullen, Ichiyama and Johanson.

2292 "A BILL FOR AN ACT RELATING TO FOSTER YOUTH."

Introduced by: Representatives Mizuno, Awana, Hanohano, Aquino and Okamura.

2293 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Aquino, Awana, Cullen, Hanohano, Har, Thielen, Johanson and Okamura.

2294 "A BILL FOR AN ACT RELATING TO MEDIA PRODUCTION."

Introduced by: Representatives Wooley and Brower.

2295 "A BILL FOR AN ACT RELATING TO CYBERBULLYING."

Introduced by: Representatives Wooley, Keith-Agaran, Nishimoto, Rhoads and Takumi.

2296 "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE."

Introduced by: Representatives Wooley, C. Lee, Nishimoto, Rhoads and Keith-Agaran.

2297 "A BILL FOR AN ACT RELATING TO THE PERFORMING ARTS."

Introduced by: Representative Wooley.

2298 "A BILL FOR AN ACT RELATING TO PRIVACY RIGHTS."

Introduced by: Representatives Nishimoto, Brower, Keith-Agaran, Nakashima and Takumi.

2299 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Carroll.

2300 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representative Carroll.

2301 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Carroll, Cullen and Tsuji.

2302 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Representatives Cabanilla, Chong, Aquino and Yamashita.

2303 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

Introduced by: Representatives Cabanilla, Mizuno, Carroll, Choy, Ito and M. Lee.

2304 "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT."

Introduced by: Representatives Belatti and C. Lee.

2305 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Belatti, C. Lee, Nishimoto and Wooley.

2306 "A BILL FOR AN ACT RELATING TO CHAPTER 328J, HAWAII REVISED STATUTES."

Introduced by: Representatives Evans, Brower, Cabanilla, Hanohano, Har, Awana, Carroll, Hashem, Ito, Luke, McKelvey and Souki.

- 2307 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Wooley, Nishimoto, Keith-Agaran, Nakashima and Takumi.
- 2308 "A BILL FOR AN ACT RELATING TO AIRLINES."
Introduced by: Representatives Chong, Brower, Chang, Choy, Cullen, Hashem, Ichiyama, Jordan, Kawakami, Keith-Agaran, Morikawa, Okamura, Say, Tokioka, Tsuji, Yamashita, Cabanilla, McKelvey and Souki.
- 2309 "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION."
Introduced by: Representatives Chong, Cullen, Hashem, Ichiyama, Jordan, Keith-Agaran, Morikawa, Tsuji, Yamashita and Say.
- 2310 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
Introduced by: Representatives Brower, Cabanilla, Choy, Hanohano, C. Lee, M. Lee, Luke, Manahan, Mizuno, Nakashima, Nishimoto, Okamura, Rhoads, Takumi, Awana, Chong, Cullen, Keith-Agaran, McKelvey and Souki.
- 2311 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."
Introduced by: Representatives Brower, Evans, Hanohano, C. Lee, Luke, Nishimoto, Okamura, Awana, Cabanilla, Chong, Cullen, Keith-Agaran, Manahan and McKelvey.
- 2312 "A BILL FOR AN ACT RELATING TO TORTS."
Introduced by: Representatives Brower, Awana, Chong, Choy, Evans, Hanohano, Keith-Agaran, C. Lee, Luke, Manahan, McKelvey, Okamura, Oshiro and Cullen.
- 2313 "A BILL FOR AN ACT RELATING TO RESISTING ARREST."
Introduced by: Representatives Brower, Cullen, Hanohano, Keith-Agaran, C. Lee, Luke, Manahan, McKelvey, Nishimoto, Okamura, Awana and Chong.
- 2314 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."
Introduced by: Representatives Brower, Awana, Keith-Agaran, C. Lee, McKelvey, Mizuno, Nishimoto, Takumi and Tokioka.
- 2315 "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY."
Introduced by: Representatives McKelvey, Awana, Cullen and Mizuno.
- 2316 "A BILL FOR AN ACT RELATING TO A LOTTERY."
Introduced by: Representatives McKelvey, Carroll, Hanohano and Souki.
- 2317 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TOURISM."
Introduced by: Representatives McKelvey, Awana, Carroll, Fontaine, Keith-Agaran, Souki and Yamashita.

- 2318 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
Introduced by: Representatives McKelvey, Aquino, Awana, Carroll, Cullen, Mizuno and Yamashita.
- 2319 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
Introduced by: Representatives McKelvey, Choy and Yamashita.

ANNOUNCEMENTS

Representative Fontaine: "Thank you, Mr. Speaker. Mr. Speaker, I am requesting this morning that we all provide a moment of silence in the passing of Officer Garret Davis. Officer Davis passed away while helping motorists stranded on the H-1 Freeway. He's a very young officer and this is a very tragic death that we've lost one of our own. So I'd like all the Members, if they would, to please stand and give a moment of silence to Officer Davis and his family."

Vice Speaker Manahan: "Thank you. At the appropriate time, if there are no more announcements from other Members, we will stand for a moment of silence in honor of Officer Davis."

Representative Thielen: "Thank you, Vice-Speaker. I also would like to ask that we have a moment of silence for the six Marines that we lost in the tragic helicopter accident."

Vice Speaker Manahan: "Thank you. We will also include in our moment of silence, these ladies and gentlemen."

Representative Rhoads: "Mr. Speaker, I just wanted to wish everyone a Happy Lunar New Year. Today is the first day of the Year of the Dragon. Kung hee fat choy."

Vice Speaker Manahan: "Thank you, very much. Are there any further announcements, Members? If not, let's please stand for a moment of silence for the fallen officer, as well as the fallen soldiers over the past weekend."

At this time, Members of the House of Representatives stood for a Moment of Silence in honor of the late Officer Garret Davis of the Honolulu Police Department; and the 6 Kaneohe Marine Corps Base Marines who died in a helicopter crash in Afghanistan: Capt. Daniel Bartle, Capt. Nathan McHone, Master Sgt. Travis Riddick, Cpl. Jesse Stites, Cpl. Kevin Reinhard, and Cpl. Joseph Logan.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.B. Nos.

Referred to:

- 2150 Committee on Agriculture, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
- 2151 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources
- 2152 Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
- 2153 Committee on Transportation, then to the Committee on Finance

2154	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2177	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2155	Committee on Judiciary	2178	Committee on Economic Revitalization & Business, then to the Committee on Finance
2156	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2179	Committee on Legislative Management, then to the Committee on Finance
2157	Committee on Judiciary	2180	Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary
2158	Committee on Housing, then to the Committee on Consumer Protection & Commerce	2181	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2159	Committee on Housing, then to the Committee on Consumer Protection & Commerce	2182	Committee on Housing, then to the Committee on Human Services, then to the Committee on Finance
2160	Committee on Economic Revitalization & Business, then to the Committee on Finance	2183	Jointly to the Committee on Tourism and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2161	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2184	Committee on Finance
2162	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2185	Committee on Transportation, then to the Committee on Finance
2163	Committee on Finance	2186	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2164	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2187	Committee on Housing, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2165	Committee on Transportation, then to the Committee on Finance	2188	Jointly to the Committee on Health and the Committee on Human Services and the Committee on Economic Revitalization & Business, then to the Committee on Higher Education, then to the Committee on Finance
2166	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2189	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2167	Committee on Energy & Environmental Protection, then to the Committee on Finance	2190	Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2168	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2191	Committee on Judiciary
2169	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2192	Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2170	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2193	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2171	Committee on Health, then to the Committee on Finance	2194	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2172	Committee on Health, then to the Committee on Finance	2195	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2173	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2196	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2174	Committee on Judiciary, then to the Committee on Finance	2197	Committee on Human Services, then to the Committee on Judiciary
2175	Committee on Legislative Management, then to the Committee on Judiciary	2198	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2176	Committee on Finance		

2199	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2224	Committee on Labor & Public Employment, then to the Committee on Finance
2200	Committee on Human Services, then to the Committee on Finance	2225	Committee on Economic Revitalization & Business, then to the Committee on Finance
2201	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2226	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2202	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2227	Committee on Health, then to the Committee on Finance
2203	Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance	2228	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Judiciary
2204	Committee on Legislative Management, then to the Committee on Finance	2229	Committee on Health, then to the Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2205	Committee on Judiciary, then to the Committee on Finance	2230	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2206	Committee on Judiciary	2231	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2207	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2232	Committee on Health, then to the Committee on Judiciary
2208	Committee on Judiciary, then to the Committee on Finance	2233	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2209	Committee on Judiciary	2234	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2210	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2235	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2211	Committee on Legislative Management, then to the Committee on Finance	2236	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2212	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2237	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
2213	Committee on Judiciary, then to the Committee on Finance	2238	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2214	Committee on Judiciary, then to the Committee on Finance	2239	Committee on Economic Revitalization & Business, then to the Committee on Finance
2215	Committee on Judiciary	2240	Jointly to the Committee on Economic Revitalization & Business and the Committee on International Affairs, then to the Committee on Finance
2216	Committee on Transportation, then to the Committee on Judiciary	2241	Committee on Judiciary
2217	Committee on Labor & Public Employment, then to the Committee on Finance	2242	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2218	Committee on Housing, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2243	Committee on Judiciary, then to the Committee on Finance
2219	Committee on Education, then to the Committee on Finance	2244	Committee on Agriculture, then to the Committee on Finance
2220	Committee on Education, then to the Committee on Finance	2245	Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance
2221	Committee on Judiciary	2246	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
2222	Committee on Human Services, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance		
2223	Committee on Finance		

2247	Committee on Economic Revitalization & Business, then to the Committee on Finance	2269	Committee on Education, then to the Committee on Finance
2248	Committee on Higher Education, then to the Committee on Finance	2270	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2249	Committee on Energy & Environmental Protection, then to the Committee on Finance	2271	Committee on Judiciary, then to the Committee on Finance
2250	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2272	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2251	Committee on Judiciary, then to the Committee on Finance	2273	Committee on Health, then to the Committee on Education, then to the Committee on Finance
2252	Committee on Transportation, then to the Committee on Judiciary	2274	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2253	Committee on Transportation, then to the Committee on Judiciary	2275	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2254	Jointly to the Committee on Labor & Public Employment and the Committee on Transportation, then to the Committee on Finance	2276	Committee on Health, then to the Committee on Judiciary
2255	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2277	Committee on Transportation, then to the Committee on Judiciary
2256	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Culture & the Arts, then to the Committee on Judiciary, then to the Committee on Finance	2278	Committee on Finance
2257	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2279	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2258	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2280	Jointly to the Committee on Human Services and the Committee on Housing, then to the Committee on Judiciary
2259	Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance	2281	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2260	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2282	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2261	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2283	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services, then to the Committee on Finance
2262	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2284	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Finance
2263	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	2285	Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance
2264	Committee on Labor & Public Employment, then to the Committee on Finance	2286	Committee on Human Services, then to the Committee on Finance
2265	Committee on Economic Revitalization & Business, then to the Committee on Finance	2287	Committee on Judiciary
2266	Committee on Economic Revitalization & Business, then to the Committee on Finance	2288	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2267	Committee on Economic Revitalization & Business, then to the Committee on Finance	2289	Committee on Judiciary
2268	Committee on Economic Revitalization & Business, then to the Committee on Finance	2290	Committee on Human Services, then to the Committee on Finance
		2291	Committee on Human Services, then to the Committee on Judiciary
		2292	Committee on Human Services, then to the Committee on Finance

2293 Committee on Economic Revitalization & Business, then to the Committee on Education, then to the Committee on Finance

2294 Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2295 Committee on Judiciary

2296 Jointly to the Committee on Agriculture and the Committee on International Affairs, then to the Committee on Judiciary

2297 Committee on Culture & the Arts, then to the Committee on Finance

2298 Committee on Economic Revitalization & Business, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

2299 Committee on Hawaiian Affairs, then to the Committee on Finance

2300 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

2301 Committee on Agriculture, then to the Committee on Finance

2302 Committee on Housing, then jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, then to the Committee on Finance

2303 Committee on Human Services, then to the Committee on Finance

2304 Committee on Judiciary, then to the Committee on Finance

2305 Committee on Education, then to the Committee on Finance

2306 Jointly to the Committee on Health and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary

2307 Jointly to the Committee on Education and the Committee on Culture & the Arts, then to the Committee on Finance

2308 Jointly to the Committee on Tourism and the Committee on Economic Revitalization & Business, then to the Committee on Finance

2309 Committee on Transportation, then to the Committee on Judiciary

2310 Committee on Transportation, then to the Committee on Judiciary

2311 Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2312 Committee on Health, then to the Committee on Judiciary

2313 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2314 Committee on Tourism, then to the Committee on Finance

2315 Committee on Health, then to the Committee on Education, then to the Committee on Finance

2316 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2317 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources

2318 Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance

2319 Committee on Economic Revitalization & Business, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.

Re-referred to:

1696 Committee on Transportation, then jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance

1814 Committee on Transportation, then jointly to the Committee on Economic Revitalization & Business and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1896 Jointly to the Committee on Economic Revitalization & Business and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1939 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1941 Jointly to the Committee on Agriculture and the Committee on Transportation, then to the Committee on Finance

1972 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance

2054 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

RECESS

Vice Speaker Manahan: "Thank you very much, Members. Members, the House will stand in recess for the purpose of convening in Joint Session in this Chamber at 10:00am for the State of the State Address by the Governor. We will convene again Wednesday, January 25th, at 12:00 noon."

At 9:13 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 2, met in Joint Session with the Senate, to receive the Governor's State of the State Address.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature was called to order at 10:02 o'clock a.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker then welcomed and recognized the following honored and distinguished guests:

Lt. Governor Brian Schatz, who was presented with lei by Representative Cindy Evans;

Chief Justice Mark E. Recktenwald, who was presented with lei by Senator Jill Tokuda;

Ms. Colette Machado, Chair, Office of Hawaiian Affairs, who was presented with lei by Senator Ron Kouchi;

Dr. Nancie Caraway, wife of Governor Abercrombie, who was presented with lei by Vice Speaker Joey Manahan;

Former Governor George R. Ariyoshi;

Former Governor John D. Waihee III and Mrs. Lynne Waihee;

Former Governor Ben Cayetano and Mrs. Vicky Cayetano;

Brigadier General Mark E. McLeod, U.S. Pacific Air Forces;

Ms. Janice Nielsen, U.S. Army Pacific;

Associate Justice Paula A. Nakayama;

Associate Justice Simeon R. Acoba, Jr.;

Associate Justice James E. Duffy, Jr.;

Associate Justice Sabrina S. McKenna;

Mayor Peter Carlisle, City & County of Honolulu, and Mrs. Judy Carlisle;

Mayor Bernard P. Carvalho, County of Kauai;

Mayor Alan Arakawa, County of Maui, and Mrs. Ann Arakawa;

Council Chair Ernest Y. Martin, City & County of Honolulu;

Council Chair Jay Furfaro, County of Kauai;

Council Chair Danny Mateo, County of Maui;

Mr. Yoshihiko Kamo, Consul General of Japan;

Mr. Young Kil Suh, Consul General of Korea;

Mr. Paul Raymund Cortes, Deputy Consul General of the Philippines; and

Mr. Paul Chang, Director General Taipei Economic & Cultural Office.

The Speaker then called upon Representatives Pono Chong and Gene Ward on behalf of the House of Representatives, and Senators Brickwood Galuteria and Sam Slom on behalf of the Senate, to escort the Honorable Neil Abercrombie to the rostrum.

The Governor was presented with lei by Representative Marilyn Lee on behalf of the House of Representatives, and Vice President Donna Mercado Kim on behalf of the Senate. The Speaker then presented to the Members of the Twenty-Sixth Legislature and the audience, the Honorable Neil Abercrombie, Governor of the State of Hawaii.

The Governor then addressed the Joint Session as follows:

"Thank you. *Mahalo nui*. Thank you very, very, much everyone. Ladies and gentlemen. This is a solemn occasion, in more ways than one. For those who are able, I would ask you all to stand at this time, for a moment of silence on behalf of two fallen officers, Eric Fontas and Garret Davis, who gave their lives for all of us here in Hawaii in their service with the Honolulu Police Department."

At this time, the Members of the House of Representatives and the Senate, honored guests and audience rose for a moment of silence in honor of the fallen officers of the Honolulu Police Department.

The Governor continued, stating:

"Mahalo. Thank you. Chief Kealoha said, 'Today our officers risk their lives daily to protect our community, and I am pleading with all of you to help protect them while driving with care while you see them performing their duties on the highways.' It is a sobering thought, but one that caused me to reflect that it is the obvious that we have to repeat to ourselves everyday because it's the obvious we tend to take most for granted and perhaps forget first. And one of the obvious things is that people who are committed to public service in the broadest range of activities. Those things that we count on everyday can sometimes be brought to our attention in a very forceful way. And on behalf of the people of this State, I'm sure you will not object to me extending our deepest sympathies and aloha to the families of Garret Davis and Eric Fontas.

"Mr. President, and Mr. Speaker, distinguished Justices of the Courts, Mayors, representatives of our Congressional Delegation, Members of the Hawaii State Legislature, other elected officials, honored guests, family and friends. I would like to make a reintroduction if I could just for a moment. Because as I just said to the Speaker, last year when I gave my first State of the State, it was in kind of a dream state. To be back in the Chamber and to be with friends and people I've known so long like my former student, Speaker Say. I said, 'How come you still don't recognize me as the professor here?'" It's been that kind of length of time, but I know the Governors have already been introduced, but I want to reintroduce because when I said, 'my friends,' I want to indicate how important it has been to me to have their mentorship and friendship.

"First, I want to reintroduce Governor George Ariyoshi for a simple reason. Governor Ariyoshi provided the leadership necessary in our State to recognize the true meaning of environment. He is the one that led the way, for us to understand what sustainability was all about. To understand in its entirety how we would be able to sustain ourselves. The State Plans that he caused to come into effect are as true today as they were then. If there is a true pioneer of understanding Hawaii in its most modern context, it is George Ariyoshi. Governor.

"And next, I would like to reintroduce to you, Hawaii's first Native Hawaiian Governor, who is now leading, once again, Native Hawaiians into their future. The Native Hawaiian role which is now being assembled is under the leadership and the direction of Governor John Waihe'e. It will be truly said of this son of Hawaii, this *keiki o ka 'aina*, that he has led his people into a future that will renew and reinvigorate the entire values associated, as we all do, with the culture of Hawaii. Governor John Waihe'e.

"And I understand that there is a lot of interest these days in friendship, and what friendship means. And I would like to introduce my friend, who apparently is looking for something else to do now. Governor Ben Cayetano.

"And I have one other introduction I want to make if I may. We understand that the media focuses on celebrity, and personalities, and drama, and in the political sphere perhaps there's a concentration on names and years, but there are those who triumphed. *Keiki o ka 'aina*, people of Hawaii from the most diverse backgrounds. People who are heroes. People who perhaps are not necessarily always recognized. But there is someone who has been a friend to all of us here in this Legislature. Someone, who has helped to guide in terms of understanding what real

heroism is all about. What discipline, what professionalism is all about. What concentration, what dedication is all about. For a number of years now we've had the opportunity to have as a Sergeant-at-Arms in the Senate, a friend to all of us, a hero to the Filipino community, a giant of people from Hawaii. The former Junior Lightweight Champion of the World, Ben Villaflor. Ben, come out and take a bow. Champion of the World. I know all of you are saying, 'He's not a Junior Lightweight anymore.' But I ask you to take a look at ourselves and maybe we won't be so quick to make that observation.

"One year ago, I stood before you to present the sobering fiscal reality facing Hawaii. At that time, we faced an enormous deficit and the effects of fractured government services. The discussion was not about "whether" we needed to find additional revenues, but about "where" we needed to find them. But by working together and through shared sacrifice, we have started to turn the corner. This past year has not been easy, but we have accomplished our purpose.

"I want to thank the Legislature for your cooperation, each and every one of you. I want to thank you for your collaboration. And I want to thank the public gathered here in numbers today for weathering through those difficult choices.

"Thank you, especially to our State employees, who agreed to labor savings, and additional payments for health benefits, in order to effectuate this recovery. There was no way for us to have balanced our budget and achieved today's fiscally favorable outlook without the commitment of everyone. To all of you who came to work each day bearing the burden of cuts and slashes to your programs over these past three years; and to those of you who gave up your furloughs because of your commitment to serving the people of Hawaii, I thank you. Mahalo plenty to each and every one of you.

"Together, we are moving forward. And moving forward means leaving behind the drama of the recent past. It is for that reason that I have again, requested that the Hawaii State Teachers Association provide us with a proposal as soon as possible. After good faith negotiations achieving two agreements, the teachers still have not ratified a contract. I want to emphasize, I will continue to press for a resolution.

"Nonetheless, we must continue our focus on our children and students' performance. We cannot wait any longer. We wanted to cross the Race to the Top finish line side-by-side with the HSTA, but make no mistake we will cross that finish line. Our students deserve no less. I will be using all management, administrative, legislative and legal tools we have at our disposal to implement an evaluation system that not only measures, but achieves student growth; turns around low-performing schools; and supports teachers in achieving and increasing their effectiveness.

"Just as we must concentrate on providing for our children's future, it is critical that we continue the economic momentum we have achieved. Since last year, Hawaii's recovery has been steady. The visitor industry – a key element – saw 3.4 percent growth in the number of visitor arrivals, and total visitor expenditures have grown over 15 percent, resulting in an additional \$5 billion flowing into Hawaii's economy.

"A solid indicator of our growth is the average 8 percent increase in our general excise tax revenue compared to last year. Very welcomed. Despite the unfortunate closing of Hawaii Medical Center, our unemployment remains one of the lowest in the nation. Payroll employment increased 1.3 percent after three years of decline. Initial unemployment claims declined 8 percent in 2011. Bankruptcies dropped 15.9 percent.

"Nonetheless, my budget team and House and Senate fiscal committees have warned, we must remain wary of the current national and European economic uncertainties, which continue to loom ahead. Earlier this month, the Council on Revenues projected a 3 percent decline in our revenue forecast, which amounts to \$130 million. The question then, is how do we address what could be a daunting fiscal picture.

"Last year, when the revenue projections plummeted, we met the enormous challenge, and I want to emphasize, we. We met this enormous challenge of our shortfall through shared sacrifice and collaboration. We

instituted fiscal prudence and discipline, through tools provided, and I thank you, by the Legislature. The result was a general fund balance, today, of \$126 million; a \$300 million plus dollars turn around in a year. That is fiscal discipline. That's showing what Hawaii can do when we all work together. This was the first positive balance achieved in three years.

"Despite this budget success, current fiscal uncertainties swirling around us mean that our supplemental budget proposal must reflect continued discipline. Through our strong management of resources in 2011, we were able to achieve nearly \$86 million in general fund savings. It's these savings that we will use to propose initiatives that will support and strengthen our economic recovery.

"The first is construction. All the signs show that private investment and construction appears hesitant and tentative. Therefore, it is the public sector that must step up to invest in repairs and maintenance, construction projects and infrastructure improvements. By aggressively putting these projects into action, we will ensure that job creation continues.

"Our recent bond and refinancing sale of nearly \$1.3 billion, along with \$1 billion in projects that are already on the budget books, thanks to the Legislature, and another \$300 million that I am proposing in this supplemental budget, will spur an immediate rise in job growth.

"These New Day Work Projects were chosen because they not only address critical infrastructure needs, but more importantly, they are primed and they're ready to go. We looked for projects that were not mired in permitting delays, or only in design and planning stages, but rather those that are ready to provide impact now.

"After my initial discussions with the House and Senate, I know we are all committed to looking at an aggressive budget schedule for these repair and maintenance construction projects. I am committed as well to working with you to make sure that we have a healthy and strong construction budget and a solid plan to continue our investment in our economy.

"But, investment is not only about immediate impacts to the economy. It's about our long term vision towards the future. A prime example is the proposed Pohukaina project that is designed around the consolidation of mixed-use and mixed-income. If we want to curtail sprawl and we want to protect precious available lands, we must focus on increasing urban density and provide working families affordable housing opportunities, assisted living opportunities, long-term care opportunities. This is the first step. This is a central project in that quest. It's the first step in future plans for further smart development along the corridor from Iwilei to Waikiki.

"Not only is it important to emphasize brick and mortar, but we must also build an infrastructure for technology to meet the demands of the 21st century. This is the intellectual and social infrastructure we must have to provide opportunities and experience for our people to become an advanced workforce that can compete in the global marketplace. This is why we have to have early education. This is why we have to back the Race to the Top. This is why we need to get our young people ready for the future. We are not going to leave our young people behind.

"We're going to move forward on our Hawaii Broadband Initiative. We'll be requesting \$2.9 million to enhance the online services for eHawaii.gov, advance research for trans-Pacific fiber landing stations statewide, and initiate a "one-to-one" laptop program for all of Hawaii's schools that will provide laptops for every single student. Not only are these advances needed, but they are crucial in ensuring Hawaii's global connectivity and technological advancement.

"We'll also be seeking more oversight of telecommunications by putting it in the Department of Commerce and Consumer Affairs. Telecom will now be regulated by one agency, rather than having multiple functions spread over multiple departments.

"Similarly, we are ... Scattered applause. You can put that right in there if you want. Similarly, we're moving forward on our comprehensive plan to consolidate all of our State technology under the Office of Information Management and Technology, led by Hawaii's first Chief Information Officer, Sonny Bhagowalia. Stand up. You're the one I'm going to blame if

it doesn't work. I'm introducing him personally because afterwards I'm going to ask the legislators *en masse* to say his name five times in a row very quickly.

"It reminds me of the first day that I ever taught. My first day at the University of Hawaii. Saturday morning, eight o'clock. We were on a six-day week then. And the *haole* boy from the East Coast was coming in to teach. I was scared to death of taking the roll, because the first name on the list was Sampson Poomaihealani. I got it right, and Sampson and I have been friends for 50-plus years. 50-plus years. Sonny, you're easy.

"For this important mission, we are requesting \$10 million.

"Finally, in this area of our economic future, we must never forget that we need to invest in being proper stewards of our *Hawaii nei* as Governor Ariyoshi has reminded us. We must nurture our environment, not only because it is *pono*, but because it is an essential investment for *kama'aina* and visitors alike. It is for that reason that I am proposing that we invest \$5 million in protecting our watersheds. If we are going to nurture the *ahupua'a* of every island, we need to keep the oceans blue. We must save Hawaii's forests and preserve our water resources.

"Ladies and gentlemen, paradise is our home. It needs our devotion and it needs our care.

"Our islands reflect travelers and attract travelers from around the world. So too, the film industry also depends on showcasing the beauty and variety of our Aloha State. We've seen what these islands can look like on big screen and television. Having top-rated television shows and award-winning films like "The Descendants," speaks volumes about Hawaii as a television and cinema venue. It is for that reason that we will be requesting the Legislature to look at the TV and Film Tax Credit with the intention of drafting necessary changes in making it permanent.

"All of our work comes down then, to one underlying purpose – to serve Hawaii and its people. I mean it broadly, and I mean it inclusively. It's part of our culture and part of our history. We're one *'ohana*, one family, one state. So, we create programs, we establish services, we pass laws to meet that obligation. In short, we best care for our people by investing in them.

"That investment begins, as I've indicated, with our youngest children. Early childhood education lays the foundation for a lifetime of learning and results in productive citizens who will someday manage our businesses, build our homes and offices, welcome our visitors, care for our sick, make new discoveries in science, enter this Legislature, cast votes on behalf of the people of Hawaii and lead us into the future.

"We're at a crossroads then when it comes to early childhood education. For too long, we have continued old patterns that treated early education as something that is optional, a luxury for only those few who have the means.

"Research shows that 85 percent of a child's brain development takes place before the age of five and that children who have quality early experiences are more likely to graduate from high school, attend college, contribute positively to the economy and to their families. Yet, many of Hawaii's children are entering school unprepared. It's time to invest in our children, and invest in our future, so that our state can thrive."

"My friends, that was a direct quotation and observation from 'Be My Voice Hawaii'. Be My Voice Hawaii who advocates for young children. It illustrates without equivocation that early education is not just an option; it's a fundamental necessity if we are to set the broader educational stage for our children. It is not just about learning to read and write. It establishes healthy attitudes towards learning that will stay with them throughout their lives. We also know that early education greatly enhances a young person's sense of self-worth and confidence and that, in turn, positively affects learning.

"Early childhood education must be the initial step on the education ladder. Failure to act now virtually ensures our children will be left behind. I cannot emphasize that enough. Failure to act now ensures that our

children will be left behind. If they are not our top priority, then we no longer know the meaning of that word.

"The State's Early Childhood Coordinator Terry Lock has put together a team to create a unified framework. This early education plan for the State will be the guide for building a stronger quality early care and education system for our youngest children and all their families. Investing in the next generation is the wisest decision that we can make as a people. And make no mistake – it is an investment with long-term returns that will far outweigh the initial costs.

"Last Session, I forwarded difficult proposals to you to address difficult times. In stark contrast to one year ago, as a result of the aforementioned tough-minded administrative and legislative action, the State finds itself in an all-too-rare financial situation of not having to pay for debt or to balance the budget by raising taxes.

"We will continue on this path of strong fiscal management and strategic financial investments, as indicated in Opening Day remarks by President Tsutsui and Speaker Say. Yes, I read those speeches and read them more than once. They're well worth reading, by the way. I commend them to your attention. I think we are in exactly the same position, right straight across. They were very, very excellent admonitions not just to ourselves, but a genuinely clear reflection of the context fiscally and programmatically that we find ourselves in.

"So, we now have the luxury of weighing solutions to behavioral and societal issues on their own merit. We can ask ourselves what will be most effective and do the most good for our children without the distraction of having to balance the budget on a new tax program.

"Nonetheless, the fact remains that the link between one of those issues that I mentioned last year, sugar-sweetened beverages and health is undeniable. The link between them is undeniable. The policies or the proposals that might be associated with that, in reaching out to deal with it, that may be subject to discussion. Obviously it is. How we go about it. Remember, in the beginning of my remarks I indicated how we are going to do things is the most important thing, if we agree on what needs to be done.

"The connection is undeniable. I have proposed then the establishment of a task force, with members from the public and private sectors, to identify and then implement a solution to this very real health issue in our State. This is a fiscal issue. This is a money issue. But it is fundamentally and primarily a public health issue. It is not going to go away and is only going to accelerate and be exacerbated in time to come. This group's objective will be navigating us away from the path that has led obesity rates in Hawaii to have doubled, doubled in the last 15 years. Sadly, more deaths and illnesses have occurred from chronic diseases than from contagious diseases in Hawaii. We're controlling contagious disease. It's the chronic disease that is getting away from us. That's why we're having these arguments that we're having today. Not maybe arguments. These discussions, having to confront the idea of healthcare costs. Why are the healthcare premiums rising? It's not spending. Spending is chasing the costs, and the costs are what are involved in us not having the kind of healthy lifestyle that we must have in order to survive.

"The Director of the State Department of Health recently noted that, 'Obesity is not just about losing weight for our children ...' That is not what I'm concentrating on. Yes, that brings us to an immediate focus, but it is a deadly accurate predictor of cancer, heart disease, stroke, diabetes and other mental and physical ailments. This will follow our children as it is following adults now throughout their lives. And it is having immediate impact on our Medicaid funding; an immediate impact on what constitutes Medicare generally throughout the nation; and immediate impact on what we have to do in order to meet our obligations with regard to healthcare premiums.

"So for these early childhood education and health initiatives, I'm only requesting \$1 million total, but we can do it. There is commitment throughout the State. There are people and groups ready to go to work on this, ready to come up with a consensus conclusion that we can get behind. Thank you for your attention to this because this, for this modest amount

of investment, can have long-term payoffs for us in terms of health and in terms of security for our people that can scarcely be measured at this time.

"As important as these issues are for our children, the issues affecting our *kupuna* are growing in importance in conjunction with their numbers. Last year, the first of the Baby Boomers reached retirement age. Hawaii acutely felt this demographic shift not only because of their sheer numbers, but also because Hawaii enjoys one of the highest life expectancies in the nation.

"That is why I am proposing \$1.4 million appropriation to begin creating one-stop shops across the State for information on aging, to assist all of our *kupuna* who face the challenges of aging and restricted mobility. We are working with federal, county and community partners to establish Aging and Disabilities Resource Centers, which will serve as a single point of entry for all long-term care support and services in the State. The centers will streamline eligibility determination, minimize the need to navigate multiple bureaucracies, and facilitate informed choices about long-term care. This group will address the question of assisted living; address the question of living in place; address the question of how do we meet the long-term care needs of our people. But this initiative to ease access to services is only the start. We need then to have a further and deeper conversation about long-term care. Seniors want to age in their communities, they want to age in their homes. But more importantly, they deserve to do so; they deserve to do so with dignity. That is why I am committed to strengthening our system of home- and community-based services. These needs can no longer, and should no longer, be ignored.

"As I mentioned earlier, the sudden shut down of two Hawaii Medical Center hospitals on 'Oahu at the start of this year emphasizes this issue. It had widespread ramifications throughout the medical community and the State, including those who suffer from kidney-related diseases.

"An emergency appropriation for a grant of \$1.8 million to the National Kidney Foundation of Hawaii will support this important health service. It's fundamental. It is just fundamental. I suspect there will be very few of us in the State, at some time or another, who are not going to have someone in the family, or friends, or in the community that you know who's going to need dialysis. That's part of the legacy of not coming to grips with our nutritional and health needs to this point. We pledge to help those who have stepped forward in the private sector to ensure that the people of Hawaii have this crucial medical care and expertise.

"Our State Department of Labor and Industrial Relations immediately provided rapid response services to employees at the Hawaii Medical Center worksites, giving them information on applying for unemployment benefits, health insurance options, potential workforce training programs and other services.

"We appreciate all the assistance the Department has received and I want to emphasize that. Everyone has pulled together here. I'm very, very grateful, as is everybody in the Department of Labor and Industrial Relations. We're grateful that you put these opportunities together and you're helping these workers transition. In Hawaii, we must think of ourselves as *‘ohana* first and that's what's taking place today.

"It reflects a spirit of aloha, and this spirit of aloha is deeply rooted in the diverse cultures of these islands. We must never forget that it is the culture of our Native Hawaiians that we so proudly share with ourselves and the world that causes this to be in the forefront of our consciousness. The recent settlement in principle with the Office of Hawaiian Affairs directly addresses ongoing issues that have remained unresolved for decades. The proposed settlement transfers about 25 acres in Kaka‘ako to the Office of Hawaiian Affairs. OHA can use that resource to immediately benefit Native Hawaiians. We're going to stop talking about what needs to be done and give Native Hawaiians the opportunity to do something for, and with themselves now.

"In turn, this proposal provides approximately \$200 million in value to settle claims against the State. More importantly, it brings closure to this longstanding rift allowing both the Native Hawaiian community and the State to move forward. It is my hope that this proposal heals old wounds.

"We have also begun to make progress in one of the biggest challenges faced by the whole community – homelessness. A coordinated approach and strong desire to help people has been the basis of a multi-pronged effort to assist the homeless in Hawaii – to provide not only temporary shelter for those who need it, but to help them to become productive citizens.

"We have and we will continue to invest in the potential of those who are currently homeless. That's what we're focusing on. This is not a dead end. Everyone has potential. And that's what we're going to focus on relentlessly. In July 2011, I signed an Executive Order that established the Hawaii Interagency Council for Homelessness, a 24-member council comprised of community leaders, State department directors, federal agency representatives and others to develop a unified plan on addressing homelessness. We had never had unity of effort previous to this. The Council aligns its efforts with the United States Interagency Council on the Homeless, established by President Obama in 2009.

"Led by the State's first Coordinator on Homelessness, Marc Alexander, the Council worked to bring together a patchwork of organizations that are now seamlessly put together in a single quilt to meet their goals of: 1) increasing transitional and permanent housing options, and 2) acquiring increased federal funding and funding from any other sources that can aid and abet this process.

"Now, all these initiatives that I've been discussing are not only about saving or spending money, or programs or projects. It is about how to spend the precious taxpayer dollars.

"A key example of this is the Justice Reinvestment Initiative. The data is clear that from 1997 to 2010, violent and property crime throughout the State steadily decreased by nearly half. But despite these improvements in public safety, the incarceration population has remained the same. We must change the way in which our laws work, change the way in which the system works, so that we can make a clear distinction between those that need to stay in prison to keep the public safe, versus those who present little risk or have the potential to be rehabilitated. But, we must also provide proper and consistent supervision of those who are released so that we can act with dispatch when any offender fails to take advantage of the opportunity offered for a productive life. I can speak, as many of you know, with some authority in this area as a former probation officer.

"The Justice Reinvestment Proposals have nothing to do with any decline in public safety. I hope we do not have a false argument about whether or not we want to keep people safe. There is not a legislator here, there is not a responsible citizen anywhere in Hawaii that is talking about at all, with declining safety or imperiling public safety. What we're talking about is, as a matter of fact, the exact opposite. If you keep people in prison for long terms; if you keep them away from their family and their community; if you separate them from the possibility of being able to integrate themselves back in to a society, I can guarantee that you're going to have not just recidivism, but you're going to have destroyed families and destroyed possibilities.

"However, for those particularly in the grip of today's drug culture, if we can give them an alternative; if we can work with them together as a community, for those who do want to take advantage of it. Then I can assure you that this reinvestment procedure, the changes that we're seeking to make will have a positive benefit for everybody, including seeing to it that public safety is first and foremost, and a future for the individuals who can be rehabilitated can be assured.

"So after this unprecedented collaboration with the Governor's Office, the Justice Department, the Public Safety Department, key lawmakers, the Judiciary, The Council of State Governments Justice Center, we will be proposing legislation that will improve the criminal justice system using the most up-to-date strategies. And we'll do this with existing resources. I'm not asking for a dime for this. I'm not asking for a penny extra for this. I'm asking that we use our brains, and we use our aloha with one another and make it work for all of us.

"And I'd be totally remiss, if I'm talking about how we spend our money, if we didn't ask ourselves, "Why do we continue to send billions of dollars

a year outside of the islands to meet our energy needs?" If there's one thing we export from Hawaii it's dollars. It's our major export, for oil, for food, for prisoners. We've got to keep these dollars here in Hawaii, and we most especially have to keep them here where energy is concerned.

"Two weeks ago, Tesoro Corporation announced it would be selling its refinery here in Hawaii. This news is not a surprise. Over the years, I have indicated we are at risk given the rising cost of crude oil and the severity of speculation in the global world market. Does everyone understand that the speculative price of oil in Singapore is what dictates what happens to us here in Hawaii? If you want to talk about being a victim of globalization, or you want to talk about how globalization affects all of us, just reflect for a moment on the fact that we are totally in the hands of oil speculators in Singapore, because that's where the price is established for the oil that's imported. I know that there is uncertainty for current employees at Tesoro as it starts the process of seeking an appropriate buyer. Again our Department of Labor and Industrial Relations stands ready to provide job assistance for those who need it.

"I also know there is uncertainty for those who are wondering what the sale of the State's largest refinery means to the cost of fuel in the State. Well, Hawaii has never had control over the high cost of energy. Going back, and I daresay Governor Ariyoshi will agree, certainly when I first came into the Legislature, we were talking about the high cost of fuel. This is something that we've tried to come to grips with over the years, and we've always had to look to an outside source to see if we could get somebody out there to pay attention to us in a positive way. Well, how's that working? Not very well. We're going to have to take our destiny in to our own hands. So, one thing is certain – and you have heard this before – we must lessen our dependence on imported oil. It has to stop, to the degree and extent we can make it happen.

"This is not just an issue then about sustainability. This is about the survival of our State. In moving forward our path to advance a clean energy future, failure is not an option. Reducing our dependence on imported oil will take an equal commitment by government, business, community, family and individuals. We can no longer view energy production or distribution as an island-by-island operation. We must be united on a statewide basis to produce and distribute energy. My Administration is committed to clean alternative and renewable energies for the benefit of all of our islands.

"In November, I signed two international agreements that demonstrate that commitment. The first was signed during the APEC Summit with the Vice Chairman of the China Council for Promotion and International Trade to pursue mutual interests in clean energy development. This year, we will continue to build upon that relationship and, by April, I hope to have a more defined Memorandum of Understanding to advance projects that will result in business opportunities.

"I signed a second agreement with Japan-based New Energy and Industrial Technology Development Organization (NEDO) to collaborate on building a first-of-its-kind smart grid demonstration project on the Island of Maui.

"For this project, Hitachi, NEDO and Mizuho are investing \$37 million in advanced smart grid technology to improve integration of variable and renewable resources into the electrical grid. These agreements mark Hawaii's emergence as the test bed of the Pacific for clean energy demonstrations and clearly indicates the promise that energy projects offer for economic growth, and I want to thank the Lieutenant Governor, Brian Schatz, for heading everything that we did in APEC, for reaching out to the Asia-Pacific region. Particularly in terms of energy, for getting people in Japan and China to understand that we have a test bed here in the Pacific. And I think that his efforts need to be recognized. Lieutenant Governor Schatz, we thank you.

"In no small measure, thanks to the efforts of members of this Legislature and our Department of Business, Economic Development and Tourism, and our Lieutenant Governor, there are currently about 80 renewable energy projects that are demonstrating progress in becoming commercial enterprises which have the potential, obviously, to serve and help the State of Hawaii achieve its energy goals. My Administration will

continue to look at every option – wind, solar, natural gas, photovoltaic, geothermal, bio-fuels, ocean energy and other technologies. We'll be aggressive, but respectful in our approach of the island environment

"These projects are just the first step, and in the next few months we will be unveiling a comprehensive roadmap for the State, beginning on the Big Island of Hawaii. We're going to be building a world-leading, sustainable economy standing on our people's history of self-sufficiency in both food and energy. It's time for us to work together, and the Big Island is going to lead the way. It's time for us to put our willpower to our resources and make this a reality, not just for the Big Island, but for the State as a whole.

"That is why I have assigned Lieutenant Governor Schatz to coordinate and support these energy priorities. We must stay the course when it comes to advancing our clean energy future and ensure that collaborative decisions are being made. Swift and appropriate regulation must take place, as well as healthy competition and local entrepreneurship, community involvement and integration.

"The time for sustainability rhetoric is over. Bold action is needed now. In order to accomplish that ... Thank you, Gil. In order to accomplish that, we must address two critical issues to position ourselves for increasing use of alternative energy – reliability and infrastructure. This is not just some rhetorical device that we're going through here. We know what we have to deal with, the infrastructure part and the reliability part.

"While Hawaii has an abundance of natural resources that I've just outlined, we can tap into those. But the system cannot maintain itself solely with sources that shift with the changing of the wind or the sun hiding behind the clouds. The system demands a clear measure of reliability to feed that energy into the grid. Therefore, one of my primary energy initiatives will be to provide the Public Utilities Commission with the explicit authority to develop, adopt and monitor electricity reliability standards. This will include jurisdiction over how independent power producers connect to the grid. Currently, while the PUC can take on issues through its formal docket process, there is no comprehensive authority to oversee reliability standards. We simply can't succeed unless we do this. To ensure that we have control over the reliability of the energy feeding into the system, we need to give the PUC this authority.

"But more importantly, we need to create the infrastructure for stability. This means making the long-term infrastructure investments that ensure our electric grids are stable, reliable and modern enough to integrate alternative and renewable energy technologies. Our investment will benefit future generations. Had we made this commitment in years past we would be benefitting from it today. We cannot ignore it any longer.

"One of those investments is an undersea cable that can connect our island grids to provide stable, reliable electricity between the islands. This integrated grid will provide stable energy prices and equalize rates between the islands, which will benefit all of us. To pay for this critical piece of infrastructure, we are proposing legislation that will attract private capital resources and expertise, perhaps even international. In today's uncertain world, we cannot postpone Hawaii's clean energy future any longer. We can only get there if we move now. There is no legislation more critical to our future.

"I assure you, the energy debates that will take place this Session will echo the debates that took place here when I was a legislator in these Chambers. This goes back to Governor Ariyoshi. It goes to Governors Waihe'e and Cayetano. We were here when the energy committees presented similar admonitions to us in the 1970s. We have to act. We cannot wait any longer. Let us not repeat a history of failure by failing to act in 2012.

"I want to close if I might, with something that exemplifies what aloha is all about. Whether these initiatives are aimed at reducing our dependence on fossil fuels, or to assist and uplift the homeless, or to help our *kupuna* or our children, all represent wise, and I believe prudent investments in our people. The cost of not taking action now will most certainly result in higher costs not only in dollars, but in social dysfunction as well.

"I am deeply grateful to Speaker Say and President Tsutsui for clearly recognizing and delineating the opportunity to work together on these issues in their respective Opening Day remarks. With the theme of "*Pupukahi I Holomua – Unite to Move Forward*," they have specifically referenced the main objectives that I've outlined – growing a sustainable economy, investing in people and transforming government. I want to extend my pledge to Members of the House and Senate here assembled, to work collaboratively with you to serve all our constituents.

"I know for many it is hard to see beyond today's needs when today's needs loom immediate. But unless dealt with now, today's challenges can only multiply in difficulty. We have the obligation to make a better future for our children. We live in paradise and taking care of each other is a value that's fundamental to the aloha spirit. This is about having aloha for one another and doing what is *pono*. What is *pono* then? What is aloha for each other all about?

"At one point, when the way forward was not always clear to me, Representative Karen Awana sent me a note, the essence of which was, *A'ohe Hana Nui Ke Alu 'Ia* – no task is too big when done together by all. I keep it at my desk. I have it with me now for when I can use a little reminder of the meaning of aloha for one another.

"There is a Buddhist saying, "Words have the power to destroy or to heal. When words are both true and kind they can change our world." Her kindness and her goodness is truly aloha in every way. I pledge my aloha to you all in that spirit. *Mahalo nui*."

"Imua Hawaii."

President Tsutsui then rose and stated:

"Thank you, Governor. On behalf of the Senate and the House of Representatives, we would like to thank you for addressing our entire State this morning. We greatly appreciate your leadership and vision, and your enthusiasm and passion in which you lead our great State. While we agree that the past year has been very challenging, the foundation that your Administration has laid provides a basis for us to build upon and move forward.

"We are here today to pledge our support to help you shoulder the burden of any anticipated and unanticipated challenges during this Legislative Session. Through collaboration, *pupukahi i holomua*, we will realize an even better tomorrow.

"With no further business, I declare this Joint Session adjourned."

At 11:02 o'clock a.m., President Tsutsui declared the Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Wednesday, January 25, 2011.

FIFTH DAY

Wednesday, January 25, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Tom Brower, after which the Roll was called showing all Members present.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 185) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 185, dated January 9, 2012, transmitting the 2011 Annual Report of the State of Hawaii Community-Based Economic Development Technical and Financial Assistance Program, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 201-84, HRS.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1-12) recommending that H.B. No. 994, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 2-12) recommending that H.B. No. 1356, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1356, 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 with reservations, stating:

"Mr. Speaker. Thank you, Mr. Speaker. I'd like to just note my reservations with Standing Committee Report No. 2-12. I understand the privacy interests that the supporters of this bill would like to protect, but I think this might be going too far. And just as an example it says that we would block out providing information about education and training background. I just wanted to do a little anecdotal example of how this might be going too far.

"As a parent of a public school student, as it is, finding out the educational and training backgrounds of the teachers who teach my child is something that I have to go in and affirmatively request. Whereas, in comparison to private school parents, who are often given handbooks that freely tell them what the backgrounds of their teachers are. I think this is a step in the wrong direction to providing transparency to the public, for important information that helps people make wise choices. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 3-12) recommending that H.B. No. 1452, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1452, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I stand in strong support of this measure. Yesterday, Mr. Speaker, I had the opportunity to interview a sex trafficking survivor. She is a local girl. She has a college degree, and is a single mom. She was pulled into this very dark world of sex trafficking. Mr. Speaker, this is not just prostitutes on a street corner. This is in every aspect of our community, and people are controlling these women. And when they have an opportunity to escape, we need to have the services in place to help these victims, to continue their survival.

"This is a \$37 billion a year industry in the United States and that is a conservative estimate. So we as a Body, as the State, we need to do all that we can to support this measure and these victims. Thank you."

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

"Mr. Speaker. I stand in strong support, and I would also like to say that the most important thing in dealing with sex trafficking is the services. You can change the law, but if you don't have the services for the victim, you won't be successful. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1452, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR SURVIVORS OF HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Judiciary.

REPORTS OF CONFERENCE COMMITTEES

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 608, HD 3, SD 1, presented a report (Conf. Com. Rep. No. 1-12) recommending that H.B. No. 608, HD 3, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1-12 and H.B. No. 608, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Pine and carried, the following bills (H.B. Nos. 2320 through 2723; and 2724 through 2884) passed First Reading by title and were referred to Printing:

H. B. Nos.

2320 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Souki, Aquino, Cullen, Har, Ichiyama, M. Lee, Okamura, Takumi, Yamashita, Fontaine and Johanson.

2321 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS."

Introduced by: Representative Nishimoto.

2322 "A BILL FOR AN ACT RELATING TO ETHANOL."

Introduced by: Representatives Yamashita, Awana, Chang, Choy, Coffman, Hashem, Kawakami, Tokioka, Tsuji, Chong, McKelvey and Souki.

2323 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWELFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Yamashita.

2324 "A BILL FOR AN ACT RELATING TO BROADBAND."

Introduced by: Representative Yamashita.

2325 "A BILL FOR AN ACT RELATING TO BROADBAND."

Introduced by: Representatives Yamashita, Aquino, Carroll, Chong, Choy, Cullen, Hanohano, Har, Hashem, Ichiyama, Ito, Kawakami, Keith-Agaran, Manahan, McKelvey, Morikawa, Nakashima, Nishimoto, Okamura, Oshiro, Say, Tsuji and Yamane.

2326 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Yamashita, Chong and Choy.

2327 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Choy.

2328 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Choy.

2329 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR OTHER NEEDY FAMILIES."

Introduced by: Representatives Cabanilla, Mizuno, Carroll, Choy, Ito and M. Lee.

2330 "A BILL FOR AN ACT RELATING TO CLIMATE CHANGE."

Introduced by: Representative Thielen.

2331 "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES."

Introduced by: Representatives M. Lee, Awana, Belatti, Luke, Mizuno, Morikawa, Okamura, Takai, Tokioka and Rhoads.

2332 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT."

Introduced by: Representatives M. Lee, Awana, Jordan, Luke, Morikawa, Okamura, Rhoads, Takai and Tokioka.

2333 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representatives M. Lee and Yamane.

2334 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE HAWAII ISLAND COMMUNITY DEVELOPMENT CORPORATION."

Introduced by: Representative Hanohano.

2335 "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ORGANIZATION NOTIFICATION LIST."

Introduced by: Representative Hanohano.

2336 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Luke, by request.

2337 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Har.

2338 "A BILL FOR AN ACT RELATING TO THE CREATIVE MEDIA INDUSTRY."

Introduced by: Representatives Har, Aquino, Chang, Chong, Cullen, Hashem, Herkes, Ichiyama, Ito, Jordan, Kawakami, McKelvey, Mizuno, Okamura, Tokioka, Yamane and Yamashita.

2339 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representatives Har, Aquino, Awana, Cabanilla, Cullen, Jordan and Yamane.

2340 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Har, Rhoads, Aquino, Awana, Cullen, Ichiyama, Jordan, M. Lee and Yamane.

2341 "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS."

Introduced by: Representatives Har, Cullen and Yamane.

2342 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Saiki, Keith-Agaran, C. Lee and Luke.

2343 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO REQUIRE DISCLOSURE OF THE NAMES OF JUDICIAL NOMINEES."

Introduced by: Representatives Saiki, C. Lee and Luke.

2344 "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES."

Introduced by: Representatives Saiki, Keith-Agaran, C. Lee and Luke.

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| <p>2345 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII."</p> <p>Introduced by: Representatives Cabanilla, Aquino, Ching, Cullen, Har, Rhoads, Say and Yamane.</p> <p>2346 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS."</p> <p>Introduced by: Representative Say.</p> <p>2347 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS."</p> <p>Introduced by: Representative Say, by request.</p> <p>2348 "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS."</p> <p>Introduced by: Representative Say, by request.</p> <p>2349 "A BILL FOR AN ACT RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS."</p> <p>Introduced by: Representative Say, by request.</p> <p>2350 "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER."</p> <p>Introduced by: Representative Say, by request.</p> <p>2351 "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE JUDICIARY."</p> <p>Introduced by: Representative Say, by request.</p> <p>2352 "A BILL FOR AN ACT RELATING TO OPIHI."</p> <p>Introduced by: Representatives Wooley and Coffman.</p> <p>2353 "A BILL FOR AN ACT RELATING TO VETERANS CEMETERIES."</p> <p>Introduced by: Representatives Souki and Ichiyama.</p> <p>2354 "A BILL FOR AN ACT RELATING TO VETERANS."</p> <p>Introduced by: Representatives Souki and Ichiyama.</p> <p>2355 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."</p> <p>Introduced by: Representatives Souki and Ichiyama.</p> <p>2356 "A BILL FOR AN ACT RELATING TO MOPEDS."</p> <p>Introduced by: Representatives Souki, Chang and Ichiyama.</p> <p>2357 "A BILL FOR AN ACT RELATING TO THE ARTS."</p> <p>Introduced by: Representative Wooley.</p> <p>2358 "A BILL FOR AN ACT RELATING TO THE BUILDING CODE."</p> <p>Introduced by: Representatives Herkes and McKelvey.</p> | <p>2359 "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE."</p> <p>Introduced by: Representative Herkes.</p> <p>2360 "A BILL FOR AN ACT RELATING TO APPRAISALS."</p> <p>Introduced by: Representative Herkes.</p> <p>2361 "A BILL FOR AN ACT RELATING TO DEBT COLLECTION."</p> <p>Introduced by: Representatives Hashem, Aquino, Chang, Herkes, Ichiyama, Wooley, Yamane, Yamashita, Keith-Agaran and Nakashima.</p> <p>2362 "A BILL FOR AN ACT RELATING TO EXTERNAL REVIEW."</p> <p>Introduced by: Representatives Hashem, Evans, Aquino, Carroll, McKelvey, Rhoads, Tsuji and Yamashita.</p> <p>2363 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRIBUSINESS COOPERATIVE PROGRAM."</p> <p>Introduced by: Representatives Belatti, Brower, Cabanilla, Evans, Hanohano, Ichiyama, Jordan, Kawakami, Manahan, Nishimoto, Okamura, Takai, Carroll, C. Lee, McKelvey, Mizuno, Rhoads, Tsuji and Wooley.</p> <p>2364 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."</p> <p>Introduced by: Representatives Oshiro and Rhoads.</p> <p>2365 "A BILL FOR AN ACT RELATING TO FUNDING FOR WATERSHED PROTECTION."</p> <p>Introduced by: Representatives Chang, Herkes, Ito, Manahan, Mizuno, Nakashima, Okamura, Aquino and Evans.</p> <p>2366 "A BILL FOR AN ACT RELATING TO THE EAST HAWAII COMMUNITY DEVELOPMENT DISTRICT."</p> <p>Introduced by: Representatives Chang, Aquino, Evans, Hanohano, Har, Herkes, Ichiyama, Ito, Manahan, McKelvey, Mizuno, Nakashima, Okamura, Tokioka, Tsuji, Cabanilla, Chong, Riviere and Souki.</p> <p>2367 "A BILL FOR AN ACT RELATING TO MARINE LIFE."</p> <p>Introduced by: Representatives Chang, Herkes, Ito, Manahan, McKelvey, Mizuno, Okamura, Tokioka, Tsuji, Aquino, Cabanilla, Carroll, Chong, Ichiyama, Nakashima, Riviere and Souki.</p> <p>2368 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."</p> <p>Introduced by: Representatives Chang, Coffman, Evans, Hanohano, Herkes, Nakashima and Tsuji.</p> <p>2369 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-THIRD, THIRTY-FOURTH, AND THIRTY-SIXTH REPRESENTATIVE DISTRICTS."</p> <p>Introduced by: Representatives Okamura, Takai and Takumi.</p> |
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| <p>2370 "A BILL FOR AN ACT RELATING TO THE HURRICANE RESERVE TRUST FUND."</p> <p>Introduced by: Representatives Okamura, Aquino, Ichiyama, Morikawa, Rhoads, Souki, Takumi, Tokioka, Yamashita and Cullen.</p> <p>2371 "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES."</p> <p>Introduced by: Representatives Keith-Agaran and Kawakami.</p> <p>2372 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY."</p> <p>Introduced by: Representative Yamane.</p> <p>2373 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representatives Yamane and Chong.</p> <p>2374 "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS."</p> <p>Introduced by: Representatives Yamane, Aquino, Cullen and Manahan.</p> <p>2375 "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT."</p> <p>Introduced by: Representative Yamane.</p> <p>2376 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."</p> <p>Introduced by: Representative Takumi.</p> <p>2377 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."</p> <p>Introduced by: Representatives Carroll, Brower, Evans, McKelvey and Chong.</p> <p>2378 "A BILL FOR AN ACT RELATING TO FORECLOSURES."</p> <p>Introduced by: Representatives Carroll, Brower, Chong, Evans and McKelvey.</p> <p>2379 "A BILL FOR AN ACT RELATING TO GAMING."</p> <p>Introduced by: Representatives Carroll, Chong and McKelvey.</p> <p>2380 "A BILL FOR AN ACT RELATING TO SHIPPING."</p> <p>Introduced by: Representatives Carroll, Brower, Evans, McKelvey and Chong.</p> <p>2381 "A BILL FOR AN ACT RELATING TO AQUACULTURE AND MARICULTURE."</p> <p>Introduced by: Representatives Evans and Nakashima.</p> <p>2382 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIFEGUARD SERVICES AT KEKAHA KAI STATE PARK."</p> <p>Introduced by: Representatives Evans and Coffman.</p> | <p>2383 "A BILL FOR AN ACT RELATING TO AQUACULTURE AND MARICULTURE."</p> <p>Introduced by: Representative Evans, by request.</p> <p>2384 "A BILL FOR AN ACT RELATING TO LAND USE."</p> <p>Introduced by: Representatives Evans, Carroll, Chang, Herkes, Luke, Say, Tsuji, Chong, McKelvey, Nakashima and Souki.</p> <p>2385 "A BILL FOR AN ACT RELATING TO THE ENHANCED 911 BOARD."</p> <p>Introduced by: Representatives Evans, Aquino, Chong and Yamashita.</p> <p>2386 "A BILL FOR AN ACT RELATING TO LIQUOR."</p> <p>Introduced by: Representatives Ito, Manahan, Okamura, Souki, Tokioka, Tsuji, Chong, Herkes and Say.</p> <p>2387 "A BILL FOR AN ACT RELATING TO NEW MARKETS TAX CREDITS."</p> <p>Introduced by: Representatives Ito, Manahan, Okamura, Say, Souki, Tokioka, Tsuji, Yamane, Chong, Herkes and Yamashita.</p> <p>2388 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-EIGHTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Ito.</p> <p>2389 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."</p> <p>Introduced by: Representatives Takai, Aquino, Belatti, Brower, Cullen, Har, C. Lee, M. Lee, Luke, Manahan, McKelvey, Nakashima, Nishimoto, Tokioka, Johanson, Morikawa and Say.</p> <p>2390 "A BILL FOR AN ACT RELATING TO INCENTIVE PROGRAMS."</p> <p>Introduced by: Representatives Takai, Aquino, Belatti, Brower, Har, C. Lee, Luke, Manahan, McKelvey, Morikawa, Nakashima, Nishimoto, Cullen, Say and Tokioka.</p> <p>2391 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."</p> <p>Introduced by: Representatives Brower, Cullen, Hanohano, Ichiyama, Keith-Agaran, C. Lee, M. Lee, Manahan, McKelvey, Mizuno, Nishimoto, Rhoads, Aquino, Herkes, Ito, Kawakami, Souki and Takumi.</p> <p>2392 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."</p> <p>Introduced by: Representatives Brower, Awana, Hanohano, Manahan, Mizuno, Nishimoto, Aquino, Ichiyama, Jordan, Kawakami, C. Lee, M. Lee and Takumi.</p> <p>2393 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."</p> <p>Introduced by: Representatives Brower, Hanohano, C. Lee, Manahan, Mizuno, Aquino, Ichiyama, Jordan and M. Lee.</p> |
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- 2394 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."
Introduced by: Representatives Brower, Hanohano, Manahan, Mizuno, Ichiyama, M. Lee and Takumi.
- 2395 "A BILL FOR AN ACT RELATING TO HOMESTEAD LEASES."
Introduced by: Representatives Wooley, Carroll, Hanohano and C. Lee.
- 2396 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."
Introduced by: Representative Coffman.
- 2397 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH REPRESENTATIVE DISTRICT."
Introduced by: Representative Coffman.
- 2398 "A BILL FOR AN ACT RELATING TO LAND USE."
Introduced by: Representatives Coffman and Evans.
- 2399 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY, COUNTY OF HAWAII."
Introduced by: Representative Coffman.
- 2400 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Representative Coffman.
- 2401 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION."
Introduced by: Representatives C. Lee and Keith-Agaran.
- 2402 "A BILL FOR AN ACT RELATING TO RECREATIONAL ACTIVITIES."
Introduced by: Representatives C. Lee, Keith-Agaran and Jordan.
- 2403 "A BILL FOR AN ACT RELATING TO COMMERCIAL WATERSPORTS."
Introduced by: Representatives C. Lee, Brower, Takumi and Wooley.
- 2404 "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION."
Introduced by: Representatives C. Lee, Belatti, Brower, Cabanilla, Cullen, Fontaine, Hashem, Manahan, McKelvey, Morikawa, Nishimoto, Pine, Rhoads, Riviere, Souki, Takai, Takumi, Thielen, Wooley, Chong, Herkes, Ichiyama, Mizuno and Nakashima.
- 2405 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."
Introduced by: Representative C. Lee.
- 2406 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Representative Yamane.
- 2407 "A BILL FOR AN ACT RELATING TO THE ARTS."
Introduced by: Representative Wooley.
- 2408 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representatives Aquino and Cullen.
- 2409 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."
Introduced by: Representatives Aquino, Cabanilla, Chong, Cullen, Har, Herkes, Ito, Manahan, Say and Yamane.
- 2410 "A BILL FOR AN ACT RELATING TO THE MILITARY."
Introduced by: Representatives Aquino, Cabanilla, Cullen, Fontaine, Har, Herkes, Ichiyama, Ito, Johanson, Manahan, McKelvey, Say, Yamane, Yamashita, Chong, M. Lee and Takumi.
- 2411 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS."
Introduced by: Representatives Say, Carroll, Chong, Cullen, Evans, Hashem, Ichiyama, Ito, Jordan, M. Lee, McKelvey, Nishimoto, Okamura and Yamashita.
- 2412 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representatives Say, Carroll, Chong, Cullen, Evans, Hashem, Ichiyama, Ito, Jordan, M. Lee, McKelvey, Nishimoto, Okamura and Yamashita.
- 2413 "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES."
Introduced by: Representatives Chong, Carroll, Evans, Ito, Jordan, McKelvey, Mizuno and Nishimoto.
- 2414 "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER AND HALFWAY HOME REGULATION."
Introduced by: Representatives Chong, Carroll, Ito, Jordan, McKelvey, Mizuno, Nishimoto, Evans and M. Lee.
- 2415 "A BILL FOR AN ACT RELATING TO MEDICAID."
Introduced by: Representatives Chong, Ito, Mizuno, Carroll and Evans.
- 2416 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Representatives Chong, Cullen, Evans, Hashem, Ichiyama, Ito, Jordan, Kawakami, C. Lee, M. Lee, Morikawa, Nishimoto, Okamura, Tsuji, Carroll, McKelvey, Souki and Takumi.
- 2417 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
Introduced by: Representative Chong.
- 2418 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."
Introduced by: Representative Chong.

2419	"A BILL FOR AN ACT RELATING TO LAND USE." Introduced by: Representatives Chong, Chang, Har, Say and Yamashita.	2431	"A BILL FOR AN ACT RELATING TO AGRICULTURAL POLICY." Introduced by: Representative Say, by request.
2420	"A BILL FOR AN ACT RELATING TO HISTORIC STRUCTURES." Introduced by: Representatives McKelvey and Ching.	2432	"A BILL FOR AN ACT RELATING TO PROCUREMENT." Introduced by: Representative Say, by request.
2421	"A BILL FOR AN ACT RELATING TO FEED MILLS." Introduced by: Representatives McKelvey, Hashem, Tsuji and Herkes.	2433	"A BILL FOR AN ACT RELATING TO LIVESTOCK FEED." Introduced by: Representative Say, by request.
2422	"A BILL FOR AN ACT RELATING TO INTERNET GAMING." Introduced by: Representatives McKelvey, Hanohano and Souki.	2434	"A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE." Introduced by: Representative Say, by request.
2423	"A BILL FOR AN ACT RELATING TO THE KAA NAPALI AQUATIC RECREATIONAL PARK." Introduced by: Representatives McKelvey, Fontaine and Souki.	2435	"A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS." Introduced by: Representative Say, by request.
2424	"A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDING PERMITS." Introduced by: Representatives McKelvey, Awana, Hashem, Chong and Evans.	2436	"A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL." Introduced by: Representative Say, by request.
2425	"A BILL FOR AN ACT RELATING TO ELECTIONS." Introduced by: Representatives Ching, Fontaine and Marumoto.	2437	"A BILL FOR AN ACT RELATING TO ELECTIONS." Introduced by: Representative Say, by request.
2426	"A BILL FOR AN ACT RELATING TO CHILD VISITATION." Introduced by: Representatives Takai, Aquino, Belatti, Brower, Ching, Cullen, Evans, Fontaine, Hanohano, Har, Hashem, Ichiyama, Johanson, Jordan, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Pine, Saiki, Say, Takumi, Thielen, Wooley, Chang, Riviere, Souki, Tokioka and Yamashita.	2438	"A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." Introduced by: Representative Say, by request.
2427	"A BILL FOR AN ACT RELATING TO THE MILITIA." Introduced by: Representatives Takai, Aquino, Belatti, Brower, Cabanilla, Cullen, Har, Hashem, Keith-Agaran, C. Lee, Luke, Manahan, Marumoto, McKelvey, Morikawa, Nishimoto, Okamura, Riviere, Souki, Thielen, Evans and Nakashima.	2439	"A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." Introduced by: Representative Say, by request.
2428	"A BILL FOR AN ACT RELATING TO TUITION WAIVERS." Introduced by: Representatives Takai, Aquino, Belatti, Brower, Cullen, Har, Johanson, C. Lee, M. Lee, Luke, Manahan, McKelvey, Nishimoto, Souki and Morikawa.	2440	"A BILL FOR AN ACT RELATING TO ACTIONS BY AND AGAINST THE STATE." Introduced by: Representative Say, by request.
2429	"A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE." Introduced by: Representative Say, by request.	2441	"A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT." Introduced by: Representative Say, by request.
2430	"A BILL FOR AN ACT RELATING TO AGRICULTURE." Introduced by: Representative Say, by request.	2442	"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL." Introduced by: Representative Say, by request.
		2443	"A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES." Introduced by: Representative Say, by request.
		2444	"A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES." Introduced by: Representative Say, by request.
		2445	"A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD." Introduced by: Representative Say, by request.

2446	"A BILL FOR AN ACT RELATING TO THE PROBATE CODE."	2460	"A BILL FOR AN ACT RELATING TO GOVERNMENT TORT ACTIONS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2447	"A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION."	2461	"A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2448	"A BILL FOR AN ACT RELATING TO MEDICAID."	2462	"A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2449	"A BILL FOR AN ACT RELATING TO MEDICAID."	2463	"A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2450	"A BILL FOR AN ACT RELATING TO MEDICAID."	2464	"A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2451	"A BILL FOR AN ACT RELATING TO MEDICAID."	2465	"A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2452	"A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC."	2466	"A BILL FOR AN ACT RELATING TO THE POWER OF ARREST."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2453	"A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION."	2467	"A BILL FOR AN ACT RELATING TO CHILD ABUSE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2454	"A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER."	2468	"A BILL FOR AN ACT RELATING TO FALSE CLAIMS TO THE STATE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2455	"A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS."	2469	"A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2456	"A BILL FOR AN ACT RELATING TO THE PUBLICATION OF NOTICES."	2470	"A BILL FOR AN ACT RELATING TO HOMICIDE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2457	"A BILL FOR AN ACT RELATING TO LIMITED EXEMPTION UNDER STATE ETHICS CODE REGARDING CHARITABLE EVENTS."	2471	"A BILL FOR AN ACT RELATING TO TORT LIABILITY."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2458	"A BILL FOR AN ACT RELATING TO CONVERSIONS BY NONPROFIT CORPORATIONS."	2472	"A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2459	"A BILL FOR AN ACT RELATING TO TORT LIABILITY."	2473	"A BILL FOR AN ACT RELATING TO PRISON LITIGATION."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
		2474	"A BILL FOR AN ACT RELATING TO PRISON LITIGATION."
			Introduced by: Representative Say, by request.

2475 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representative Say, by request.

2476 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Introduced by: Representative Say, by request.

2477 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD."

Introduced by: Representative Say, by request.

2478 "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM."

Introduced by: Representative Say, by request.

2479 "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA DEVELOPMENT."

Introduced by: Representative Say, by request.

2480 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say, by request.

2481 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say, by request.

2482 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say, by request.

2483 "A BILL FOR AN ACT RELATING TO ENVIRONMENT."

Introduced by: Representative Say, by request.

2484 "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES."

Introduced by: Representative Say, by request.

2485 "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING."

Introduced by: Representative Say, by request.

2486 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Representative Say, by request.

2487 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

2488 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

2489 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

2490 "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES."

Introduced by: Representative Say, by request.

2491 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say, by request.

2492 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say, by request.

2493 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

2494 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

2495 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

2496 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Representative Say, by request.

2497 "A BILL FOR AN ACT RELATING TO SECURITIES."

Introduced by: Representative Say, by request.

2498 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

Introduced by: Representative Say, by request.

2499 "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS."

Introduced by: Representative Say, by request.

2500 "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS."

Introduced by: Representative Say, by request.

2501 "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION."

Introduced by: Representative Say, by request.

2502 "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS."

Introduced by: Representative Say, by request.

2503 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES."

Introduced by: Representative Say, by request.

2504 "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER."

Introduced by: Representative Say, by request.

2505 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

2506 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

2507 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

2508 "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES."

Introduced by: Representative Say, by request.

2509 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR REIMBURSEMENT OF COSTS RELATED TO THE ASIA-PACIFIC ECONOMIC COOPERATION MEETINGS."

Introduced by: Representative Say, by request.

2510 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Representative Say, by request.

2511 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Representative Say, by request.

2512 "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS."

Introduced by: Representative Say, by request.

2513 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Say, by request.

2514 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative Say, by request.

2515 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representative Say, by request.

2516 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH."

Introduced by: Representative Say, by request.

2517 "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS."

Introduced by: Representative Say, by request.

2518 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES."

Introduced by: Representative Say, by request.

2519 "A BILL FOR AN ACT RELATED TO EARLY LEARNING."

Introduced by: Representative Say, by request.

2520 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representative Say, by request.

2521 "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS."

Introduced by: Representative Say, by request.

2522 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO RECAPITALIZE STATE FISCAL RESERVES."

Introduced by: Representative Say, by request.

2523 "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS."

Introduced by: Representative Say, by request.

2524 "A BILL FOR AN ACT RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES."

Introduced by: Representative Say, by request.

2525 "A BILL FOR AN ACT RELATING TO ELECTRICITY."

Introduced by: Representative Say, by request.

2526 "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS."

Introduced by: Representative Say, by request.

2527 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Say, by request.

2528 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representative Say, by request.

2529 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representative Say, by request.

2530 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY REVENUE."

Introduced by: Representative Say, by request.

2531 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Introduced by: Representative Say, by request.

2532 "A BILL FOR AN ACT RELATING TO A DISCOUNT AND SAVINGS PROGRAM."

Introduced by: Representative Say, by request.

2533 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF AGGRAVATED CIRCUMSTANCES IN THE CHILD PROTECTIVE ACT."

Introduced by: Representative Say, by request.

2534 "A BILL FOR AN ACT RELATING TO DEATH BENEFITS."

Introduced by: Representative Say, by request.

2535 "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID."

Introduced by: Representative Say, by request.

2536 "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS."

Introduced by: Representative Say, by request.

2537 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT."

Introduced by: Representative Say, by request.

2538 "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING."

Introduced by: Representative Say, by request.

2539 "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS."

Introduced by: Representative Say, by request.

2540 "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION."

Introduced by: Representative Say, by request.

2541 "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE."

Introduced by: Representative Say, by request.

2542 "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS."

Introduced by: Representative Say, by request.

2543 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Say, by request.

2544 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Say, by request.

2545 "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE OF ELDERS."

Introduced by: Representative Say, by request.

2546 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS."

Introduced by: Representative Say, by request.

2547 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Representative Say, by request.

2548 "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Representative Say, by request.

2549 "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS."

Introduced by: Representative Say, by request.

2550 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE."

Introduced by: Representative Say, by request.

2551 "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND."

Introduced by: Representative Say, by request.

2552 "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS."

Introduced by: Representative Say, by request.

2553 "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES."

Introduced by: Representative Say, by request.

2554 "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING."

Introduced by: Representative Say, by request.

2555 "A BILL FOR AN ACT RELATING TO VITAL STATISTICS FEES."

Introduced by: Representative Say, by request.

2556 "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES."

Introduced by: Representative Say, by request.

2557 "A BILL FOR AN ACT RELATING TO SALES OF ELECTRONIC CIGARETTES."

Introduced by: Representative Say, by request.

2558 "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

2559 "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES."

Introduced by: Representative Say, by request.

2560 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Representative Say, by request.

2561 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representative Say, by request.

2562 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Representative Say, by request.

2563 "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY."

Introduced by: Representative Say, by request.

2564 "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES."

Introduced by: Representative Say, by request.

2565 "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND."

Introduced by: Representative Say, by request.

2566 "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL."

Introduced by: Representative Say, by request.

2567 "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES."

Introduced by: Representative Say, by request.

2568 "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS."

Introduced by: Representative Say, by request.

2569 "A BILL FOR AN ACT RELATING TO CIVIL UNIONS."

Introduced by: Representative Say, by request.

2570 "A BILL FOR AN ACT RELATING TO LICENSING OF DIETITIANS."

Introduced by: Representative Say, by request.

2571 "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECUAL DISABILITIES."

Introduced by: Representative Say, by request.

2572 "A BILL FOR AN ACT RELATING TO STATE EMPLOYMENT."

Introduced by: Representative Say, by request.

2573 "A BILL FOR AN ACT RELATING TO APPRENTICESHIP."

Introduced by: Representative Say, by request.

2574 "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS."

Introduced by: Representative Say, by request.

2575 "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW."

Introduced by: Representative Say, by request.

2576 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Representative Say, by request.

2577 "A BILL FOR AN ACT RELATING TO WAGES."

Introduced by: Representative Say, by request.

2578 "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES."

Introduced by: Representative Say, by request.

2579 "A BILL FOR AN ACT RELATING TO INFORMATION FOR TEMPORARY DISABILITY INSURANCE CLAIMS."

Introduced by: Representative Say, by request.

2580 "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS."

Introduced by: Representative Say, by request.

2581 "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS."

Introduced by: Representative Say, by request.

2582 "A BILL FOR AN ACT RELATING TO APPEALS TO THE APPELLATE BOARD."

Introduced by: Representative Say, by request.

2583 "A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW."

Introduced by: Representative Say, by request.

2584 "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE."

Introduced by: Representative Say, by request.

2585 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE INTEREST PAYMENT."

Introduced by: Representative Say, by request.

2586 "A BILL FOR AN ACT RELATING TO DISABILITY COMPENSATION DIVISION SPECIAL FUND."

Introduced by: Representative Say, by request.

2587	"A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS."	2601	"A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2588	"A BILL FOR AN ACT RELATING TO GROUNDED VESSELS."	2602	"A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2589	"A BILL FOR AN ACT RELATING TO VESSELS."	2603	"A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2590	"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCE VIOLATIONS."	2604	"A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2591	"A BILL FOR AN ACT RELATING TO ACCRETED LANDS."	2605	"A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2592	"A BILL FOR AN ACT RELATING TO A STATEWIDE ISLAND BURIAL COUNCIL."	2606	"A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2593	"A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT."	2607	"A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2594	"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS."	2608	"A BILL FOR AN ACT RELATING TO DRIVER LICENSING."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2595	"A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS."	2609	"A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2596	"A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT."	2610	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2597	"A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT."	2611	"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2598	"A BILL FOR AN ACT RELATING TO PRE-SENTENCE REPORTS."	2612	"A BILL FOR AN ACT RELATING TO AIRPORT REVENUE."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2599	"A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS."	2613	"A BILL FOR AN ACT RELATING TO TRANSPORTATION."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.
2600	"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."	2614	"A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Say, by request.

2615 "A BILL FOR AN ACT RELATING TO HARBORS
FIREBOAT."

Introduced by: Representative Say, by request.

2616 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representative Say, by request.

2617 "A BILL FOR AN ACT RELATING TO PENALTIES."

Introduced by: Representative Say, by request.

2618 "A BILL FOR AN ACT RELATING TO THE
UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

2619 "A BILL FOR AN ACT RELATING TO THE
UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

2620 "A BILL FOR AN ACT RELATING TO THE
UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

2621 "A BILL FOR AN ACT RELATING TO THE CENTER
FOR NURSING."

Introduced by: Representative Say, by request.

2622 "A BILL FOR AN ACT RELATING TO
FORECLOSURES."

Introduced by: Representative Riviere.

2623 "A BILL FOR AN ACT RELATING TO TRANSFER OF
PROPERTY."

Introduced by: Representatives Luke, Keith-Agaran, C.
Lee and Saiki.

2624 "A BILL FOR AN ACT RELATING TO THE UNIFORM
PROBATE CODE."

Introduced by: Representatives Luke, Keith-Agaran, C.
Lee and Saiki.

2625 "A BILL FOR AN ACT RELATING TO CAPITAL
IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE
FOURTEENTH, FIFTEENTH, AND SIXTEENTH
REPRESENTATIVE DISTRICTS."

Introduced by: Representatives Tokioka, Kawakami
and Morikawa.

2626 "A BILL FOR AN ACT RELATING TO SAFE ROUTES
TO SCHOOL."

Introduced by: Representatives Kawakami, Aquino,
Carroll, Chong, Cullen, Evans, Har, Ichiyama, Ito, Johanson,
M. Lee, Mizuno, Morikawa, Say, Tokioka and Souki.

2627 "A BILL FOR AN ACT RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Representatives Kawakami, Cullen,
Ichiyama, Jordan, M. Lee, Morikawa, Tokioka, Aquino,
Rhoads, Souki and Takumi.

2628 "A BILL FOR AN ACT RELATING TO THE
RESIDENTIAL LANDLORD-TENANT CODE."

Introduced by: Representatives Cabanilla, Herkes and
Ito.

2629 "A BILL FOR AN ACT RELATING TO PUBLIC
HOUSING."

Introduced by: Representatives Cabanilla, Herkes,
Chang, Ito and Nakashima.

2630 "A BILL FOR AN ACT RELATING TO RENTAL
AGREEMENTS."

Introduced by: Representative Tokioka, by request.

2631 "A BILL FOR AN ACT RELATING TO CAPITAL
IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE
SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Evans.

2632 "A BILL FOR AN ACT RELATING TO GRANTS."

Introduced by: Representative Evans.

2633 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE
OF GENERAL OBLIGATION BONDS AND MAKING AN
APPROPRIATION FOR THE UNIVERSITY OF HAWAII
MANOA CAMPUS CENTER COMPLEX."

Introduced by: Representative Choy.

2634 "A BILL FOR AN ACT RELATING TO THE
DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representative Hanohano.

2635 "A BILL FOR AN ACT RELATING TO INTERNATIONAL
AFFAIRS."

Introduced by: Representatives Awana, Evans,
Hashem, Manahan, Thielen, Ward and Chong.

2636 "A BILL FOR AN ACT RELATING TO TRAFFIC
VIOLATION RECORDS."

Introduced by: Representatives Awana and Marumoto.

2637 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representative Awana.

2638 "A BILL FOR AN ACT RELATING TO CHILD
VISITATION."

Introduced by: Representative Awana.

2639 "A BILL FOR AN ACT RELATING TO HIGHER
EDUCATION."

Introduced by: Representatives Nishimoto, Aquino,
Brower, Chang, Choy, Coffman, Cullen, Evans, Fontaine, Har,
Hashem, Ichiyama, Ito, Johanson, Kawakami, Keith-Agaran,
C. Lee, M. Lee, Manahan, McKelvey, Mizuno, Pine, Rhoads,
Saiki, Souki, Takai, Tsuji, Ward, Wooley, Yamane,
Yamashita and Nakashima.

- 2640 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT."
Introduced by: Representative Nishimoto.
- 2641 "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES."
Introduced by: Representatives Riviere, Ching, Hanohano, Pine, Ward, Brower, Cabanilla, Carroll, Evans, Fontaine, Herkes, Ito, Johanson, Marumoto, McKelvey, Okamura and Souki.
- 2642 "A BILL FOR AN ACT RELATING TO FIREWORKS."
Introduced by: Representatives Aquino, Cullen, Manahan, Tsuji and Yamane.
- 2643 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH, THIRTY-SEVENTH, FORTIETH, FORTY-FIRST, AND FORTY-SECOND REPRESENTATIVE DISTRICTS."
Introduced by: Representatives Aquino, Cabanilla, Cullen, Har and Yamane.
- 2644 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
Introduced by: Representatives Souki, Herkes and McKelvey.
- 2645 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS."
Introduced by: Representatives Souki, Herkes, Ito and McKelvey.
- 2646 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."
Introduced by: Representatives Souki, Chang, Herkes, McKelvey and Ito.
- 2647 "A BILL FOR AN ACT RELATING TO THE ETHANOL FACILITY TAX CREDIT."
Introduced by: Representatives Souki, Choy, Cullen, Hanohano, Herkes, Ichiyama, Ito, Keith-Agaran, Okamura, Tsuji, Aquino, Chang, Chong, McKelvey and Yamashita.
- 2648 "A BILL FOR AN ACT RELATING TO ETHANOL."
Introduced by: Representatives Souki, Aquino, Chang, Choy, Cullen, Hanohano, Herkes, Ichiyama, Ito, Keith-Agaran, Okamura, Say, Tsuji, Yamashita, Chong, Hashem, Jordan and McKelvey.
- 2649 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."
Introduced by: Representatives Souki and Ichiyama.
- 2650 "A BILL FOR AN ACT RELATING TO THE FOUNDATION ON CULTURE AND THE ARTS."
Introduced by: Representatives Wooley, M. Lee and Souki.
- 2651 "A BILL FOR AN ACT RELATING TO NOISE."
Introduced by: Representatives Rhoads, Brower, Luke and Okamura.
- 2652 "A BILL FOR AN ACT RELATING TO PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS FACILITIES."
Introduced by: Representative Herkes.
- 2653 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."
Introduced by: Representatives Yamashita, Chang, Chong, Har, Hashem, Herkes, Ichiyama, Ito, Kawakami, McKelvey, Say, Souki, Tokioka and Tsuji.
- 2654 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES."
Introduced by: Representatives Yamashita, Aquino, Awana, Carroll, Chang, Chong, Choy, Coffman, Har, Herkes, Ito, Kawakami, Manahan, McKelvey, Say, Tsuji, Yamane and M. Lee.
- 2655 "A BILL FOR AN ACT RELATING TO LABOR."
Introduced by: Representatives Yamashita, Aquino, Cullen, Hashem, Ichiyama, Kawakami, Morikawa, Rhoads, Tokioka, Yamane and Okamura.
- 2656 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL."
Introduced by: Representative Say, by request.
- 2657 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL."
Introduced by: Representative Say, by request.
- 2658 "A BILL FOR AN ACT RELATING TO CORPORATIONS."
Introduced by: Representative Say.
- 2659 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
Introduced by: Representative Say, by request.
- 2660 "A BILL FOR AN ACT RELATING TO TRANSIT ENHANCEMENTS."
Introduced by: Representative Say, by request.
- 2661 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."
Introduced by: Representative Say.
- 2662 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE."
Introduced by: Representative Say, by request.

2663 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Representative Say, by request.

2664 "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION."
Introduced by: Representatives Yamane, Carroll, McKelvey, Souki and Yamashita.

2665 "A BILL FOR AN ACT RELATING TO STROKE TREATMENT."
Introduced by: Representative Yamane.

2666 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LAND."
Introduced by: Representatives Tsuji, Awana, Brower, Chong, Evans, Hashem, McKelvey, Chang, Choy, Nishimoto and Tokioka.

2667 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
Introduced by: Representatives Tsuji, Awana, Choy, Cullen, Evans, Hashem, Ichiyama, Kawakami, McKelvey and Yamashita.

2668 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
Introduced by: Representatives Tsuji, Awana, Brower, Chang, Chong, Evans, Har, Hashem, Ichiyama, Kawakami, C. Lee, McKelvey, Morikawa, Tokioka, Yamashita, Choy, Cullen and Nishimoto.

2669 "A BILL FOR AN ACT RELATING TO ENERGY."
Introduced by: Representatives Chang, Cabanilla, Cullen, Hashem, Ichiyama, Ito, Manahan, McKelvey, Mizuno, Tokioka, Chong and Yamashita.

2670 "A BILL FOR AN ACT RELATING TO ENERGY."
Introduced by: Representatives Chang, Cabanilla, Cullen, Hashem, Ichiyama, Ito, Manahan, McKelvey, Mizuno, Tokioka and Chong.

2671 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."
Introduced by: Representatives Chang, Cullen, Hashem, Ichiyama and Chong.

2672 "A BILL FOR AN ACT RELATING TO THE OVERTHROW OF THE HAWAIIAN KINGDOM."
Introduced by: Representative Wooley.

2673 "A BILL FOR AN ACT RELATING TO TOURISM."
Introduced by: Representatives Wooley and M. Lee.

2674 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Representative Chong.

2675 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-NINTH REPRESENTATIVE DISTRICT."
Introduced by: Representative Chong.

2676 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Representative Carroll.

2677 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Representative Carroll.

2678 "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDIT."
Introduced by: Representative Saiki.

2679 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."
Introduced by: Representatives Saiki, Keith-Agaran and Luke.

2680 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE."
Introduced by: Representative Saiki.

2681 "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS."
Introduced by: Representatives Jordan and Okamura.

2682 "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS."
Introduced by: Representatives Jordan, Kawakami, Har, McKelvey and Rhoads.

2683 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIFTH REPRESENTATIVE DISTRICT."
Introduced by: Representative Jordan.

2684 "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE."
Introduced by: Representatives Jordan, Cullen, Har, Ichiyama, Okamura and Souki.

2685 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Representative Jordan.

2686 "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY."
Introduced by: Representatives Wooley and Rhoads.

2687 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
Introduced by: Representative Wooley.

2688 "A BILL FOR AN ACT RELATING TO VEHICLES."
Introduced by: Representatives Takumi and Keith-Agaran.

2689 "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY."
Introduced by: Representative Coffman.

2690	"A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES."	2703	"A BILL FOR AN ACT RELATING TO FOOD SELF-SUFFICIENCY."
	Introduced by: Representatives Coffman, Manahan and Say.		Introduced by: Representatives C. Lee, Belatti, Brower, Cabanilla, Carroll, Coffman, Cullen, Evans, Fontaine, Hanohano, Ito, Johanson, Jordan, Keith-Agaran, M. Lee, Luke, Manahan, Marumoto, Mizuno, Morikawa, Nishimoto, Okamura, Pine, Riviere, Souki, Takai, Takumi, Thielen, Tsuji, Ward, Yamashita, Ching, Chong, Hashem, Herkes, Ichiyama, Nakashima and Rhoads.
2691	"A BILL FOR AN ACT RELATING TO GEOTHERMAL DEVELOPMENT."		
	Introduced by: Representative Coffman.		
2692	"A BILL FOR AN ACT RELATING TO HOMEOWNERSHIP."	2704	"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
	Introduced by: Representatives Ward, Cabanilla, Carroll, Thielen, Chang, Herkes, Ito, Marumoto, McKelvey, Morikawa, Pine and Riviere.		Introduced by: Representatives C. Lee, Belatti, Brower, Carroll, Ching, Choy, Coffman, Cullen, Evans, Hanohano, Hashem, Ito, Luke, Manahan, Mizuno, Morikawa, Nishimoto, Rhoads, Takai, Thielen, Ward, Cabanilla, Chang, Chong, Fontaine, Herkes, Ichiyama, Johanson, Marumoto, McKelvey, Nakashima, Say, Tokioka and Yamashita.
2693	"A BILL FOR AN ACT RELATING TO STUDENT HEALTH."	2705	"A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS."
	Introduced by: Representatives Ward, Ching, M. Lee, Marumoto, Morikawa, Riviere, Herkes, Johanson, Mizuno, Nishimoto, Pine and Thielen.		Introduced by: Representative Carroll.
2694	"A BILL FOR AN ACT RELATING TO THE STATE BUDGET."	2706	"A BILL FOR AN ACT RELATING TO EDUCATION."
	Introduced by: Representatives Ward, Choy, Har, Ito and M. Lee.		Introduced by: Representative Carroll.
2695	"A BILL FOR AN ACT RELATING TO LIFE INSURANCE POLICIES."	2707	"A BILL FOR AN ACT RELATING TO CRIMINAL DEFAMATION."
	Introduced by: Representative Belatti.		Introduced by: Representative Carroll.
2696	"A BILL FOR AN ACT RELATING TO LONG-TERM CARE INSURANCE."	2708	"A BILL FOR AN ACT RELATING TO COLLECTION REMEDIES FOR ASSOCIATIONS."
	Introduced by: Representative Belatti.		Introduced by: Representatives Rhoads, Brower, Luke, Saiki and Takai.
2697	"A BILL FOR AN ACT RELATING TO RESIDENTIAL CARE."	2709	"A BILL FOR AN ACT RELATING TO HIGHWAYS."
	Introduced by: Representative Belatti.		Introduced by: Representatives Rhoads, Herkes, Manahan and Pine.
2698	"A BILL FOR AN ACT RELATING TO ELECTIONS."	2710	"A BILL FOR AN ACT RELATING TO CONSTRUCTION OF LAWS."
	Introduced by: Representatives Ching, Fontaine and Marumoto.		Introduced by: Representative Rhoads.
2699	"A BILL FOR AN ACT RELATING TO SMOKING."	2711	"A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS."
	Introduced by: Representatives Ching, Hanohano, Belatti, Fontaine, Marumoto, Mizuno, Morikawa, Thielen and Ward.		Introduced by: Representative Rhoads.
2700	"A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."	2712	"A BILL FOR AN ACT RELATING TO STATE EQUIPMENT."
	Introduced by: Representatives C. Lee, Luke, Wooley and Evans.		Introduced by: Representatives McKelvey, Carroll, Evans, Har, Hashem, C. Lee, Morikawa and Nishimoto.
2701	"A BILL FOR AN ACT RELATING TO DOMESTIC RELATIONS."	2713	"A BILL FOR AN ACT RELATING TO CITIZENS MARINE PATROL."
	Introduced by: Representative C. Lee.		Introduced by: Representatives McKelvey, Carroll, C. Lee, Morikawa, Souki, Yamashita, Chang and Fontaine.
2702	"A BILL FOR AN ACT RELATING TO BEACHES."	2714	"A BILL FOR AN ACT RELATING TO STATE HISTORIC PRESERVATION."
	Introduced by: Representative C. Lee.		Introduced by: Representative Hanohano.

- 2715 "A BILL FOR AN ACT RELATING TO MAULI OLA."
Introduced by: Representative Hanohano.
- 2716 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."
Introduced by: Representative Hanohano.
- 2717 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANDS."
Introduced by: Representative Hanohano.
- 2718 "A BILL FOR AN ACT RELATING TO THE AINA."
Introduced by: Representative Hanohano.
- 2719 "A BILL FOR AN ACT RELATING TO COMMUNITY ASSOCIATIONS."
Introduced by: Representative Cabanilla.
- 2720 "A BILL FOR AN ACT RELATING TO HOMELESSNESS."
Introduced by: Representative Cabanilla.
- 2721 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representative Cabanilla.
- 2722 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representative Cabanilla.
- 2723 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Representative Cabanilla.

[Note: See Supplemental Calendar #1 for bills received prior to the 6:00 p.m. closing of the Journal this legislative day.]

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 9 through 16) and concurrent resolutions (H.C.R. Nos. 11 through 32) were referred to Printing and further action was deferred:

H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was jointly offered by Representatives M. Lee, Aquino, Belatti, Carroll, Cullen, Hanohano, Ichiyama, Jordan, Morikawa, Pine, Thielen, Ward, Yamane and Fontaine.

H.R. No. 10, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII," was jointly offered by Representatives Marumoto, Aquino, Carroll, Cullen, Evans, Hanohano, Ichiyama, Jordan, Kawakami, M. Lee, Mizuno, Morikawa, Thielen and Yamane.

H.R. No. 11, entitled: "HOUSE RESOLUTION RESOLUTION TO SUPPORT THE REPEAL OF COMBAT EXCLUSIONARY RULES," was jointly offered by Representatives M. Lee, Carroll, Evans, Hanohano, Ichiyama, Kawakami, Luke, McKelvey, Mizuno, Morikawa and Pine.

H.R. No. 12, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EFFORTS OF THE NATIONAL WOMEN'S HISTORY MUSEUM TO SECURE A PERMANENT HOME IN THE NATION'S CAPITAL," was jointly offered by Representatives Marumoto, Belatti, Carroll, Evans, Hanohano, Ichiyama, M. Lee, McKelvey, Mizuno, Morikawa, Pine and Thielen.

H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was jointly offered by Representatives Ichiyama, Aquino, Belatti, Carroll, Cullen, Evans, Hanohano, Johanson, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Ward, Yamane and Fontaine.

H.R. No. 14, entitled: "HOUSE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A VETERANS COURT WITHIN THE HAWAII STATE CIRCUIT COURT," was jointly offered by Representatives Ichiyama, Aquino, Belatti, Carroll, Cullen, Evans, Hanohano, Johanson, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Morikawa, Pine, Thielen, Ward, Yamane and Fontaine.

H.R. No. 15, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO FUND ABORTIONS FOR SERVICEWOMEN IN CASES OF RAPE OR INCEST AND LIFT THE BAN ON PRIVATE FUNDING OF ABORTIONS AT MILITARY BASES," was jointly offered by Representatives Ichiyama, Belatti, Carroll, Evans, Hanohano, Jordan, M. Lee, Marumoto, Mizuno, Morikawa and Kawakami.

H.R. No. 16, entitled: "HOUSE RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was jointly offered by Representatives McKelvey and Chang.

H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO INITIATE A PILOT PROJECT TO USE ALL ZIPPER LANES AS E-ZPASS TOLL COLLECTION ROADS DURING RUSH HOUR," was jointly offered by Representatives M. Lee, Cabanilla, Mizuno and Takai.

H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING JANUARY 22-28, 2012 AS "REPRODUCTIVE RIGHTS AWARENESS WEEK," TO ENCOURAGE PUBLIC AWARENESS, CONVERSATION, AND SUPPORT FOR REPRODUCTIVE RIGHTS AWARENESS," was jointly offered by Representatives Evans, Belatti, Brower, Chong, Choy, Coffman, Hanohano, Herkes, Ichiyama, Keith-Agaran, C. Lee, M. Lee, Luke, Marumoto, McKelvey, Morikawa, Nakashima, Oshiro, Rhoads, Saiki, Say, Takumi, Thielen, Wooley, Yamashita and Souki.

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was jointly offered by Representatives M. Lee, Carroll, Hanohano, Jordan, Pine and Yamane.

H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ALLOW PUBLIC SCHOOL CAMPUSES THAT HAVE SMALLER STUDENT ENROLLMENTS TO BE USED FOR AGING AND DISABILITY RESOURCE CENTERS, SENIOR CENTERS, AND OTHER KUPUNA-RELATED PROGRAMS TO MEET COMMUNITY NEEDS AND AVOID THE CLOSURE OF SCHOOLS," was jointly offered by Representatives M. Lee, Fontaine, Hanohano, Morikawa, Thielen, Ward, Yamane, Belatti, Carroll, Ichiyama, Jordan and Kawakami.

H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY TO DETERMINE WAYS, OTHER THAN TAX INCENTIVES, TO ENCOURAGE EMPLOYERS TO PROVIDE AND PAY FOR LONG TERM CARE INSURANCE AND INDIVIDUALS TO PURCHASE LONG TERM CARE INSURANCE," was jointly offered by Representatives M. Lee, Belatti, Carroll, Hanohano, Ichiyama, Jordan, Kawakami and Yamane.

H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII," was jointly offered by Representatives Marumoto, Aquino, Carroll, Cullen, Evans, Hanohano, Ichiyama, Jordan, Kawakami, M. Lee, Mizuno, Morikawa, Pine, Thielen and Yamane.

H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION RESOLUTION TO SUPPORT THE REPEAL OF COMBAT EXCLUSIONARY RULES," was jointly offered by Representatives M. Lee, Carroll, Evans, Hanohano, Ichiyama, Kawakami, Luke, McKelvey, Mizuno and Morikawa.

H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EFFORTS OF THE NATIONAL WOMEN'S HISTORY MUSEUM TO SECURE A PERMANENT HOME IN THE NATION'S CAPITAL," was jointly offered by Representatives Marumoto, Belatti, Carroll, Evans, Hanohano, Ichiyama, M. Lee, McKelvey, Mizuno, Morikawa, Pine and Thielen.

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was jointly offered by Representatives Ichiyama, Aquino, Belatti, Carroll, Cullen, Evans, Hanohano, Johanson, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Ward, Yamane and Fontaine.

H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A VETERANS COURT WITHIN THE HAWAII STATE CIRCUIT COURT," was jointly offered by Representatives Ichiyama, Aquino, Belatti, Carroll, Cullen, Evans, Hanohano, Johanson, Jordan, Kawakami, M. Lee, Marumoto, Mizuno, Morikawa, Pine, Thielen, Ward, Yamane and Fontaine.

H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO FUND ABORTIONS FOR SERVICEWOMEN IN CASES OF RAPE OR INCEST AND LIFT THE BAN ON PRIVATE FUNDING OF ABORTIONS AT MILITARY BASES," was jointly offered by Representatives Ichiyama, Belatti, Carroll, Evans, Hanohano, Jordan, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa and Kawakami.

H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REINVEST FUNDS USED FOR INCARCERATION TO STRUCTURED COMMUNITY PLACEMENT PROGRAMS FOR ELIGIBLE NON-VIOLENT FEMALE OFFENDERS," was jointly offered by Representatives M. Lee, Belatti, Evans, Hanohano, Ichiyama, Jordan, Kawakami, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Wooley, Yamane, Aquino, Fontaine, Luke and Riviere.

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was jointly offered by Representatives McKelvey and Chang.

H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAAINA PLACE, WAIMANALO, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S OFFICE TO CONDUCT A STUDY ON THE EFFICACY OF COMBINING STATE GOVERNMENT HEALTH POLICY, PLANNING, AND PURCHASING IN A SINGLE AGENCY IN ORDER TO ADVANCE TRANSFORMATION OF HAWAII'S HEALTHCARE SYSTEM AND UNIVERSAL ACCESS TO CARE," was offered by Representative Say, by request.

ANNOUNCEMENTS

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

"Thank you, Mr. Speaker. This afternoon, the Committee on Finance is having a public hearing on House Bill 2002, Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, the Ombudsman, and the Ethics Commission. At this time Mr. Speaker, I will ask for a ruling for a potential conflict of interest. At present my wife works for the Auditor's Office. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative C. Lee: "Mr. Speaker. Thank you. While we weren't in session yesterday, I do want to note that it was an auspicious day and a special occasion. I did want to recognize the good Representative from the Downtown area whose birthday it was. Happy 49th, Karl."

Representative Rhoads: "Thank you Representative, for the birthday greetings. But I don't want everyone to forget that I share a birthday with the Representative who chairs the CPC Committee who also had a birthday yesterday. Happy birthday."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Referred to:</u>		
2320	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	2340	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary
2321	Committee on Higher Education, then to the Committee on Judiciary	2341	Committee on Legislative Management, then to the Committee on Finance
2322	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	2342	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management
2323	Committee on Finance	2343	Committee on Judiciary, then to the Committee on Finance
2324	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2344	Committee on Judiciary
2325	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2345	Committee on Health, then to the Committee on Finance
2326	Committee on Energy & Environmental Protection, then to the Committee on Finance	2346	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2327	Committee on Finance	2347	Committee on Finance
2328	Committee on Finance	2348	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2329	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2349	Committee on Judiciary, then to the Committee on Finance
2330	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2350	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2331	Committee on Health, then to the Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	2351	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2332	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2352	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2333	Committee on Finance	2353	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2334	Committee on Human Services, then to the Committee on Finance	2354	Committee on Public Safety & Military Affairs, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2335	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2355	Committee on Transportation, then to the Committee on Judiciary
2336	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2356	Committee on Transportation, then to the Committee on Judiciary
2337	Committee on Finance	2357	Committee on Culture & the Arts, then to the Committee on Finance
2338	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2358	Committee on Water, Land, & Ocean Resources, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2339	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2359	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		2360	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
		2361	Committee on Judiciary, then to the Committee on Finance
		2362	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
		2363	Committee on Agriculture, then to the Committee on Finance

2364	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2386	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2365	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2387	Committee on Economic Revitalization & Business, then to the Committee on Finance
2366	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2388	Committee on Finance
2367	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2389	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2368	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance	2390	Committee on Labor & Public Employment, then to the Committee on Finance
2369	Committee on Finance	2391	Committee on Housing, then to the Committee on Finance
2370	Committee on Finance	2392	Committee on Housing, then to the Committee on Consumer Protection & Commerce
2371	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	2393	Committee on Housing, then to the Committee on Consumer Protection & Commerce
2372	Committee on Health, then to the Committee on Finance	2394	Committee on Housing, then to the Committee on Consumer Protection & Commerce
2373	Committee on Health, then to the Committee on Transportation, then to the Committee on Finance	2395	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2374	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance	2396	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2375	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2397	Committee on Finance
2376	Committee on Judiciary, then to the Committee on Finance	2398	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2377	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2399	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2378	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2400	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2379	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2401	Committee on Judiciary, then to the Committee on Finance
2380	Jointly to the Committee on Transportation and the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2402	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2381	Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2403	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2382	Committee on Public Safety & Military Affairs, then to the Committee on Finance	2404	Committee on Judiciary, then to the Committee on Finance
2383	Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2405	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2384	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2406	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2385	Committee on Public Safety & Military Affairs, then to the Committee on Finance	2407	Committee on Culture & the Arts, then to the Committee on Education, then to the Committee on Finance
		2408	Committee on Economic Revitalization & Business, then to the Committee on Finance
		2409	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2410	Committee on Public Safety & Military Affairs, then to the Committee on Finance	2435	Committee on Culture & the Arts, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2411	Committee on Economic Revitalization & Business, then to the Committee on Finance	2436	Committee on Judiciary
2412	Jointly to the Committee on Housing and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2437	Committee on Judiciary, then to the Committee on Finance
2413	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2438	Committee on Judiciary, then to the Committee on Finance
2414	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2439	Committee on Labor & Public Employment, then to the Committee on Finance
2415	Committee on Human Services, then to the Committee on Finance	2440	Committee on Judiciary
2416	Committee on Education, then to the Committee on Finance	2441	Committee on Human Services, then to the Committee on Judiciary
2417	Committee on Energy & Environmental Protection, then to the Committee on Finance	2442	Committee on Judiciary, then to the Committee on Finance
2418	Committee on Economic Revitalization & Business, then to the Committee on Judiciary	2443	Committee on Judiciary, then to the Committee on Finance
2419	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2444	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2420	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2445	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2421	Committee on Agriculture, then to the Committee on Finance	2446	Committee on Judiciary, then to the Committee on Finance
2422	Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	2447	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2423	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2448	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2424	Committee on Agriculture, then to the Committee on Water, Land, & Ocean Resources	2449	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2425	Committee on Judiciary	2450	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2426	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2451	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2427	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2452	Committee on Judiciary, then to the Committee on Finance
2428	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	2453	Committee on Transportation, then to the Committee on Finance
2429	Committee on Agriculture	2454	Committee on Judiciary, then to the Committee on Finance
2430	Committee on Agriculture, then to the Committee on Finance	2455	Committee on Judiciary
2431	Committee on Agriculture, then to the Committee on Finance	2456	Committee on Finance
2432	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2457	Committee on Judiciary
2433	Committee on Agriculture, then to the Committee on Finance	2458	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2434	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2459	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
		2460	Committee on Judiciary, then to the Committee on Finance
		2461	Committee on Judiciary, then to the Committee on Finance
		2462	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

2463	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	2488	Committee on Labor & Public Employment, then to the Committee on Finance
2464	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	2489	Committee on Labor & Public Employment, then to the Committee on Finance
2465	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	2490	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2466	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	2491	Committee on Labor & Public Employment, then to the Committee on Finance
2467	Committee on Human Services, then to the Committee on Judiciary	2492	Committee on Labor & Public Employment, then to the Committee on Finance
2468	Committee on Judiciary, then to the Committee on Finance	2493	Committee on Labor & Public Employment, then to the Committee on Finance
2469	Committee on Judiciary, then to the Committee on Finance	2494	Committee on Labor & Public Employment, then to the Committee on Finance
2470	Committee on Transportation, then to the Committee on Judiciary	2495	Committee on Labor & Public Employment, then to the Committee on Finance
2471	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	2496	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2472	Committee on Human Services, then to the Committee on Judiciary	2497	Committee on Consumer Protection & Commerce
2473	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2498	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2474	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2499	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2475	Committee on Judiciary, then to the Committee on Finance	2500	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2476	Committee on Judiciary, then to the Committee on Finance	2501	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2477	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2502	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2478	Committee on Housing, then to the Committee on Finance	2503	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2479	Committee on Economic Revitalization & Business, then to the Committee on Finance	2504	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2480	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2505	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2481	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2506	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2482	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2507	Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2483	Committee on Energy & Environmental Protection, then to the Committee on Finance	2508	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2484	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	2509	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2485	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	2510	Committee on Education, then to the Committee on Finance
2486	Committee on Judiciary, then to the Committee on Finance	2511	Committee on Education, then to the Committee on Finance
2487	Committee on Labor & Public Employment, then to the Committee on Finance	2512	Committee on Education, then to the Committee on Finance

2513	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance	2533	Committee on Human Services, then to the Committee on Judiciary
2514	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2534	Committee on Human Services, then to the Committee on Finance
2515	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2535	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2516	Committee on Health, then to the Committee on Finance	2536	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2517	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2537	Committee on Human Services, then to the Committee on Judiciary
2518	Committee on Economic Revitalization & Business, then to the Committee on Finance	2538	Committee on Human Services, then to the Committee on Education, then to the Committee on Finance
2519	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance	2539	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2520	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2540	Committee on Human Services, then to the Committee on Finance
2521	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2541	Committee on Human Services, then to the Committee on Finance
2522	Committee on Finance	2542	Committee on Housing, then to the Committee on Finance
2523	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2543	Committee on Housing, then to the Committee on Finance
2524	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then jointly to the Committee on Finance and the Committee on Legislative Management	2544	Committee on Housing, then to the Committee on Finance
2525	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2545	Committee on Human Services, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2526	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2546	Committee on Human Services, then to the Committee on Finance
2527	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance	2547	Committee on Human Services, then to the Committee on Finance
2528	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance	2548	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2529	Committee on Hawaiian Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2549	Committee on Labor & Public Employment, then to the Committee on Finance
2530	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2550	Committee on Labor & Public Employment, then to the Committee on Finance
2531	Committee on Hawaiian Affairs, then to the Committee on Finance	2551	Committee on Health, then to the Committee on Finance
2532	Committee on Hawaiian Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2552	Committee on Transportation, then to the Committee on Finance
		2553	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		2554	Committee on Health, then to the Committee on Finance
		2555	Committee on Health, then to the Committee on Finance
		2556	Committee on Health, then to the Committee on Finance
		2557	Committee on Health, then to the Committee on Finance
		2558	Committee on Health, then to the Committee on Finance

2559	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2581	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance
2560	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2582	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2561	Committee on Energy & Environmental Protection, then to the Committee on Finance	2583	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2562	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2584	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2563	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2585	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2564	Committee on Health, then to the Committee on Judiciary	2586	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2565	Committee on Health, then to the Committee on Finance	2587	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2566	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Education, then to the Committee on Finance	2588	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2567	Committee on Health, then to the Committee on Finance	2589	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2568	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2590	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2569	Committee on Judiciary, then to the Committee on Finance	2591	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2570	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2592	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
2571	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance	2593	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary
2572	Committee on Labor & Public Employment, then to the Committee on Finance	2594	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2573	Committee on Labor & Public Employment, then to the Committee on Finance	2595	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2574	Committee on Judiciary, then to the Committee on Finance	2596	Committee on Judiciary, then to the Committee on Finance
2575	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Housing, then to the Committee on Finance	2597	Committee on Judiciary, then to the Committee on Finance
2576	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2598	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2577	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2599	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2578	Committee on Labor & Public Employment, then to the Committee on Human Services, then to the Committee on Finance	2600	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2579	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2601	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2580	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance	2602	Committee on Judiciary, then to the Committee on Finance

2603	Committee on Public Safety & Military Affairs, then to the Committee on Finance	2627	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2604	Committee on Public Safety & Military Affairs, then to the Committee on Finance	2628	Committee on Housing, then to the Committee on Higher Education, then to the Committee on Judiciary
2605	Committee on Finance	2629	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance
2606	Committee on Finance	2630	Committee on Housing, then to the Committee on Consumer Protection & Commerce
2607	Committee on Economic Revitalization & Business, then to the Committee on Finance	2631	Committee on Finance
2608	Committee on Transportation, then to the Committee on International Affairs, then to the Committee on Finance	2632	Committee on Finance
2609	Committee on Transportation, then to the Committee on Judiciary	2633	Committee on Higher Education, then to the Committee on Finance
2610	Committee on Economic Revitalization & Business, then to the Committee on Transportation, then to the Committee on Finance	2634	Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2611	Committee on Energy & Environmental Protection, then to the Committee on Judiciary	2635	Jointly to the Committee on International Affairs and the Committee on Economic Revitalization & Business, then to the Committee on Finance
2612	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2636	Committee on Transportation, then to the Committee on Judiciary
2613	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources	2637	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2614	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	2638	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2615	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	2639	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance
2616	Committee on Transportation, then to the Committee on Judiciary	2640	Committee on Finance
2617	Committee on Transportation, then to the Committee on Judiciary	2641	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
2618	Committee on Higher Education, then to the Committee on Finance	2642	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2619	Committee on Higher Education, then to the Committee on Finance	2643	Committee on Finance
2620	Committee on Higher Education, then to the Committee on Finance	2644	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2621	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance	2645	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2622	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2646	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2623	Committee on Judiciary	2647	Committee on Energy & Environmental Protection, then to the Committee on Finance
2624	Committee on Judiciary	2648	Committee on Transportation, then to the Committee on Energy & Environmental Protection
2625	Committee on Finance	2649	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2626	Committee on Transportation, then to the Committee on Finance		

2650	Committee on Culture & the Arts, then to the Committee on Transportation, then to the Committee on Finance	2674	Committee on Human Services, then to the Committee on Finance
2651	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	2675	Committee on Finance
2652	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2676	Committee on Human Services, then to the Committee on Finance
2653	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2677	Committee on Economic Revitalization & Business, then to the Committee on Finance
2654	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2678	Committee on Human Services, then to the Committee on Finance
2655	Committee on Labor & Public Employment, then to the Committee on Finance	2679	Committee on Judiciary
2656	Committee on Energy & Environmental Protection, then to the Committee on Finance	2680	Committee on Health, then jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary
2657	Committee on Energy & Environmental Protection, then to the Committee on Finance	2681	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2658	Committee on Economic Revitalization & Business	2682	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2659	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce	2683	Committee on Finance
2660	Committee on Transportation, then to the Committee on Finance	2684	Committee on Transportation, then to the Committee on Finance
2661	Committee on Labor & Public Employment, then to the Committee on Finance	2685	Committee on Human Services, then to the Committee on Finance
2662	Committee on Judiciary	2686	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2663	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2687	Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
2664	Committee on Health, then to the Committee on Finance	2688	Committee on Transportation, then to the Committee on Judiciary
2665	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2689	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2666	Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2690	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2667	Committee on Agriculture, then to the Committee on Finance	2691	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2668	Committee on Agriculture, then to the Committee on Finance	2692	Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2669	Committee on Energy & Environmental Protection, then to the Committee on Finance	2693	Committee on Health, then to the Committee on Education, then to the Committee on Judiciary
2670	Committee on Energy & Environmental Protection, then to the Committee on Finance	2694	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2671	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance	2695	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2672	Committee on Hawaiian Affairs, then to the Committee on Finance	2696	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2673	Committee on Tourism, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		

2697	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
2698	Committee on Judiciary	6	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2699	Committee on Health, then to the Committee on Consumer Protection & Commerce	7	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
2700	Committee on Judiciary, then to the Committee on Finance		
2701	Committee on Judiciary	8	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2702	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary		
2703	Committee on Agriculture, then to the Committee on Finance	<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
2704	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	8	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2705	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	9	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
2706	Committee on Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance	10	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2707	Committee on Judiciary		

COMMITTEE REASSIGNMENTS

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

2709	Committee on Transportation, then to the Committee on Finance	<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
2710	Committee on Judiciary	1707	Committee on Tourism, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2711	Committee on Labor & Public Employment, then to the Committee on Finance	1859	Committee on Consumer Protection & Commerce
2712	Committee on Economic Revitalization & Business, then to the Committee on Finance	2031	Jointly to the Committee on Agriculture and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2713	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2034	Jointly to the Committee on Health and the Committee on Agriculture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2714	Committee on Hawaiian Affairs		
2715	Committee on Hawaiian Affairs	2306	Committee on Economic Revitalization & Business, then to the Committee on Judiciary
2716	Committee on Hawaiian Affairs		
2717	Committee on Hawaiian Affairs	2308	Committee on Transportation, then jointly to the Committee on Tourism and the Committee on Economic Revitalization & Business, then to the Committee on Finance
2718	Committee on Hawaiian Affairs		

OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving House Bills for introduction, seconded by Representative Pine and carried.

The Chair then announced:

"Members, please note that tonight's 6:00 p.m. deadline is firm and there will be no exceptions. Please make sure you give yourselves and your staff ample time to file before 6:00 p.m. Thank you."

2719	Committee on Housing
2720	Committee on Housing
2721	Committee on Housing
2722	Committee on Housing
2723	Committee on Housing

RECESS

At 12:16 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 12:00 o'clock noon, Friday, January 27, 2012.

SUPPLEMENTAL CALENDAR #1**INTRODUCTION OF BILLS**

In accordance with the motion made, the following bills (H.B. Nos. 2724 through 2884) were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day, passed First Reading by title and were referred to Printing:

H. B. Nos.

2724 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representative Evans.

2725 "A BILL FOR AN ACT RELATING TO CHILD CUSTODY."

Introduced by: Representatives Evans and Mizuno.

2726 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representatives Manahan, Aquino, Brower, Choy, Cullen, Keith-Agaran, Mizuno, Yamane and Ichiyama.

2727 "A BILL FOR AN ACT RELATED TO VEHICLE IMMOBILIZATION."

Introduced by: Representatives M. Lee, Aquino, Cullen, Fontaine, Ichiyama, Johanson, Okamura and Yamashita.

2728 "A BILL FOR AN ACT RELATING TO EARLY LEARNING."

Introduced by: Representatives Ichiyama, Belatti, Cullen, Hashem, Jordan, Kawakami, Morikawa, Okamura and Takumi.

2729 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT EDUCATION."

Introduced by: Representatives Ichiyama, Cullen, Hashem, Jordan, Kawakami, C. Lee, M. Lee, Morikawa, Okamura, Yamashita, Har, Takumi and Tokioka.

2730 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Ichiyama.

2731 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Rhoads.

2732 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Morikawa, Kawakami, Marumoto, Takai, Belatti, Evans, Fontaine, Jordan, Luke, Okamura and Tokioka.

2733 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representative Thielen.

2734 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Representatives Nishimoto, Nakashima and Takai.

2735 "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY."

Introduced by: Representatives Nishimoto, Nakashima and Takai.

2736 "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES."

Introduced by: Representatives Keith-Agaran, Aquino, Cabanilla, Choy, Cullen, Johanson, Manahan, Nishimoto, Rhoads, Souki, Yamane and McKelvey.

2737 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

Introduced by: Representatives Keith-Agaran, Awana, Brower, Choy, Cullen, Ito, C. Lee, Luke, Manahan, McKelvey, Morikawa, Nishimoto, Rhoads, Saiki, Takumi, Yamane, Aquino, Chong and Nakashima.

2738 "A BILL FOR AN ACT RELATING TO MORTGAGE DISPUTE RESOLUTION."

Introduced by: Representative Riviere.

2739 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES."

Introduced by: Representatives Tokioka, Aquino, Chang, Choy, Cullen, Har, Hashem, Ichiyama, Ito, Kawakami, Nishimoto, Oshiro, Say, Yamane and Yamashita.

2740 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Tokioka, Kawakami and Morikawa.

2741 "A BILL FOR AN ACT RELATING TO RENEWABLE FUELS."

Introduced by: Representatives Tokioka, Kawakami and Morikawa.

2742 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS."

Introduced by: Representative Say, by request.

2743 "A BILL FOR AN ACT RELATING TO WORKERS' RIGHTS."

Introduced by: Representative Say, by request.

2744 "A BILL FOR AN ACT RELATING TO EXECUTIVE SALARIES."

Introduced by: Representative Say.

2745 "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS."

Introduced by: Representative Say.

2746	"A BILL FOR AN ACT RELATING TO THE LABELING OF GENETICALLY ENGINEERED."	2759	"A BILL FOR AN ACT RELATING TO SMOKING."
	Introduced by: Representative Say, by request.		Introduced by: Representatives Fontaine, Ching, M. Lee, Marumoto, Rhoads, Ichiyama, Okamura, Souki and Ward.
2747	"A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING."	2760	"A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."
	Introduced by: Representative Say, by request.		Introduced by: Representatives Fontaine, Aquino, Ching, Cullen, Ichiyama, Marumoto, Okamura, Pine, Rhoads, Souki, Thielen, Johanson, M. Lee and Ward.
2748	"A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS."	2761	"A BILL FOR AN ACT RELATING TO COMPUTER CRIMES."
	Introduced by: Representative Say, by request.		Introduced by: Representative Pine.
2749	"A BILL FOR AN ACT RELATING TO ALLOWING DOGS IN RESTAURANTS."	2762	"A BILL FOR AN ACT RELATING TO WEB DESIGNERS AND DEVELOPERS."
	Introduced by: Representative Say, by request.		Introduced by: Representative Pine.
2750	"A BILL FOR AN ACT RELATING TO THE REGULATION OF COMMERCIAL DOG BREEDERS."	2763	"A BILL FOR AN ACT RELATING TO EVIDENCE."
	Introduced by: Representative Say, by request.		Introduced by: Representatives Ward, Belatti, Marumoto, Ichiyama, Ito, Keith-Agaran, Luke, McKelvey, Rhoads, Souki and Yamashita.
2751	"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION."	2764	"A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."
	Introduced by: Representative Say.		Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Thielen and Pine.
2752	"A BILL FOR AN ACT RELATING TO VEHICULAR TAXES."	2765	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."
	Introduced by: Representatives Har, Aquino, Chang, Cullen, Ito, Jordan, Kawakami, McKelvey, Tokioka, Yamane, Awana and Souki.		Introduced by: Representatives Ward, Marumoto, Pine, Riviere, Thielen, Belatti, Herkes, Johanson, Keith-Agaran and Luke.
2753	"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."	2766	"A BILL FOR AN ACT RELATING TO PUBLIC WORKS."
	Introduced by: Representatives Har, Aquino, Chang, Choy, Cullen, Ito, Kawakami, McKelvey, Yamane, Awana, Hashem, Ichiyama, M. Lee, Manahan, Souki and Tokioka.		Introduced by: Representatives Chong, Carroll, Cullen, Evans, Har, Hashem, Ichiyama, Ito, Jordan, Kawakami, Manahan, Mizuno, Morikawa, Okamura, Say, Tokioka, Yamashita, Rhoads and Souki.
2754	"A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES."	2767	"A BILL FOR AN ACT RELATING TO PROCUREMENT."
	Introduced by: Representatives Har, Aquino, Carroll, Chang, Cullen, Hashem, Ichiyama, Ito, Kawakami, M. Lee, McKelvey, Tokioka, Yamane, Yamashita and Jordan.		Introduced by: Representatives Chong, Choy, McKelvey and Say.
2755	"A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE TAX."	2768	"A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."
	Introduced by: Representative Har.		Introduced by: Representative Chong.
2756	"A BILL FOR AN ACT RELATING TO PLANNED DEVELOPMENT."	2769	"A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES."
	Introduced by: Representatives Har, Aquino, Chang, Chong, Cullen, Hashem, Ito, Kawakami, M. Lee, McKelvey, Okamura, Tokioka, Yamane, Yamashita and Ichiyama.		Introduced by: Representative Chong.
2757	"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE ELEVENTH REPRESENTATIVE DISTRICT."	2770	"A BILL FOR AN ACT RELATING TO CULTURALLY SENSITIVE LAND DEVELOPMENT."
	Introduced by: Representative Fontaine.		Introduced by: Representatives Wooley, Awana, Carroll, Hanohano and C. Lee.
2758	"A BILL FOR AN ACT RELATING TO TAXATION."		
	Introduced by: Representatives Fontaine, Ching, Cullen, Johanson, Marumoto, Pine and Ward.		

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| <p>2771 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."</p> <p>Introduced by: Representatives Wooley, Choy, Keith-Agaran, McKelvey and Okamura.</p> <p>2772 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIRST REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Cullen.</p> <p>2773 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM."</p> <p>Introduced by: Representatives Cullen, Fontaine, Ito, M. Lee, Mizuno, Rhoads, Chong, Ichiyama, Johanson, Luke, Okamura, Souki and Takumi.</p> <p>2774 "A BILL FOR AN ACT RELATING TO A SYMBOL OF MILITARY HONOR AND SACRIFICE."</p> <p>Introduced by: Representatives Cullen, Aquino, Belatti, Brower, Carroll, Chang, Choy, Evans, Fontaine, Hanohano, Hashem, Herkes, Ichiyama, Ito, Johanson, Jordan, Kawakami, M. Lee, Luke, McKelvey, Mizuno, Nakashima, Nishimoto, Okamura, Pine, Riviere, Saiki, Souki, Rhoads and Takumi.</p> <p>2775 "A BILL FOR AN ACT RELATING TO ELECTRONIC BENEFITS TRANSFER CARDS."</p> <p>Introduced by: Representatives Cullen, Aquino, Chong, Choy and Manahan.</p> <p>2776 "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE."</p> <p>Introduced by: Representatives Manahan, Aquino, Mizuno and Yamane.</p> <p>2777 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SIXTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Riviere.</p> <p>2778 "A BILL FOR AN ACT RELATING TO WASTEWATER."</p> <p>Introduced by: Representative Nishimoto, by request.</p> <p>2779 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."</p> <p>Introduced by: Representative Nishimoto, by request.</p> <p>2780 "A BILL FOR AN ACT RELATING TO FAMILY COURT."</p> <p>Introduced by: Representative Nishimoto, by request.</p> <p>2781 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIFTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Belatti, Luke and Rhoads.</p> <p>2782 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION."</p> <p>Introduced by: Representatives Belatti, Luke, Saiki, Takumi, M. Lee, McKelvey, Mizuno, Rhoads and Souki.</p> | <p>2783 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."</p> <p>Introduced by: Representatives Belatti and Nishimoto.</p> <p>2784 "A BILL FOR AN ACT RELATING TO HEALTH."</p> <p>Introduced by: Representative Riviere.</p> <p>2785 "A BILL FOR AN ACT RELATING TO TAXATION."</p> <p>Introduced by: Representative Marumoto.</p> <p>2786 "A BILL FOR AN ACT RELATING TO THE GENERAL APPROPRIATIONS ACT OF 2011."</p> <p>Introduced by: Representatives Cabanilla, Cullen and Pine.</p> <p>2787 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SECOND REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Cabanilla, Cullen and Pine.</p> <p>2788 "A BILL FOR AN ACT RELATING TO GAMING."</p> <p>Introduced by: Representatives Souki, Carroll, Chang, Hanohano, Har, Herkes, Ito, McKelvey, Tsuji and Chong.</p> <p>2789 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."</p> <p>Introduced by: Representatives Souki and Ichiyama.</p> <p>2790 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."</p> <p>Introduced by: Representatives Souki and Ichiyama.</p> <p>2791 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FOURTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Awana.</p> <p>2792 "A BILL FOR AN ACT RELATING TO MEDICAID."</p> <p>Introduced by: Representatives Awana, Mizuno, Takai, Tsuji, M. Lee, Morikawa and Rhoads.</p> <p>2793 "A BILL FOR AN ACT RELATING TO BOARD OF LAND AND NATURAL RESOURCES."</p> <p>Introduced by: Representatives Ito, Chang, Har, Souki and Tokioka.</p> <p>2794 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Aquino.</p> <p>2795 "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES."</p> <p>Introduced by: Representatives Aquino, Cabanilla, Ching, Cullen, Evans, Har, Ichiyama, Manahan, McKelvey, Mizuno, Nishimoto, Okamura, Tokioka, M. Lee and Souki.</p> |
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2796 "A BILL FOR AN ACT RELATING TO A DEPARTMENT OF CIVIL DEFENSE."

Introduced by: Representative Aquino, by request.

2797 "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT."

Introduced by: Representative Aquino, by request.

2798 "A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT."

Introduced by: Representatives Aquino, Cabanilla, Chong, Cullen, Ichiyama, Ito, Johanson, Keith-Agaran, M. Lee, Luke, Manahan, Okamura, Say, Souki, Takumi, Yamane, Yamashita, Fontaine and Herkes.

2799 "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES."

Introduced by: Representative Say, by request.

2800 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Say.

2801 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representatives Ward and Marumoto.

2802 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Ward.

2803 "A BILL FOR AN ACT RELATING TO THE HONOR AND REMEMBER FLAG."

Introduced by: Representatives Takai, Aquino, Awana, Belatti, Brower, Cabanilla, Carroll, Chang, Ching, Choy, Cullen, Evans, Fontaine, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Johanson, Jordan, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, Marumoto, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Oshiro, Pine, Rhoads, Riviere, Saiki, Souki, Takumi, Thielen, Tokioka, Tsuji, Ward, Wooley, Yamane, Chong, Say and Yamashita.

2804 "A BILL FOR AN ACT RELATING TO MILITARY FUNERAL HONORS FOR HAWAII GOVERNORS."

Introduced by: Representatives Takai, Aquino, Awana, Belatti, Brower, Cabanilla, Chang, Cullen, Evans, Fontaine, Hanohano, Har, Herkes, Ichiyama, Johanson, Jordan, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, Marumoto, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Riviere, Saiki, Thielen, Tokioka, Ward, Wooley, Yamane, Carroll, Chong, Choy, Pine, Say, Souki, Tsuji and Yamashita.

2805 "A BILL FOR AN ACT RELATING TO VETERANS COURT."

Introduced by: Representatives Takai, Aquino, Awana, Brower, Cullen, Hanohano, Herkes, Ito, Johanson, Jordan, Kawakami, C. Lee, M. Lee, Manahan, Morikawa, Nishimoto, Okamura, Pine, Thielen, Yamane, Chong, Choy and Nakashima.

2806 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Representative Hanohano.

2807 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representative Hanohano.

2808 "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA."

Introduced by: Representative Hanohano.

2809 "A BILL FOR AN ACT RELATING TO KALO APPRECIATION MONTH."

Introduced by: Representatives Hanohano, McKelvey and Wooley.

2810 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Nakashima, Brower, Chang, Evans, Hanohano, Herkes, Morikawa, Nishimoto, Tokioka and Tsuji.

2811 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Representatives Nakashima, Brower, Hanohano, Nishimoto, Aquino, Awana, Carroll, Chang, Choy, Evans, Har, Hashem, Herkes, Ichiyama, Manahan, McKelvey and Tsuji.

2812 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Representatives Nakashima, Aquino, Awana, Brower, Carroll, Chang, Choy, Evans, Hanohano, Ichiyama, Keith-Agaran, Manahan, Nishimoto, Tsuji, Hashem, Herkes and Johanson.

2813 "A BILL FOR AN ACT RELATING TO THE HAWAII SCIENCE, TECHNOLOGY, AND INNOVATION AGENCY."

Introduced by: Representatives Nakashima, Belatti, Brower, Choy, Hanohano, Ichiyama, Keith-Agaran, C. Lee, Luke, Morikawa, Nishimoto, Saiki, Wooley and Herkes.

2814 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION."

Introduced by: Representatives Nakashima, Aquino, Awana, Belatti, Brower, Hanohano, Keith-Agaran, C. Lee, Luke, Morikawa, Nishimoto, Saiki, Takumi, Wooley, Choy, Herkes, Ichiyama and Yamashita.

2815 "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS."

Introduced by: Representatives C. Lee, Keith-Agaran, Saiki, Takai, Rhoads and Takumi.

2816 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY."

Introduced by: Representative C. Lee.

2817 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representative C. Lee.

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| <p>2818 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Chang, Evans, Herkes, Nakashima and Tsuji.</p> | <p>2830 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."</p> <p>Introduced by: Representative Tsuji, by request.</p> |
| <p>2819 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."</p> <p>Introduced by: Representatives Chang, Evans, Herkes, Ichiyama, Ito, Nakashima, Tsuji, Yamashita, Chong, Choy and Souki.</p> | <p>2831 "A BILL FOR AN ACT RELATING TO IRRIGATION."</p> <p>Introduced by: Representatives Tsuji, Brower, Carroll, Chong, Evans, Har, Hashem, Marumoto, Yamane and Souki.</p> |
| <p>2820 "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS."</p> <p>Introduced by: Representatives Chang, Chong, Evans, Choy, Ichiyama, Ito, Nakashima, Souki, Tsuji and Yamashita.</p> | <p>2832 "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATION."</p> <p>Introduced by: Representatives Tsuji, Chong, Hashem, Marumoto, Yamane and Souki.</p> |
| <p>2821 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."</p> <p>Introduced by: Representatives Chang, Evans, Souki and Tsuji.</p> | <p>2833 "A BILL FOR AN ACT RELATING TO AGRICULTURE."</p> <p>Introduced by: Representative Tsuji.</p> |
| <p>2822 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."</p> <p>Introduced by: Representatives Chang, Ichiyama, Tsuji and Chong.</p> | <p>2834 "A BILL FOR AN ACT RELATING TO THE HAWAII ECONOMIC DEVELOPMENT TASK FORCE."</p> <p>Introduced by: Representative Coffman.</p> |
| <p>2823 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-THIRD REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Brower.</p> | <p>2835 "A BILL FOR AN ACT RELATING TO TAXATION OF CERTAIN MOTOR VEHICLE TRANSACTIONS."</p> <p>Introduced by: Representative Coffman, by request.</p> |
| <p>2824 "A BILL FOR AN ACT RELATING TO HAWAII-GROWN CACAO MONTH."</p> <p>Introduced by: Representatives Brower, Carroll, Ching, Cullen, Evans, Hashem, Ichiyama, Kawakami, M. Lee, Luke, Marumoto, McKelvey, Morikawa, Nishimoto, Souki, Takai, Thielen, Wooley, Har, Jordan and Okamura.</p> | <p>2836 "A BILL FOR AN ACT RELATING TO AGRICULTURE."</p> <p>Introduced by: Representatives Wooley and Hashem.</p> |
| <p>2825 "A BILL FOR AN ACT RELATING TO THRILL CRAFT."</p> <p>Introduced by: Representative Brower.</p> | <p>2837 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES."</p> <p>Introduced by: Representatives Pine and Ching.</p> |
| <p>2826 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SEVENTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representatives Yamane and M. Lee.</p> | <p>2838 "A BILL FOR AN ACT DESIGNATING FEBRUARY AS HAWAIIAN GROWN CACAO MONTH."</p> <p>Introduced by: Representatives Riviere, Awana, Belatti, Brower, Carroll, Chang, Evans, Fontaine, Hanohano, Ichiyama, Luke, Manahan, Marumoto, McKelvey, Mizuno, Pine, Souki, Thielen, Tokioka, Ward, Choy and Johanson.</p> |
| <p>2827 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTH REPRESENTATIVE DISTRICT."</p> <p>Introduced by: Representative Hanohano.</p> | <p>2839 "A BILL FOR AN ACT RELATING TO BOTTLED WATER."</p> <p>Introduced by: Representatives Evans, Awana, Carroll and McKelvey.</p> |
| <p>2828 "A BILL FOR AN ACT RELATING TO GAMBLING."</p> <p>Introduced by: Representatives Awana, Brower, Carroll, McKelvey and Tsuji.</p> | <p>2840 "A BILL FOR AN ACT RELATING TO BAIL."</p> <p>Introduced by: Representatives Luke, Belatti, Brower, Cabanilla, Ching, Choy, Cullen, Fontaine, Hanohano, Har, Herkes, Ichiyama, Ito, Johanson, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Okamura, Pine, Rhoads, Riviere, Saiki, Souki, Takai, Thielen, Tokioka, Wooley, Yamashita, Awana, Carroll, Chang, Chong and Jordan.</p> |
| <p>2829 "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS."</p> <p>Introduced by: Representative Tsuji, by request.</p> | <p>2841 "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT."</p> <p>Introduced by: Representatives Luke, Belatti, Brower, Cabanilla, Carroll, Cullen, Evans, Fontaine, Hanohano, Har, Herkes, Ichiyama, Ito, Johanson, Keith-Agaran, C. Lee, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Nishimoto, Okamura, Pine, Rhoads, Saiki, Souki, Takai, Takumi, Thielen, Tokioka, Wooley, Awana, Chong, Nakashima and Riviere.</p> |

2842 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Luke, Belatti, Brower, Evans, Fontaine, Hanohano, Herkes, Johanson, C. Lee, Morikawa, Nishimoto, Okamura, Pine, Rhoads, Riviere, Saiki, Thielen, Tokioka, Wooley, Awana, Chang, Ching, Chong, Choy, Cullen, Jordan, Nakashima and Yamashita.

2843 "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND."

Introduced by: Representatives Mizuno, Awana, Brower and Manahan.

2844 "A BILL FOR AN ACT RELATING TO AGING AND DISABILITY RESOURCE CENTERS."

Introduced by: Representatives Mizuno, Aquino, Awana, Belatti, Brower, Carroll, Chang, Chong, Evans, Hanohano, Har, Ichiyama, Ito, Jordan, Kawakami, M. Lee, Luke, Manahan, McKelvey, Morikawa, Nishimoto, Okamura, Say, Takai, Tsuji, Yamane, Cabanilla, Hashem, Herkes, Nakashima, Saiki and Takumi.

2845 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representative Mizuno.

2846 "A BILL FOR AN ACT RELATING TO PRESIDENT BARACK OBAMA DAY."

Introduced by: Representatives Mizuno, Awana and Brower.

2847 "A BILL FOR AN ACT RELATING TO CRIMINAL INVESTIGATION."

Introduced by: Representative Mizuno.

2848 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Manahan, Cullen, McKelvey, Yamane and Hashem.

2849 "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES."

Introduced by: Representative Manahan.

2850 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Representative Hashem.

2851 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Hashem.

2852 "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY."

Introduced by: Representatives Hashem, Chang and Manahan.

2853 "A BILL FOR AN ACT RELATING TO LAND USE ENFORCEMENT."

Introduced by: Representative Wooley.

2854 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

Introduced by: Representative Wooley.

2855 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Johanson.

2856 "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT."

Introduced by: Representatives Johanson, Brower, Carroll, Ching, Evans, Fontaine, Manahan, Marumoto, McKelvey, Mizuno, Okamura, Takai, Thielen, Ward, Yamashita, Awana, Hashem, Jordan, Nishimoto, Riviere, Say, Souki, Tokioka and Tsuji.

2857 "A BILL FOR AN ACT RELATING TO MEDICAL BRACELETS."

Introduced by: Representatives Johanson, Carroll, Ching, Evans, Fontaine, Hanohano, Ichiyama, C. Lee, Luke, Manahan, Marumoto, Mizuno, Morikawa, Nishimoto, Riviere, Souki, Takai, Takumi, Thielen, Ward, Chang and M. Lee.

2858 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representatives Johanson, Carroll, Ching, Fontaine, Hanohano, Har, Ichiyama, C. Lee, Luke, Manahan, Marumoto, Nishimoto, Riviere, Takai, Takumi, Thielen, Ward, Chang, Evans, M. Lee and Mizuno.

2859 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Representative C. Lee.

2860 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives C. Lee, Brower, Carroll, Evans, Keith-Agaran, M. Lee, Luke, Saiki, Takumi, Belatti, Chong, Ito and Wooley.

2861 "A BILL FOR AN ACT RELATING TO AIR POLLUTION."

Introduced by: Representative C. Lee.

2862 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative C. Lee.

2863 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representatives Ching, Ward, Evans, Fontaine, Luke, Manahan, Marumoto, Nishimoto, Pine and Riviere.

2864 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Ching, C. Lee, Pine, Fontaine, Mizuno and Riviere.

2865 "A BILL FOR AN ACT RELATING TO DIABETES."

Introduced by: Representatives Ching, Carroll, Evans, Manahan, Thielen, Ward, Yamane, Chang, Fontaine, Johanson, Pine and Riviere.

2866 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ching.

2867 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINETEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Marumoto.

2868 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Representative Keith-Agaran.

2869 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Representatives McKelvey, Carroll, Cullen, Evans, Hashem, Ichiyama, Ito, Jordan, Kawakami, M. Lee, Morikawa, Okamura, Say and Yamashita.

2870 "A BILL FOR AN ACT RELATING TO OCEAN SAFETY."

Introduced by: Representatives McKelvey, Carroll and Fontaine.

2871 "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA."

Introduced by: Representatives McKelvey, Carroll, Har, Souki and Yamashita.

2872 "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS."

Introduced by: Representatives McKelvey, Herkes, Say, Yamashita, Chong and Johanson.

2873 "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS."

Introduced by: Representatives McKelvey, Chang, Chong, Choy, Evans, Ichiyama, Johanson, Nakashima, Say, Ward and Yamashita.

2874 "A BILL FOR AN ACT RELATING TO BROADBAND."

Introduced by: Representative Say.

2875 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Representatives Carroll, Brower, Cullen, Evans, C. Lee, Luke, Manahan, Mizuno and Nishimoto.

2876 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Representative Carroll.

2877 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Carroll, Brower, Cullen, Evans, C. Lee, Luke, Manahan, Mizuno and Nishimoto.

2878 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE MOLOKAI IRRIGATION SYSTEM."

Introduced by: Representative Carroll.

2879 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Carroll.

2880 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Representatives Carroll, Mizuno, Yamashita, Chang, Evans, Manahan and Nakashima.

2881 "A BILL FOR AN ACT RELATING TO GREENWAYS."

Introduced by: Representatives Jordan, Har, Kawakami and Rhoads.

2882 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representative Jordan.

2883 "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY."

Introduced by: Representative Jordan.

2884 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE HAWAII MEDICAL CENTER."

Introduced by: Representative Pine.

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon, Friday, January 27, 2012.

SIXTH DAY

Friday, January 27, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Vice Speaker Joey Manahan, after which the Roll was called showing all Members present with the exception of Representatives Awana and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 186 through 193) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 186, dated January 24, 2012, transmitting the 2010-2011 Annual Report of the Hawaii Community Development Authority, pursuant to Section 206E-19, HRS.

Gov. Msg. No. 187, dated January 16, 2012, transmitting the report, Reorganization and Reduction in Force Actions within the Department of Business, Economic Development and Tourism, pursuant to Act 164, Section 122, SLH 2011.

Gov. Msg. No. 188, dated January 13, 2012, transmitting the Relating to Early Learning Report, prepared by the Department of Education pursuant to Act 14, SLH 2008, First Special Session.

Gov. Msg. No. 189, dated January 26, 2012, requesting immediate consideration and passage of House Bill No. 2437, Relating to Elections, which appropriates general funds to fund the voting system contract for the conducting of the 2012 elections.

Gov. Msg. No. 190, dated January 25, 2012, requesting immediate consideration and passage of House Bill No. 2438, Making Emergency Appropriations for Claims Against the State, Its Officers, or Its Employees.

Gov. Msg. No. 191, dated January 25, 2012, requesting immediate consideration and passage of House Bill No. 2509, Making an Emergency Appropriation for Reimbursement of Costs Related to the Asia-Pacific Economic Cooperation Meetings, which provides reimbursement of funds for costs incurred for planning, safety, and security necessary for the Asia-Pacific Economic Cooperation meetings held in November 2011.

Gov. Msg. No. 192, dated January 25, 2012, requesting immediate consideration and passage of House Bill No. 2546, Making an Emergency Appropriation to the Department of Human Services for Health Care Payments, which appropriates general funds to address the budget shortfall in the Health Care Payments program (HMS 401).

Gov. Msg. No. 193, dated January 25, 2012, requesting immediate consideration and passage of House Bill No. 2547, Making an Emergency Appropriation to the Department of Human Services, which appropriates funds to address the budget shortfall for General Support for Health Care Payments (HMS 902).

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 64 and 65) were received by the Clerk and were placed on file:

Dept. Com. No. 64, dated January 18, 2012, from Stuart T.K. Ho, Chairman, Long Term Care Commission, transmitting the report

concerning the state of long-term care in Hawaii and the Commission's findings and recommendations for reform.

Dept. Com. No. 65, dated January 13, 2012, from Kalbert K. Young, Director of Finance, Department of Budget and Finance, transmitting the FYs 09-15 Non-General Find Information report, pursuant to Section 37-47, HRS.

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Hashem introduced his friend, Mr. Carlton Tomomitsu.

ORDER OF THE DAY

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1-12 and H.B. No. 608, HD 3, SD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 4-12) recommending that H.B. No. 1691, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1691, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Ching being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 5-12) recommending that H.B. No. 2002, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2002, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed Second Reading and was placed on the calendar for Third Reading.

REPORTS OF CONFERENCE COMMITTEES

Representatives Yamane, Nishimoto and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 239, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 2-12) recommending that S.B. No. 239, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2-12 and S.B. No. 239, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Nishimoto and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 809, SD 1, HD 1, presented a report

(Conf. Com. Rep. No. 3-12) recommending that S.B. No. 809, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3-12 and S.B. No. 809, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 17) and concurrent resolutions (H.C.R. Nos. 33 and 34) were referred to Printing and further action was deferred:

H.R. No. 17, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was jointly offered by Representatives Ichiyama and Souki.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was jointly offered by Representatives Ichiyama and Souki.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A TEMPORARY TASK FORCE FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BENEFITS AND COVERAGE," was jointly offered by Representatives Tokioka, Aquino, Chang, Choy, Cullen, Har, Hashem, Ichiyama, Ito, Kawakami, Nishimoto, Oshiro, Yamane and Yamashita.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, today is the United Nations' designated International Holocaust Remembrance Day. It's a reminder of what happened in Auschwitz and the 6 million Jews that were killed. Hopefully the remembrance of this will remind us that there's still the civility that we're looking for in the world, and all the member states of the UN are asked to develop educational programs to help prevent future genocide. And there is genocide going on as we speak in Africa.

"Mr. Speaker I request that I could insert the Secretary General Ban Ki-moon's comments regarding the United Nations' commemoration of this anniversary," and the Chair "so ordered."

Representative Ward submitted the following:

"Secretary-General's Message

One and a half million Jewish children perished in the Holocaust – victims of persecution by the Nazis and their supporters.

Tens of thousands of other children were also murdered. They included people with disabilities... as well as Roma and Sinti.

All were victims of a hate-filled ideology that labelled them "inferior".

This year's International Day of Commemoration in Memory of the Victims of the Holocaust is dedicated to the children – girls and boys who faced sheer terror and evil.

Many were orphaned by the war, or ripped away from their families.

Many died of starvation, disease or at the hands of their abusers.

We will never know what these children might have contributed to our world.

And among the survivors, many were too shattered to tell their stories.

Today, we seek to give voice to those accounts.

That is why the United Nations continues to teach the universal lessons of the Holocaust.

It is why we strive to promote children's rights and aspirations – every day and everywhere.

And it is why we will continue to be inspired by the shining example of great humanitarians such as Raoul Wallenberg, in this, the centennial year of his birth.

Today, as we remember all those lost during the Holocaust – young and old alike -- I call on all nations to protect the most vulnerable, regardless of race, colour, gender or religious beliefs.

Children are uniquely vulnerable to the worst of humankind.

We must show them the best this world has to offer.

Thank you.

*H.E. Mr. Ban Ki-moon,
The Secretary-General of United Nations"*

Representative Luke: "Thank you, Mr. Speaker. I would like to announce to the Body that tomorrow is Representative Chris Lee's birthday. So if we could, instead of a belated, do a pre-lated birthday. Happy birthday, tomorrow."

Representative Ching: "Thank you, Mr. Speaker. This coming weekend kicks off the beginning pre-event for what this Chamber has passed as Hawaii-Grown Chocolate or Cacao Month. I wanted to make sure everyone was aware that this so-called, brightest on the agricultural horizon which is doing quite well is actually having its first event in Haleiwa. It's called the Haleiwa Cacao Festival.

"There will be tours, those of you who are interested in this more lucrative agricultural industry, they'll have tours there in Haleiwa. It is also going to be it's their third annual. They will have *keiki* activities, chef demos, etc.

"Waialua Estate Cacao Orchard Tours are from 9:30 to 11:30, and they ask that we come celebrate Hawaii's bright light on the agricultural horizon, with award-winning Waialua chocolate. It's learning about the benefits of this crop, and it echoes the views of 'Buy Local, It Matters.' Please support your local AG, and promote sustainable job creation. Thank you."

Representative Brower: "Thank you, Mr. Speaker. On that note, I just hope everyone will support my Cacao Bill which someone in this Chamber asked me to introduce. Thank you."

Representative Har: "Thank you, Mr. Speaker. Tomorrow we will celebrate the grand opening of the Kroc Community Center in Kapolei. And for those of you that are not aware, it is the largest community center in the State of Hawaii.

"Several years ago, the City of Kapolei secured a \$90 million grant from the Ray and Joan Kroc Foundation, otherwise known as McDonald's Corporation, and this Body did in fact support the project, via a GIA.

"We're passing around a Certificate, and if possible I'd like every single Member to sign the certificate. It's going around right now, but if you have not had a chance to sign it, please do so. If you're leaving to go home to the Neighbor Islands, if you could stop by my office. Please make sure to do so, so that tomorrow Representative Pine, and there'll be many members of the Legislature attending; Representatives Jordan, Awana, so that we could present it with all of the Members of the House of Representatives."

Representative McKelvey: "Thank you, Mr. Speaker. On a more sad note. West Maui lost one of its icon members, Ms. Star Medeiros. At the appropriate time, could I ask for a moment of silence for her and her family? Thank you."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late Ms. Star Medeiros of Lahaina.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Referred to:</u>		
2724	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance	2743	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2725	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2744	Committee on Finance
2726	Committee on Health, then to the Committee on Finance	2745	Committee on Finance
2727	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	2746	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2728	Committee on Education, then to the Committee on Finance	2747	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2729	Committee on Education, then to the Committee on Finance	2748	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2730	Committee on Transportation, then to the Committee on Consumer Protection & Commerce	2749	Committee on Health, then to the Committee on Judiciary
2731	Committee on Finance	2750	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2732	Committee on Health, then to the Committee on Finance	2751	Committee on Legislative Management, then to the Committee on Judiciary
2733	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2752	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2734	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance	2753	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2735	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance	2754	Committee on Culture & the Arts, then to the Committee on Finance
2736	Committee on Housing, then to the Committee on Judiciary	2755	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2737	Committee on Judiciary, then to the Committee on Finance	2756	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
2738	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2757	Committee on Finance
2739	Committee on Human Services, then to the Committee on Finance	2758	Committee on Energy & Environmental Protection, then to the Committee on Finance
2740	Committee on Energy & Environmental Protection, then to the Committee on Finance	2759	Committee on Health, then to the Committee on Consumer Protection & Commerce
2741	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2760	Committee on Transportation, then to the Committee on Judiciary
2742	Committee on Judiciary	2761	Committee on Judiciary
		2762	Committee on Economic Revitalization & Business, then to the Committee on Judiciary
		2763	Committee on Judiciary
		2764	Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Finance
		2765	Committee on Transportation, then to the Committee on Finance

2766	Committee on Labor & Public Employment, then to the Committee on Finance	2792	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2767	Committee on Economic Revitalization & Business, then to the Committee on Finance	2793	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2768	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	2794	Committee on Finance
2769	Committee on Public Safety & Military Affairs	2795	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Judiciary
2770	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2796	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2771	Committee on Judiciary	2797	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
2772	Committee on Finance		
2773	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	2798	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2774	Committee on Public Safety & Military Affairs, then to the Committee on Finance	2799	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce
2775	Committee on Human Services, then to the Committee on Finance	2800	Committee on Transportation, then to the Committee on Finance
2776	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary	2801	Committee on Finance
2777	Committee on Finance	2802	Committee on Economic Revitalization & Business, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2778	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	2803	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2779	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2804	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2780	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2805	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2781	Committee on Finance	2806	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2782	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2807	Committee on Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
2783	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce	2808	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2784	Committee on Health, then to the Committee on Finance	2809	Committee on Hawaiian Affairs, then to the Committee on Agriculture
2785	Committee on Finance	2810	Committee on Water, Land, & Ocean Resources, then to the Committee on Culture & the Arts, then to the Committee on Finance
2786	Committee on Finance	2811	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Legislative Management, then to the Committee on Finance
2787	Committee on Finance	2812	Committee on Water, Land, & Ocean Resources, then to the Committee on Tourism, then to the Committee on Finance
2788	Jointly to the Committee on Tourism and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance		
2789	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance		
2790	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance		
2791	Committee on Finance		

2813	Committee on Higher Education, then to the Committee on Finance	2839	Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2814	Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts, then to the Committee on Finance	2840	Committee on Judiciary, then to the Committee on Finance
2815	Committee on Transportation, then to the Committee on Consumer Protection & Commerce	2841	Committee on Judiciary, then to the Committee on Finance
2816	Committee on Education, then to the Committee on Finance	2842	Committee on Judiciary
2817	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce	2843	Committee on Human Services, then to the Committee on Finance
2818	Committee on Finance	2844	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2819	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2845	Committee on Economic Revitalization & Business, then to the Committee on Judiciary
2820	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2846	Committee on Culture & the Arts, then to the Committee on Finance
2821	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2847	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2822	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2848	Committee on Public Safety & Military Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
2823	Committee on Finance	2849	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2824	Committee on Agriculture, then to the Committee on Finance	2850	Committee on Health, then to the Committee on Finance
2825	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2851	Committee on Finance
2826	Committee on Finance	2852	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2827	Committee on Finance	2853	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2828	Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	2854	Committee on Judiciary, then to the Committee on Finance
2829	Committee on Judiciary, then to the Committee on Finance	2855	Committee on Finance
2830	Committee on Judiciary	2856	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2831	Committee on Agriculture, then to the Committee on Finance	2857	Committee on Health, then to the Committee on Finance
2832	Committee on Agriculture, then to the Committee on Finance	2858	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance
2833	Committee on Agriculture, then to the Committee on Finance	2859	Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance
2834	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2860	Committee on Agriculture, then to the Committee on Judiciary
2835	Committee on Transportation, then to the Committee on Finance	2861	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2836	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2862	Committee on Finance
2837	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2863	Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2838	Committee on Agriculture, then to the Committee on Finance		

2864	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	13	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2865	Committee on Health, then to the Committee on Finance	14	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2866	Committee on Finance	15	Committee on Public Safety & Military Affairs
2867	Committee on Finance	16	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2868	Committee on Judiciary, then to the Committee on Finance		
2869	Committee on Economic Revitalization & Business, then to the Committee on Finance		
2870	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
2871	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
2872	Committee on Economic Revitalization & Business, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance		
2873	Jointly to the Committee on Economic Revitalization & Business and the Committee on Higher Education, then to the Committee on Finance		
2874	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance		
2875	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance		
2876	Committee on Hawaiian Affairs, then to the Committee on Agriculture, then to the Committee on Finance		
2877	Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance		
2878	Committee on Agriculture, then to the Committee on Finance		
2879	Committee on Finance		
2880	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
2881	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
2882	Committee on Judiciary		
2883	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
2884	Committee on Health, then to the Committee on Finance		
<u>H.R.</u> <u>Nos.</u>		<u>H.C.R.</u> <u>Nos.</u> <u>Referred to:</u>	
9	Committee on Transportation, then to the Committee on Finance	11	Committee on Transportation, then to the Committee on Finance
10	Committee on Health, then to the Committee on Finance	12	Committee on Health
11	Committee on Public Safety & Military Affairs	13	Committee on Transportation, then to the Committee on Finance
12	Committee on Culture & the Arts	14	Committee on Education, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
		15	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
		16	Committee on Health, then to the Committee on Finance
		17	Committee on Public Safety & Military Affairs
		18	Committee on Culture & the Arts
		19	Committee on Public Safety & Military Affairs, then to the Committee on Finance
		20	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
		21	Committee on Public Safety & Military Affairs
		22	Committee on Public Safety & Military Affairs, then to the Committee on Finance
		23	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		24	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
		25	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
		26	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
		27	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
		28	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance

- 29 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
- 30 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
- 31 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance
- 32 Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1897	Committee on Consumer Protection & Commerce
1962	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2006	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
2090	Committee on Hawaiian Affairs, then to the Committee on Finance
2611	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary
2702	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

ADJOURNMENT

At 12:16 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, January 30, 2012. (Representative Chang was excused.)

SEVENTH DAY

Monday, January 30, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Speaker Say presiding.

The invocation was delivered in song by Ms. Romie Wright of Representative Carroll's office, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla and Carroll, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 199 through 203) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 199, dated December 23, 2011, transmitting the Sheriff Division's Expenditure on Overtime Related to Special Duty Assignments Report, prepared by the Department of Public Safety pursuant to Act 164, Section 24, SLH 2011.

Gov. Msg. No. 200, dated January 6, 2012, transmitting the Hawaii Economic Development Task Force Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 73, SLH 2010.

Gov. Msg. No. 201, dated January 6, 2012, transmitting the Energy Resources Coordinator's Annual Report for 2011, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 155, SLH 2009.

Gov. Msg. No. 202, dated January 13, 2012, transmitting the Sheriff Division's Task Force Recommendations Related to Creating a Department of the Sheriff, prepared by the Department of Public Safety pursuant to Act 215, SLH 2011.

Gov. Msg. No. 203, dated January 25, 2012, transmitting the Transfer of Revolving Fund Monies Annual Report for 2011, prepared by the Department of Agriculture pursuant to Sections 155-14 and 219-4, HRS.

At 12:08 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

ORDER OF THE DAY

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1-12 and H.B. No. 608, HD 3, SD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Final Reading by consent calendar. (Representatives Cabanilla, Carroll and Luke were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 2-12 and S.B. No. 239, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 239, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in support with some reservations. Thank you, Mr. Speaker. As you are aware, this bill is nothing new for us. In fact this issue has been with us since 2001, and that's as it relates to the funding of both the construction and the operations of the John A. Burns School of Medicine at the University of Hawaii, Manoa. This bill attempts to extend the deadline offered to the University to allow them to use excess revenues from the Tobacco Settlement Trust Fund for operation. And as you know over the years, I've spoken against this extension. Today I stand in support with reservations. Although I do have some of the same concerns, I do want to read to the Members and to you Mr. Speaker, an email that I wrote, and the response that I received from the University, into the record.

"I wrote it to M.R.C. and Virginia, M.R.C. being the President of the University, and Virginia Hinshaw being the UH Manoa Chancellor.

I realize that Senate Bill 239 is on the Order of the Day today, and I wanted to see whether you can help me understand this bill. Can you assure me and my colleagues that you support this bill? Also, can you assure me, that UH and JABSOM support the end date of June 30, 2015 for the use of the funds. I'm leaning to supporting this bill if I get assurances from you. This issue has long troubled me, and assurances from the University and JABSOM have not been followed each of the times we've extended/amended this funding mechanism. I'm hoping that you could provide me with some comfort know that JABSOM is on its way to meeting the benchmarks established in 2001.

"Chancellor Hinshaw's response to me was:

We do support this bill, and would really appreciate your support for it. We have been working hard on a number of areas to compensate for the reduction. This bill does enable us to implement the needed changes in a planned manner over this time period.

"Then I followed, because I needed some additional clarification, and I said to Chancellor Hinshaw this:

Thanks for your reply. I'm glad the University supports this bill. I'm assuming that the support is also for the June 30th, 2015 deadline when everything goes back to the original language, and the extra funding, if any exists, will not go to the operation of JABSOM. I really would like M.R.C.'s and your commitment that this June 30, 2015 deadline is solid and we have your assurances that the University will not be coming back to the Legislature to extend this deadline yet again. Also, can you elaborate on your comment, "enable us to implement the needed changes in a planned manner over this time." I'm assuming that it's to expand revenue generation opportunities, and to reduce expenses so over time, JABSOM will be able to cover the current operational costs associated with Senate Bill 239. Is this correct?

"And her response is:

That is correct. And so is your understanding of my statement about planning.

"So Mr. Speaker, I stand here today in support of this measure because of these assurances: Number 1, that they'll support the end date of June 30, 2015; and that they're going to work collaboratively with us to assure that the revenues and the research funding increases while we start decreasing them from State support.

"Mr. Speaker, I'd like to also insert additional written comments. Thank you," and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Let me say at the onset that I continue to support the University of Hawaii and the John A. Burns School of Medicine (JABSOM).

"However, I continue to have two major concerns regarding this issue. First, I continue to raise serious concerns about the use and erosion of the tobacco settlement funds. Second, I continue to have concerns with the University's failure to fulfill numerous promises.

"I remind my colleagues of the Master Settlement Agreement (MSA) between the 46 states and the five major tobacco companies. According to the agreement, the settling states and our citizens will receive "significant funding for the advancement of public health and the implementation of important tobacco-related public health measures."

"In keeping with the spirit of the original lawsuit and the MSA, the 1999 Legislature passed Act 304 (SB 1034 CD 1), which states, "The fund shall serve as a mechanism to maximize financial resources for tobacco prevention and control, health promotion and disease prevention programs, children's health programs, and to serve as a long-term source of stable funding for prevention-oriented public health efforts."

"In 1999, when we set up the Tobacco Settlement Special Fund (TSSF), we dedicated 25 percent of the funds to tobacco prevention and quit-smoking programs. The reason why we dedicated 25 percent of the funds to tobacco prevention was the return on investment for tobacco prevention and control is quite significant. Essentially, for every \$1 spent on tobacco control, Hawaii saves \$5 in health care costs.

"The Hawaii Tobacco Prevention and Control Trust Fund (TPCTF) reported that from 2000-2009, \$88.9 million was spent in tobacco control. The projected health care savings from this \$88.9 million investment is \$451.7 million.

"In addition, there has been a significant decline in smoking rates from 2000-2009. In 2000, 12,000 high school students smoked. In 2009, only 5,500 high school students smoked.

"In 2000, 2,200 middle school students smoked. In 2009, only 1,300 middle school students smoked.

"In 2000, 187,900 adults smoked. In 2009, 154,000 adults smoked.

"I mention these statistics to show concrete evidence that since its inception, the TPCTF has saved lives by being a major driving force behind the reduced smoking rate in Hawaii.

"On the heels of September 11, 2001, the Legislature reallocated 28 percent of the annual tobacco funds to the UH Medical School while cutting the funding to tobacco prevention programs to 12.5 percent (one half of the initial amount).

"In 2009, tobacco prevention programs were again deprived of settlement funding with a further decrease to 6.5 percent.

"In 2001, JABSOM received 28 percent. Ten years later, JABSOM continues to receive 28 percent. In addition, in 2001, the intent of the Legislature was to fund only the construction of the medical school campus. Since 2007, funding over and above the bond payment went to the operations of the medical school. This temporary use of the extra funds was supposed to end, but we have yet to see the end of these types of requests.

"How can we explain the decrease of tobacco prevention support from 25 percent to nothing, while we hold steady and protect the funding to the UH Medical School at 28 percent?

"To add salt to the tobacco prevention efforts wounds, the Legislature is contemplating a raid of about \$30 million from the corpus of the TSSF and

the elimination of all funding for tobacco prevention efforts for at least the next couple of years (SB 120).

"Even the Hawaii Department of Health (DOH) is deeply concerned that the long-term viability of tobacco prevention efforts is at risk. In testimony before the Legislature this year, DOH urges that "any redistribution of the TSSF be done in consideration of the original spirit of the lawsuit, settlement and resulting State statutes that established the special fund."

"In addition to our initial commitment to tobacco prevention efforts, I'm also concerned about the University's failure to follow through on previous commitments made to the Legislature since 2001. We must hold the University and other departments to their commitments and they must keep those promises to be fiscally responsible.

"The commitment to use 28 percent of the funds for the UH medical school is much more than covering a \$150 million bond float. It's really about spending 300 million dollars! The debt service agreement was originally pegged at \$302 million or around \$10 million for 30 years.

"In addition, the University committed to raising \$150 million in matching funds to cover the cost of renovating the old Bio-Medical Sciences Building, to cover the cost of construction of the new Cancer Center, and to cover the operational costs of the new medical school in Kakaako.

"In 2001, I voted against our efforts to erode the promises we originally made in 1999. My support with reservation today is in part because of this.

"We must hold people accountable for their words, commitments, actions, or, in this case, inactions. I would like to quote from a few letters that I have received in the past.

"On March 25, 2003, Dr. Ed Cadman, former Dean of the UH Medical School, wrote: "Our best guess would be that operation and maintenance costs of the facility will be between \$6-\$7 million annually. We expect to primarily fund these costs through F&A (facilities and administration) cost recovery from sponsored projects."

"Cadman continued, "We understand (the Legislature's) expectation that the new school campus will be financially self-sufficient and the importance of having the ability to accurately measure and evaluate the school's return on investment."

"On February 25, 2004, David Morihara, former Director of Government Relations, wrote: "We anticipate that a substantial portion of the operating costs of the core facilities will be funded in future years mainly through the extramural facilities and administrative recovery mechanism and secondarily through interest earnings on endowments generated from naming opportunities and a contribution from the ancillary services provided on campus."

"Director Morihara also provided us with a chart explaining the Operating Cost Projections from fiscal year 2005 to fiscal year 2009. The chart shows that there were initial State funds of \$1.8 million to fund the start up of the medical school in FY05. An additional \$3.9 million was needed in FY06 to carry the medical school through a second year of transition. However, in FY07, the operations of the medical school were supposed to be nearly 100 percent self-sufficient. At that time in 2004, their own figures suggested that only \$364,952 were needed in additional state funds to operate the new facilities. They projected general fund requirements of \$352,094 for FY08 and \$337,822 for FY09.

"On March 7, 2005, President David McClain wrote: "I do want to acknowledge that with regard to the funding of the operating costs of the research building and the educational building of the John A. Burns School of Medicine at its new location in Kakaako, initial commitments made in 2001 at the time the construction of the new facility was approved have been shown with the passage of time to have been overly optimistic."

"President McClain's comments were welcomed and necessary. In 2003, he committed to re-doing the financial plans for the medical school. He brought in Professor Shirley Daniels to come up with the new plan. In

2005, we approved an additional \$3.7 million for both FY06 and FY07. This temporary funding was placed in our budget as a proviso because the University committed to fixing their balance sheets by June 30, 2007. According to their commitments in 2005, they were only going to need this \$3.7 million for two years. Afterwards, their financial plans suggested that very little State funds would be needed in the biennium budget (FY08 – FY09) for the operations of the medical school.

"Gary Ostrander, who in 2007 served as the interim Dean for the medical school, said to *The Honolulu Advertiser*: "To the best of my knowledge to this day there was never a business plan. If there was one I have not seen it." This is totally absurd.

"In 2007, the University requested \$4.1 million for FY08 and \$4.35 million in FY09, in addition to the \$3.7 million in the two-year proviso. Just two years prior, they said that they would need little to no State funds to operate the medical school. In 2007, they said they will need \$15.8 million for two years in new money! This is irresponsible.

"In 2007 when the House passed our version of the State budget, I said then that I would support increasing the medical school base by \$3.63 million and \$3.95 million for the next two fiscal years. Our budget was very generous. The total general fund support to the medical school in our budget was about \$5.6 million each year.

"But the University said that it was still around \$4 million short in operating funds even after our very generous support in our budget. So, what did they do? They proposed to make up the difference utilizing the tobacco settlement funds.

"In 2007, I asked then-Dean Gary Ostrander what would happen if they did not get the additional \$4 million. He said that they would be able to survive, but will need to make some reductions to their financial plans. I told him that his comments on right-sizing the budget were the same comments we heard two years prior. Did the University right-size the budget? The answer is no.

"This bill will allow the university to continue to access the left over monies from the 28 percent annual allotment. The University did refinance the bonds in 2006. We need to acknowledge and thank them for this. The payment for FY08 was \$6.6 million and the payments for the out years are a little less than \$10 million for each year.

"If this bill passes, the University will realize a lot of money. In 2008, with a significant increase in funds going into the TSSF, the University realized an additional \$7.4 million. Since FY09, the University continues to receive additional funds in excess of \$3 million each year.

"I want to talk a little bit about our commitment to the Cancer Center. Recall that in 2001 when we approved the use of tobacco funds for the UH Medical School that the University's commitment was to provide the necessary funds to construct a new Cancer Center facility. In 2006, we passed SB2961, which became Act 316. This bill increased the cigarette tax from \$1.40 per pack to eventually \$2.60 per pack in 2011. Some of this increase was to pay for the construction and operations of the new Cancer Center. In fact, the University was expected to receive \$11 million in 2009, \$16 million in 2010, and \$22 million from 2011 forward for the construction and operations of the Cancer Center.

"In 2011, we received the "University of Hawaii Cancer Center Operating Budget Plan" (See testimony on SB 239 on March 22, 2011). In this plan, the Cancer Center plans on receiving \$17 million from the tobacco tax. The debt service for the new building will be \$8 million annually. With an extra \$9 million each year, surely the University can use some of these funds (again from tobacco) to assist the UH Medical School with their budget challenges.

"The public expects the Legislature to be accountable for the taxes we collect and the services we provide. We should do no less to those that receive our approval and funding as well.

"JABSOM will go a long way in providing the next generation of healers with the knowledge and support to serve the people of Hawaii. But

we must ensure that the university is responsible in keeping their commitments and will not continue to come back to the Legislature if they fall short.

"I would like to insert an article, which ran on Sunday, July 22, 2007 in *The Honolulu Advertiser*.

Posted on: Sunday, July 22, 2007
Hawaii med school goals come up short

By Sean Hao
Advertiser Staff Writer

The University of Hawaii's new state-of-the-art medical school and research facility in Kakaako is having less of an economic impact and costing more than originally promised.

The school has so far failed to deliver on several promises made by former UH president Evan Dohelle and former John A. Burns School of Medicine dean Ed Cadman, including:

- A promise to raise \$150 million to finance a new Cancer Research Center in Kakaako. Less than \$1 million of that money has been raised to date.
- A plan to draw in \$100 million or more per year in research and training grants. Medical school grants improved to nearly \$73 million in the fiscal year that ended June 30, 2006. They fell to \$48 million the following year, according to preliminary figures.
- An expectation the med school would create 500 new jobs. Total medical school jobs rose by 43 between June 2004 and July 2007.

In addition, a key pledge — that the medical school would not require added state funds to cover costs — may not be fulfilled for several years. That promise was based in part on plans to boost grant awards to \$100 million or more, which in turn would generate enough money to cover the new facility's overhead costs.

"The fact is we are actually doing what we said we were going to do," said Gary Ostrander, interim dean for the medical school. But "maybe not at that grandiose scale."

To be sure, the medical school has a positive impact on healthcare in the state. The first crop of 62 students is expected to graduate in 2010, and 60 percent of medical school graduates here go on to practice medicine in Hawaii, Ostrander said.

The \$73 million in grants to the school in 2006 was almost entirely spent locally, with the bulk going toward salaries.

"These dollars are being spent at the local 7-Eleven, being spent at movie theaters," Ostrander said. "That's a significant economic driver."

The health and economic benefits of a local medical school exceed the burden on state finances, he said.

"Healthcare would suffer tremendously in this state if there wasn't a medical school," he said.

As for the goal of \$100 million in grants, Ostrander said, part of the difficulty in reaching that goal has been a more competitive climate for grants in the wake of Sept. 11 and Hurricane Katrina.

In addition, the medical school has suffered from a lack of focus during a prolonged search for a permanent dean, Ostrander said. Cadman resigned in 2005 for health reasons, and the appointment of a permanent replacement dean has been delayed by a change in university leadership.

DIPPING DEEPER

Lawmakers gave UH the go-ahead to build the medical school in hopes of bolstering the state economy in the aftermath of the Sept. 11 terrorist

attacks. The medical school was given a portion of a state settlement with tobacco companies to repay \$150 million in construction bonds.

The new school was then supposed to operate without costing the state any more money than it cost to run the university's old medical school. However, earlier this month Gov. Linda Lingle signed a new law expected to provide the school with an added \$3 million to \$4 million a year for the next four years.

That's on top of \$7.4 million in supplemental, additional budget funds already given to the medical school during the past two years. That means that by mid-2011 the state will have given the medical school an estimated \$20 million to cover increased operating costs.

Some lawmakers are losing patience with the lack of follow-through on the university's original promises. Those promises were the basis for much of the Legislature's support for the project, said state Rep. K. Mark Takai, D-34th (Newtown, Waiau, Pearl City).

On Jan. 27, 2004, Dobelle promised legislators that by September 2005, UH would raise \$150 million to finance a new Cancer Research Center to be built in Kakaako next to the medical school and to retrofit the Biomedical Sciences Building on the Manoa campus.

Dobelle said he would get the money from federal, private and UH Foundation sources. "We're committed to that and confident of that," Dobelle told lawmakers at the time.

Takai said, "We were led to believe very early on that they would come up with a \$150 million match (and) ... they would pay for operating the new facility. I believe we need to support the university. ... All I ask is that when promises are made, promises are kept.

"I would expect that in four years the UH medical school will no longer need additional money."

'NEVER' A BUSINESS PLAN

In hindsight, key projections, including the amount of grant money that could be used to run the school, were off-base, Ostrander said. From the outset there was a lack of basic understanding of how much the new school would cost and how much money it would bring in.

"To the best of my knowledge to this day there was never a business plan," for the medical school, said Ostrander, who has run the school for about eight months. "If there was one I have not seen it."

The school doesn't have a firm grasp on operating costs in part because its facilities aren't fully utilized and because of the transition from older facilities on the Manoa campus into the new Kakaako campus, Ostrander said.

Meanwhile, the school's increased reliance on tobacco settlement money ultimately means less money for smoking cessation programs. Currently the state receives about \$35 million a year to settle healthcare claims connected with smoking. Of that, 24.5 percent goes into a state emergency "rainy day" fund, 35 percent goes to the state Department of Health, 28 percent to the medical school and 12.5 percent into a tobacco prevention fund.

Until this month, the money not used by the medical school to pay debts had to be returned to the rainy day and tobacco funds. Under the new law, excess money can be used to pay medical school operating costs instead.

The U.S. Centers for Disease Control and Prevention has said Hawai'i doesn't spend enough on tobacco prevention. Hawai'i should spend \$11 million to \$23 million a year to have an effective tobacco prevention program, the CDC says. But the state spent just \$9.1 million on tobacco prevention in fiscal 2007 (ended June 30), according to the Campaign for Tobacco Free Kids.

Among those opposed to the new law was the Coalition for a Tobacco Free Hawai'i. Kathy Harty, its interim director, said the group already

doesn't get enough money for its programs: "We believe these should be funded rather than filling in a deficit for the medical school."

"I would also like to insert an email communication, dated as of January 30, 2012 between University Chancellor Virginia S. Hinshaw, President MRC Greenwood, and myself."

takai1-Jennifer

From: Virginia Hinshaw [vhinshaw@hawaii.edu]
Sent: Monday, January 30, 2012 10:13 AM
To: 'K. Mark Takai'; mrcgreen@hawaii.edu; Ltakayama@hawaii.rr.com
Cc: Lisa Vargas Orno; takai1-Jennifer
Subject: RE: UH Med School Bill

That is correct and so is your understanding of my statement about planning. Mahalo - Virginia

Virginia S. Hinshaw
 Chancellor
 University of Hawai'i at Mānoa
 2500 Campus Road, Hawai'i Hall 202
 Honolulu, HI 96822
 Tel: (808) 956-7651
 Fax: (808) 956-4153
 Email: vhinshaw@hawaii.edu

From: K. Mark Takai [<mailto:marktakai@hotmail.com>]
Sent: Monday, January 30, 2012 9:43 AM
To: Virginia Hinshaw; mrcgreen@hawaii.edu; ltakayama@hawaii.rr.com
Cc: vargas@capitol.hawaii.gov; takai1@capitol.hawaii.gov
Subject: Re: UH Med School Bill

Virginia:

Thanks for your reply. I'm glad that UH supports this bill. I'm assuming that the support is also for the June 30, 2015 deadline when everything goes back to the original language and the extra funding (if any exists) will not go to the operations of JABSOM. I really would like MRC's and your commitment that this June 30, 2015 deadline is solid and we have your assurances that the University will not be coming back to the Legislature to extend this deadline yet again.

Also, can you elaborate on your comment "enable us to implement the needed changes in a planned manner over this time?" I'm assuming it's to expand revenue generation opportunities and to reduce expenses so over time, JABSOM will be able to cover the current operational costs associated with SB 239. Is this correct?

Thanks, K. Mark

From: Virginia Hinshaw
Sent: Monday, January 30, 2012 9:36 AM
To: marktakai@hotmail.com; mrcgreen@hawaii.edu; ltakayama@hawaii.rr.com
Cc: vargas@capitol.hawaii.gov; takai1@capitol.hawaii.gov
Subject: Re: UH Med School Bill

Mark, we do support this bill and would really appreciate your support for it. We have been working hard on a number of areas to compensate for the reduction - this bill does enable us to implement the needed changes in a planned manner over this time period. Mahalo for your support - Virginia

Virginia S. Hinshaw
 Chancellor
 University of Hawai'i at Manoa
 2500 Campus Road
 Hawaii Hall 202
 Honolulu, HI 96822
 Tel: 808-956-7651
 Fax: 808-956-4153
 Email: vhinshaw@hawaii.edu

From: K. Mark Takai [<mailto:marktakai@hotmail.com>]
Sent: Monday, January 30, 2012 08:01 AM
To: MRC Greenwood <mrcgreen@hawaii.edu>; Virginia Hinshaw; Linda Takayama <ltakayama@hawaii.rr.com>
Cc: K. Mark Takai <marktakai@hotmail.com>; Lisa Vargas <vargas@capitol.hawaii.gov>; Jennifer Higa Craig <takai1@capitol.hawaii.gov>
Subject: UH Med School Bill

MRC, Virginia, Linda:

I realize that SB 239 is on the Order of the Day today and wanted to see whether you can help me understand this bill.

Can you assure me and my colleagues that you support this bill?

Also, can you assure me and colleagues that UH and JABSOM supports the end date of June 30, 2015 for the use of the funds.

Please email me with your response before 12 noon, when we have session.

I'm leaning to supporting this bill if I get assurances from you.

This issue has long troubled me and assurances from the University and JABSOM have not been followed each of the times that we have extended/amended this funding mechanism. I'm hoping that you can provide me with some comfort knowing that JABSOM is on it's way to meeting the benchmarks established since 2001.

Thanks, K. Mark

http://www.capitol.hawaii.gov/session2012/Bills/SB239_CD1_.pdf

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

"Thank you, Mr. Speaker. Just a ruling on a potential conflict. My grandson is in his fourth year at the John A. Burns School of Medicine. Thank you," and the Chair ruled, "no conflict."

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

"Since the Kailua Representative mentioned a conflict, I do have a daughter-in-law that's presently enrolled in JABSOM, and two children that are alumni," and the Chair ruled, "no conflict."

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

"Just a ruling on a conflict. My husband is a physician and sometimes deals with JABSOM," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 239, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Rhoads voting no, and with Representatives Cabanilla, Carroll and Luke being excused.

Conf. Com. Rep. No. 3-12 and S.B. No. 809, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 809, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

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

Representative Takai's written remarks are as follows:

"I strongly support the passage of this measure. Increasing the University of Hawaii's authorization to issue revenue bonds by \$100,000,000 to a total principal amount not to exceed \$300,000,000 to fund construction projects is a great thing for the University and for all the people in the State of Hawaii, as we all benefit from a well-maintained and growing higher education institution.

"This bill increases the autonomy of the University by allowing the institution to fund capital improvement projects with the University's own revenue. In the past, the University of Hawaii used GO bonds to fund improvement projects. This is a positive step in the way of fiscal responsibility.

"I commend the University of Hawaii for its commitment to the repayment of the revenue bonds. As the University plans to start improvement projects no later than this spring, the impact of our decision today will be felt in the community almost immediately."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 809, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 48 ayes, with Representatives Cabanilla, Carroll and Luke being excused.

At 12:28 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 239, SD 2, HD 2, CD 1
S.B. No. 809, SD 1, HD 1, CD 1

REPORTS OF STANDING COMMITTEES

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 6-12) recommending that H.B. No. 1706,

pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1706, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cabanilla, Carroll and Luke being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 7-12) recommending that H.B. No. 1986, pass Second Reading and be referred to the Committee on Education.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1986, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

"Ho'omalu 'ōlelo. Ke kū nei au i ke kako'o ana nō kēia pila. E ola mau ka'ōlelo Hawai'i. Mahalo. In support."

Representative Hanohano provided the following translation:

Mr. Speaker. I rise in support for this bill. Long live the Hawaiian Language. Thank you. In support.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1986, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Education, with Representatives Cabanilla, Carroll and Luke being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 8-12) recommending that H.B. No. 1984, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1984, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Ho'omalu 'ōlelo. Ke kū nei au i ke kako'o ana nō kēia pila. He pila maika'i kēia. 'O ka mahina 'o pepeluali 'oia ka mea nui e pili ana ka hua 'olelo 'o aloha. E ho'omana'o kākou ka mana'o e aloha i ke kahi i ke kahi. E mālama pono. Wā ka pomaika'i iā kā kākou. Mahalo. In strong support."

Representative Hanohano provided the following translation:

I rise in support for this bill. This is an excellent bill. The month of February is about love. Let's remember the thought of loving one another. Take care. May the blessing be with all of us. Thank you. In strong support.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1984, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll and Luke being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 9-12) recommending that H.B. No. 1744, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1744, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll and Luke being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 10-12) recommending that H.B. No. 1698, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1698, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll and Luke being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 11-12) recommending that H.B. No. 1754, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1754, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise with some slight reservations on this particular bill. While I understand that it is going to be saving us some money, and I understand why it has to be done and that is it's going to be somewhat of a smaller area. I think that we have to always be vigilant. We have to be careful on these things, and that it's a possible slippery slope. As we know that in the news, certainly in our nation, there are jurisdictions that are prone to fraud. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll and Luke being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 12-12) recommending that H.B. No. 1927, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1927, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING COMMISSION LAW," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll and Luke being excused.

REPORTS OF CONFERENCE COMMITTEES

Representatives Yamane, Mizuno and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 905, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 4-12) recommending that H.B. No. 905, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4-12 and H.B. No. 905, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DELIVERY OF GOVERNMENT SERVICES," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Cabanilla, Carroll and Luke were excused.)

THIRD READING

H.B. No. 2002, HD 1:

Representative Chong moved that H.B. No. 2002, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker. I rise in support of the measure. I not only rise in support because it's almost the same as last year, but there's a \$50 thousand savings that is in addition to this. And I'd like to acknowledge the former Chair of the CSG-WEST, whose stewardship, and wise chairmanship has saved the State of Hawaii \$50 thousand. He now also sits as the Chair of the Finance Committee. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 2002, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed Third Reading, with Representatives Cabanilla, Carroll and Luke being excused.

At 12:32 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2002, HD 1

ANNOUNCEMENTS

Representative Riviere: "Members, I'd like everybody to remember that we all have birthdays at one point during the year. Today's honorary birthday person is the Representative from Moanalua. So let's all give Representative Johanson a round of applause."

Representative Hanohano: "I would like to invite everybody tonight for a *kūkākūkā* session in Room 329 from 5:00 to 7:00. Topics tonight are going to be about 'Aha Moku and the OHA settlement. So you're all welcome. Aloha."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>No.</u>	<u>Referred to:</u>
17	Committee on Transportation, then to the Committee on Finance
<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
33	Committee on Transportation, then to the Committee on Finance
34	Committee on Human Services, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1705	Committee on Finance
2259	Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 12:34 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, January 31, 2012. (Representatives Cabanilla, Carroll and Luke were excused.)

HOUSE COMMUNICATIONS

House Communication dated January 30, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bills on Final Reading:

S.B. No. 239, SD 2, HD 2, CD 1
S.B. No. 809, SD 1, HD 1, CD 1

EIGHTH DAY

Tuesday, January 31, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Mr. Danny Kaleikini, Hawaii's Ambassador of Aloha, after which the Roll was called showing all Members present with the exception of Representatives Okamura and Oshiro, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 204 and 205) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 204, dated January 18, 2012, transmitting the Final Report Relating to Global Warming, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 20, SLH 2009, First Special Session.

Gov. Msg. No. 205, dated January 30, 2012, transmitting the Department of Labor and Industrial Relations' Annual Report for fiscal year ending June 30, 2011, pursuant to Act 100, SLH 1999.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 3) was received and announced by the Clerk:

Sen. Com. No. 3, dated January 30, 2012, informing the House that the following bills have this day passed Final Reading in the Senate:

S.B. No. 239, SD 2, HD 2, CD 1
S.B. No. 809, SD 1, HD 1, CD 1

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Chang introduced his friends Mr. Eddie Rehfeldt and his son, Mr. Christopher Rehfeldt. They were accompanied by Ms. Linda Wong.

ORDER OF THE DAY

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1-12 and H.B. No. 608, HD 3, SD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 13-12) recommending that H.B. No. 14, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 14-12) recommending that H.B. No. 1669, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1669, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 15-12) recommending that H.B. No. 1688, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1688, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

The motion was out to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 16-12) recommending that H.B. No. 1743, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 17-12) recommending that H.B. No. 1749, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 18-12) recommending that H.B. No. 1726, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1726, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representative Okamura being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 19-12) recommending that H.B. No. 1679, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 20-12) recommending that H.B. No. 1680, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1680, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

"Mr. Speaker, with reservations and a very brief comment. The practice of prohibiting one's marital status, one age, etc., is on the books. It is now the case. This goes a bit beyond that and says that you can't say whether you're unemployed, basically. It means that you're looking for someone that is employed.

"For those in this building that are in the civil service, and those that are in the federal service have to know that when you are going for an upper-echelon job or a pay raise, you have to be in the system, by which you qualify to apply for that. This basically says that if you advertise a position that's already within the system, or to someone in the system, you can't say that they're in the system. So it's going to be very deceptive to change the practice of hiring people by passing this bill.

"So I would just suggest the Committee that hears this next view it with caution because this is a long-standing tradition of saying that if you want to make it further in that government position, you have to say you're already within the government. Otherwise, no need to apply. Thank you, Mr. Speaker."

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

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

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

"Mr. Speaker, in support. Just wanted to clarify that the Joint Committee between ERB and LAB, that we excluded internal recruiting for the very reasons that the Minority Leader mentioned. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 21-12) recommending that H.B. No. 1925, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1925, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okamura being excused.

At 12:15 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m., with Vice Speaker Manahan presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Chang, Marumoto and Okamura were excused.)

THIRD READING

H.B. No. 1927:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1927, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING COMMISSION LAW," passed Third Reading, with Representatives Chang, Marumoto and Okamura being excused.

At 12:22 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1927

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, this is the end of January. It's already 2012, and on the 31st of January there was a special birth-date of someone who I believe is the Vice Speaker, and we should wish him a happy birthday. Happy birthday, Joey."

ADJOURNMENT

At 12:23 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 01, 2012. (Representatives Chang, Marumoto and Okamura were excused.)

NINTH DAY

Wednesday, February 01, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Corinne W.L. Ching, after which the Roll was called showing all Members present with the exception of Representatives Okamura and Say, who were excused.

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

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 66 and 67) were received by the Clerk and were placed on file:

Dept. Com. No. 66, dated January 27, 2012, from Bernice K.N. Mau, City Clerk, City and County of Honolulu, informing the House that the following Resolutions were adopted by the Council of the City and County of Honolulu at its meeting on Wednesday, January 25, 2012:

Resolution 11-308, CD1: Urging the Legislature to pass legislation requiring motor vehicle insurance carriers to provide information to the counties on uninsured drivers

Resolution 11-366, CD1, FD1: Expressing support for Hawaii to pursue the bid to host the 2016 International Union for Conservation of Nature World Conservation Congress

Resolution 12-3: Urging the State Legislature to amend Chapter 103D, Hawaii Revised Statutes to improve the Hawaii Procurement Code

Dept. Com. No. 67, dated January 30, 2012, from Scott T. Nago, Chief Election Officer, Office of Elections, transmitting the Report to the Legislature in accordance with Section 31 of Act 164, SLH 2011.

INTRODUCTIONS

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

Representative Ching acknowledged and introduced members of the Hawaii Chocolate and Cacao Association and the Hawaii-grown cacao industry:

HC&CA President Mr. Derek Lanter, President of Wailua Estate Coffee and Chocolate who was represented by Mr. Mike Conway, Manager of Agriculture Operations at Pineapple, Coffee & Cacao at Dole Cannery;

HC&CA Vice President, Mr. Dave Elliott of Madre Chocolate;

HC&CA Secretary Ms. Seneca Clawson Kokoleka;

Ms. Melanie Boudar of Maui Sweet Paradise;

Ms. Miki Azuchi and Mr. Nathan Sato of Malie Kai Chocolates;

Mr. Skip Bittenbender of the University of Hawaii College of Tropical Agriculture and Human Resources;

Ms. Amy Hammond, Executive Director of HC&CA, and Executive Director of the 'Made in Hawaii' Festival;

Ms. Pam Boyer and Ms. Annie Suite of Haleiwa Farmers' Market; and

Mr. Dylan Butterball of Manoa Chocolate, Hawaii.

Representative Ching also introduced her former staff, Ms. Elise Anderson who was accompanied by work-study students from Poland: Ms. Monika Raszewska, Ms. Aneta Rogowska, and Ms. Oliwia Lasicka.

Representative Marumoto, on behalf of Representatives Nishimoto, Say and herself, introduced 5th grade students from Kaimuki Christian School. They were accompanied by their teachers, Ms. Jane McClair and Ms. Chau Sachs; skills trainer, Ms. Chevelle Acosta; and chaperones, Ms. Joyce Watanabe, Ms. Elaine Kawazoe, Mr. Welton Wong and Ms. Masako Lieu.

At 12:14 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representatives Okamura and Say were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1-12 and H.B. No. 608, HD 3, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 608, HD 3, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

At this time, Representative Yamane offered Floor Amendment No. 1, amending H.B. No. 608, HD 3, SD 1, CD 1, as follows:

"SECTION 1. House Bill No. 608, H.D. 3, S.D. 1, C.D. 1, (RELATING TO HEALTH), is amended by amending Section 2 to read as follows:

"SECTION 2. The legislature finds that organ transplantation is a life-saving therapy for many critically ill patients with end-stage diseases. More than one hundred ten thousand patients are on the national organ transplant waiting list; four hundred seven of those patients are Hawaii residents.

Funding is critical to maintain a federally-recognized stage 3 chronic kidney disease program that focuses on prevention for disparate populations in Hawaii. Without operational organ transplant services in the State, patients with end-stage diseases must register on transplant waiting lists for mainland transplant centers and many of these patients will face a longer waiting time to receive a donor organ at a transplant center on the mainland than at a transplant center in Hawaii. The increased waiting time for an organ may mean that the sickest of those patients may not survive long enough for a donor organ to become available. In addition to the increased waiting time, many waitlisted patients in the State will have the additional burden of relocating to other areas of the country, away from friends and family, while awaiting a donor organ and during their recovery.

An emergency appropriation is necessary to preserve and save the lives of individuals combating organ failure by providing them with access to organ transplantation in the State and giving them quality care and treatment throughout their operation and recovery.

National Kidney Foundation of Hawaii provides a federally-recognized chronic kidney disease management program in Hawaii. It meets the eligibility requirements of section 42F-103, Hawaii Revised Statutes, for recipients of grants and subsidies. The Queen's Medical Center is establishing a kidney and liver transplant program in Hawaii. It also meets the eligibility requirements of section 42F-103, Hawaii Revised Statutes, for recipients of grants and subsidies, with the exception of approval as a member of the Organ Procurement and Transplantation Network/United Network for Organ Sharing with designations as a liver transplant program

and a kidney and living donor kidney transplant program, for which it has applied and which it expects to receive approval on or before February 15, 2012.

The purpose of this Act is to appropriate emergency funds, subject to dollar-for-dollar private matching funds, to support services by The Queen's Medical Center to perform kidney and liver transplants in Hawaii, and by the National Kidney Foundation of Hawaii to maintain its chronic kidney disease management program."

SECTION 2. House Bill No. 608, H.D. 3, S.D. 1, C.D. 1, (RELATING TO HEALTH) is amended by amending Section 3 to read as follows:

"SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2011-2012 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for The Queen's Medical Center to support services to perform kidney and liver transplants in Hawaii; provided that:

- (1) No funds appropriated under this Act shall be expended unless matched dollar-for-dollar with private funds; and
- (2) Any private matching funds obtained for the purposes of this Act shall have priority in being encumbered over public funds.

The sum appropriated shall be expended by the department of health for the purposes of this Act."

SECTION 3. House Bill No. 608, H.D. 3, S.D. 1, C.D. 1, (RELATING TO HEALTH) is amended by deleting Section 4.

SECTION 4. House Bill No. 608, H.D. 3, S.D. 1, C.D. 1, (RELATING TO HEALTH) is amended by adding two new sections to read as follows:

"SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$300,000 or so much thereof as may be necessary for fiscal year 2011-2012 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for National Kidney Foundation of Hawaii to maintain its chronic kidney disease management program; provided that:

- (1) No funds appropriated under this Act shall be expended unless matched dollar-for-dollar with private funds; and
- (2) Any private matching funds obtained for the purposes of this Act shall have priority in being encumbered over public funds.

The sum appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 5. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable."

SECTION 5. House Bill No. 608, H.D. 3, S.D. 1, C.D. 1, (RELATING TO HEALTH) is amended by renumbering Section 5 to Section 6 and amending it to read as follows:

"SECTION 6. This Act shall take effect upon its approval; provided that section 3 of this Act shall take effect on the date on which The Queen's Medical Center obtains approval as a member of the Organ Procurement and Transplantation Network/United Network for Organ Sharing with designations as a liver transplant program and a kidney and living donor kidney transplant program, and provided that a copy of the document evidencing the approval is delivered to the department of health.""

Representative Yamane moved that Floor Amendment No. 1, be adopted, seconded by Representative Morikawa.

Representative Yamane rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. Members, I offer this Floor Amendment to HB 608, which seeks to clarify the method of funding of the emergency appropriation to the federally recognized Chronic Kidney Disease Management Program in Hawaii, and a qualified member of the United Network for Organ Sharing transplantation network under the eligibility requires as described in section 42F-103.

"Mr. Speaker and Members, this Floor Amendment is a culmination of work between the Attorney General, the Administration, the House and Senate leadership, as well as both the Kidney Foundation, and Queen's Hospital.

"Members, the language that we passed in the original HB 608 in Conference we felt was adequate. However, in further working with the Administration, to expedite the expenditure of \$1.8 million for Queen's Hospital and the Hawaii Kidney Foundation, we felt that it would be best to tailor the language to ensure that the money got to them in an expedited manner.

"So Mr. Speaker, all the participants and the members working on this bill have agreed to the current language before you. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 1, amending H.B. No. 608, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," be adopted, was put to vote by the Chair and carried, with Representatives Okamura and Say being excused.

At 12:25 o'clock p.m., the Chair noted that Floor Amendment No. 1, was adopted.

Conf. Com. Rep. No. 4-12 and H.B. No. 905, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 905, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DELIVERY OF GOVERNMENT SERVICES," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Say being excused.

At 12:25 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 905, HD 1, SD 1, CD 1

REPORTS OF STANDING COMMITTEES

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 22-12) recommending that H.B. No. 1730, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Okamura and Say being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 23-12) recommending that H.B. No. 1944, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1944, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ASSOCIATION OF CONSERVATION DISTRICTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Okamura and Say being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 24-12) recommending that H.B. No. 1880, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1880, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Okamura and Say being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 25-12) recommending that H.B. No. 2178, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2178, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Okamura and Say being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 26-12) recommending that H.B. No. 2265, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2265, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Okamura and Say being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 27-12) recommending that H.B. No. 2311, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Okamura and Say being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 28-12) recommending that H.B. No. 1764, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1764, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Okamura and Say being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 29-12) recommending that H.B. No. 1847, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1847, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Finance, with Representatives Okamura and Say being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 30-12) recommending that H.B. No. 1858, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Okamura and Say being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 31-12) recommending that H.B. No. 1756, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1756, 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 Okamura and Say being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 32-12) recommending that H.B. No. 1885, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1885, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Pine 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 H.B. No. 1885, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary, with Representative Pine voting no, and with Representatives Okamura and Say being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 33-12) recommending that H.B. No. 2069, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2069, HD 1, pass Second Reading and be referred to the Committee on Tourism, seconded by Representative Evans.

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

"Thank you. Reservations please. I'm not seeing the State interest in telling homeowners' associations and buildings what they should or should not charge in rents. So for that, I vote with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2069, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Tourism, with Representatives Okamura and Say being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 34-12) recommending that H.B. No. 101, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 34-12 on H.B. No. 101, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 101, HD 2, were made available to the Members of the House.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 35-12) recommending that H.B. No. 425, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was recommitted to the Committee on Energy & Environmental Protection, with Representatives Okamura and Say being excused.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.C.R. No. 35) was announced by the Clerk and the following action taken:

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was offered by Representative Say.

Representative Chong moved that H.C.R. No. 35, be adopted, seconded by Representative Ward.

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

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. In 2005, this Legislature passed Act 21, establishing the Hawaii Medal of Honor. And I recall thinking how we as a State and the Hawaii State Legislature needed to support the families of our fallen heroes. The Hawaii Medal of Honor was our way of expressing our deepest appreciation to these brave service men and women. We offer this honor as small token that can never in itself repay the honor that has been given to us. An honor born of courage, driven by duty, and paid for in loss. The Hawaii Medal of Honor is reserved for those who have touched our islands and have felt the touch of our people.

"These medals symbolize our aloha, our farewell to those we have lost. But also our love for those who have lived among us, touched us and sacrificed for us. A grateful State best honors and remembers the sacrifices of those who have served our nation by living our lives in deepest appreciation of our freedom. That is what they defended, and that is what they fought and died for. It has been almost 9 years since this war began and between March 29th, 2003, and December 31st of last year, we in Hawaii have lost 308 service members.

"Just last year we lost 24 service members Mr. Speaker, and I did want to spend some time talking a little bit about some of them who we will be recognizing shortly. On May 23rd, 2011, an IED explosion cost us the lives of four Schofield soldiers. Private First Class Thomas Allers, Army Specialist William Blevins, Private First Class Andrew Krippner, and Staff Sergeant Kristofferson Lorenzo.

"On August 6th, 2011, we lost an entire Chinook. Thirty American heroes died of which one in particular will receive this medal. Craig Vickers, a 1992 graduate of Maui High School, and in fact the Maui Interscholastic League Defense Football Player of the Year was among the 30 who died. That Chinook was crewed by five from the 7th Battalion 158 Aviation Regiment, and the 2nd Battalion 135th Aviation Regiment. Just a few weeks prior, those aviators replaced our very own Bravo Company 1st Battalion, 171 Aviation Regiment. If this would have occurred just a few days before, we would have lost five of our own.

"The last person we recognize this year, Staff Sergeant Joseph Altmann, was only 27 years old and he was assigned to Schofield Barracks. He died on December 25th, 2011, Christmas Day. Those are few people, Mr. Speaker.

"You know when we passed this, one of the regrets that I have was that we weren't, well I wasn't diligent enough to cover some of the people that are not on this list. I just wanted to mention to our colleagues, why Lance Corporal Harry Lew is not on this list. In fact, he is among ten others who

are not eligible for this medal, because he and the ten others committed suicide.

"And you know, Mr. Speaker having experienced being deployed, I believe that any suicide in theater is war-related, and should be recognized. In fact President Barack Obama for the first time ever has recognized service members who took their own lives, and now he writes the same letter to the families of these fallen service members that are written of all the other ones that were killed in action. That is a regret, and I just wanted to make perfectly clear that if we can, one of these days, I want to recognize and acknowledge the families of these fallen heroes who right now don't qualify for this medal. Thank you."

Representative McKelvey rose to yield his time, and the Chair "so ordered."

Representative Takai continued, stating:

"Thank you. So by this Concurrent Resolution, Mr. Speaker, this year's Hawaii Medal of Honor will be awarded to family representatives of these fine men and women at a ceremony held in Joint Session of this State Legislature on Wednesday, March 28th at 2:00pm in the Chamber.

"Families invited are from far off towns like Blairstown, New Jersey, and Rosemount, Minnesota, and as close to home as Kailua-Kona, and Vickers, family from Kokomo on Maui. We honor the families and friends and colleagues of the fallen who have sacrificed and who have themselves paid a price, and who helped make this year's honorees the brave, strong individuals that we called on and counted on to serve our nation.

"Mr. Speaker, I urge our colleagues to support this. Thank you. I also request to insert additional written comments," and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in strong support of this measure.

"In 2005, the Legislature passed Act 21, establishing the Hawaii Medal of Honor. I recall thinking how we as a state and as the Hawaii State Legislature needed to support the families of our fallen heroes. The Hawaii Medal of Honor was our way of expressing our deepest appreciation to these brave service men and women. We offer this honor as a small token that can never in itself repay the honor that has been given us. An honor borne of courage, driven by duty, and paid for in loss.

"The Hawaii Medal of Honor is reserved for those who have touched our islands, and have felt the touch of our people. These medals symbolize our aloha; our farewell to those we have lost. But also our love for those who have lived among us, touched us, and sacrificed for us. And our enduring welcome for all represented here today, the fallen and their families, who will be counted among us forever.

"And in offering it to those that will gather here, in memory of those who have fallen, we recognize that they are a part of us. Wherever each of these medals finds its final home, a piece of our hearts goes with it. They will always be a part of our *ohana*, our family, because they have brought us honor, and allowed us to share these lives. While this medal can't take away the pain of losing a loved one, it shows that Hawaii will never forget them.

"A grateful state best honors and remembers the sacrifices of those who have served our nation by living our lives in deepest appreciation of our freedom. That is what they defended. That is what they fought and died for.

"It has been almost nine years since the War on Terrorism began. Between March 29, 2003 and December 31, 2011, we in Hawaii have lost 308 service members. We lost a 24 service members this past year.

"Here are some of their stories:

"Kraig Vickers, a 1992 graduate of Maui High School and a Maui Interscholastic League defense football player of the year, was among 30

Americans who died in a U.S. military helicopter shot down during fighting in Afghanistan on August 6, 2011. Vickers was 36 years old. He was the husband to Nani Vickers and father of two young children and one that was about to be born. But he was there, in country, part of a Navy Bomb Disposal Team. He was one of the twenty of the Navy SEALs killed that were part of the naval Special Warfare Development Group. Their deaths are believed to be the greatest single loss of life ever suffered by the U.S. special operations community in the 24-year history of the U.S. Special Operations Command.

"Tied to this story is the fact that the Chinook helicopter that went down was part of the replacement unit for the Hawaii National Guard's B Company whose members reunited with family and friends at the Wheeler Army Airfield on August 10, 2011. Had the soldiers with B Company, 1st Battalion, 171st Aviation Regiment stayed in Afghanistan just weeks longer, the ill-fated mission to deliver those Navy SEALs and others troops would likely have been theirs.

"Four soldiers assigned to the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii died on May 23, 2011 in Nari District, Kunar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. They were Staff Sergeant Kristofferson B. Lorenzo, Specialist William S. Blevins, Private First Class Andrew M. Krippner and Private First Class Thomas C. Allers. These four brothers, forever tied in death, paid the ultimate sacrifice in defense of their country.

"Army Staff Sergeant Joseph J. Altmann was killed in action of Christmas Day – December 25, 2011 – when insurgents attacked his unit with small arms fire. He was 27.

"One issue that we still have unresolved is whether or not to honor those who death is the result of self-inflicted action or suicide. Since the inception of this medal, eleven service members died while in country because of self-inflicted wounds or unspecified reasons. Over the past year, there have been three deaths some would feel were unnecessary. All were in support of Operation Enduring Freedom.

"Marine Corps Lance Corporal Harry Lew of Santa Clara, California died on April 3, 2011. He was 21. Army Specialist Brian D. Riley Jr. of Longwood, Florida died on May 15, 2011. He was 24. Army Specialist Jinsu Lee of Chatsworth, California died on August 5, 2011. He was 34.

"Their stories vary but the result are the same. For this reason, the remaining question lingers – would they have died in they were not in that there at that time and in those circumstances and condition of war?

"By this concurrent resolution, Mr. Speaker, this year's Hawaii Medal of Honor will be awarded to family representatives of these fine men and women at a ceremony held during a Joint Session of the Legislature on Wednesday, March 28, 2012 at 2 p.m. in this Chamber. Families will be invited from far-off towns like Blairstown, New Jersey and Rosemount, Minnesota to as close as Kailua-Kona on the Big Island and Kokomo on Maui to attend this ceremony.

"We honor the family, friends and colleagues of the fallen who have sacrificed, who have themselves paid a price, and who helped make this year's honorees the brave, strong individuals that we called on and counted on to serve our nation.

"I urge passage of House Concurrent Resolution 35. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.C.R. No. 35, was adopted, with Representatives Okamura and Say being excused.

ANNOUNCEMENTS

At 12:37 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:37 o'clock p.m.

Representative Ward: "Thank you, Mr. Speaker. I do have an announcement. It's 2012. We're on a roll for birthdays. But the birthday boy's not here. He usually has the gavel up there. It's Speaker Say's birthday. Could we wish the Speaker, when we see him, happy birthday to Calvin. Can we applaud Speaker Say, even though he's not here? He's here in spirit."

Representative Ching: "Thank you, Mr. Speaker. Well it's that time of year, as you know. February. I wanted to announce that yes, today, February 1, kicks off Hawaii Grown Cacao Month. So in front of each of you, you are finding a sample of, I hope, you have a Waialua Estate invitation to the 2nd Annual Hawaii Chocolate Festival, Saturday, February 25 at Dole Cannery. It is from noon to five. And then you've got information and details of some of the benefits of chocolate, as well as a list of 10 reasons to support chocolate.

"But what I wanted to also show you, I thought I'd show you this future of Hawaii, as it's been called. A close-up look at this sacred plant. Those of you are aware of how we treat our lovely *koa* wood. We know that *koa* wood is special. We know that certain trees, the *ilahi*, sandalwood, was special. Well, I want you to make sure you look at this tree, that is not only one of the most environmentally sound, self-fertilizing trees. But it's a tree that was bought in by Chiefess Liliha's husband, Chief Boki, Governor of Oahu. Actually he was the first to think of bringing this beautiful connoisseur plant here.

"It is a sacred tree. Its botanical name is *theobroma cacao*, and it is sacred. This little baby is only six months old, but it's actually one of the fastest growing crops. So within 24 to 36 months it'll produce a pod. And there was a time when that pod was money, more valuable than silver and gold for the Inca, the Mayan and the Aztec. And only Hawaii can grow it out of all 50 states.

"So I have some information for you folks. Some additional little information from *Huffington Post*, *Can chocolate save Hawaii? It's the brightest light on the agricultural horizon*. Due to the fact that until we can figure it out, I don't know how easy it's going to be for us to compete ever in volume due to our amount of land and labor costs, but by golly, we can compete in quality.

"This is an award-winning plant, Mr. Speaker. This is the top of the line. This is the Trinitarian. And I hope this is the way to keep green and open space, and give jobs to our people. Mahalo."

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
425, HD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1871	Committee on Energy & Environmental Protection, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
2398	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance

ADJOURNMENT

At 12:41 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 02, 2012. (Representatives Okamura and Say were excused.)

HOUSE COMMUNICATIONS

House Communication dated February 1, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bill on Final Reading:

H.B. No. 905, HD 1, SD 1, CD 1

TENTH DAY

Thursday, February 02, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:10 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Uncle Joe Tassill, Former Capitol Tour Coordinator, after which the Roll was called showing all Members present with the exception of Representatives Belatti and Okamura, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the First, Second, Third and Fourth Days were approved. (Representatives Belatti and Okamura were excused)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 206 and 207) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 206, dated January 31, 2012, transmitting the Report on the Plans and Activities of the Public Land Development Corporation, prepared by the Department of Land and Natural Resources pursuant to Section 171C-20, HRS.

Gov. Msg. No. 207, dated February 1, 2012, transmitting the Report on Agencies that Delegate the Audit Responsibility and Transfer Funds, prepared by the Department of Accounting and General Services pursuant to Act 162, Section 116, SLH 2009.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 4) was received and announced by the Clerk:

Sen. Com. No. 4, dated February 1, 2012, informing the House that the following bill has this day passed Final Reading in the Senate:

H.B. No. 905, HD 1, SD 1, CD 1

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 18) was announced by the Clerk and the following action taken:

H.R. No. 18, entitled: "HOUSE RESOLUTION CONGRATULATING KA LEO O HAWAII ON THE OCCASION OF ITS 90TH ANNIVERSARY," was offered by Representative Nishimoto.

Representative Nishimoto moved that H.R. No. 18, be adopted, seconded by Representative Takai.

Representative Nishimoto congratulated *Ka Leo O Hawaii* and its staff on 90 years of free college press, and introduced the honorees seated on the Floor of the House:

Mr. Will Caron, Editor-in-Chief;
Ms. Jaimie Kim, Managing Editor;
Mr. Reece Farinas, Marketing Director;
Mr. Ryan Tolman, UH Board of Publications Chairman; and
Mr. Davin Aoyagi, UH Board of Publications Member.

Representative Nishimoto also introduced guests seated in the Gallery:

Mr. Jay Hartwell, Student Media Advisor; and
Ms. Sandy Matsui, Board of Publications Advisor.

Representative Takai also congratulated *Ka Leo O Hawaii* for continuing to represent the voice of the students and others on campus.

Representative Takai then, on behalf of the students of *Ka Leo O Hawaii*, announced a presentation by Mr. Will Caron to Speaker Say of a past *Ka Leo* news article featuring then-graduate student, Calvin K.Y. Say.

Representative Rhoads acknowledged his former legislative intern from the 2011 Session, Mr. Davin Aoyagi.

Representative Ward recognized former *Ka Leo* editors, Ms. Beth Fukumoto, Director of the House Minority Research Office; and Mr. Marlo Ting of Representative Ward's Office.

Representative Brower congratulated the student journalists and noted that a 'city cannot have a good government unless it has a good newspaper.'

The motion was put to vote by the Chair and carried, and H.R. No. 18, was adopted, with Representatives Belatti and Okamura being excused.

The Chair then thanked the honorees, stating:

"Before calling for the recess, the Chair would like to thank the journalists who are here in presenting me with this 1976 article about me as a UH student running for public office. I hope that someday, one of you will be here on this particular Floor representing the people of Hawaii."

At 12:26 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 36-12) recommending that H.B. No. 1696, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1696, HD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, seconded by Representative Evans.

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

Representative Jordan's written remarks are as follows:

"I would like to express my reservations on HB1696, HD1, Relating to Special Wastes Disposal and Recycling. While I support the bill's purpose of preserving Hawaii's natural environment by curbing the illegal dumping of motor vehicle tires, the bill as amended would require a \$5 deposit for each new motor vehicle tire sold that is not exchanged with a used motor vehicle tire.

"The Department of Health's testimony explains that this bill does not address the illegal dumping of motor vehicle tires because the present illegal dumping tire situation seems to come not from new tire retailers, but from secondary use markets and salvagers. In sum, the Department of

Health notes that existing State law requires retailers to take back old tires when new tires are purchased. Thus, there is somewhat of an incentive for consumers to provide retailers with their tires since they are already paying for disposal. Adding a deposit on top of the disposal fee will increase the financial burden to consumers without accomplishing the ultimate purpose of curbing the illegal dumping of motor vehicle tires."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING," passed Second Reading and was referred jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 37-12) recommending that H.B. No. 2484, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2484, HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative Evans.

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

"Mr. Speaker. Thank you. May I have a ruling on a potential conflict for this bill, as well as the following bill? I'm an owner of an electric vehicle," and the Chair ruled, "no conflict."

Representative Jordan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Jordan's written remarks are as follows:

"I would like to explain my reason for supporting HB2484, HD1, Relating to Electric Vehicles. This bill is attempting to reduce Hawaii's reliance on imported oil to satisfy its energy needs. Since much of the imported oil is used for the production of gasoline and with over one million registered motor vehicles on Hawaii's roadways, the consumption of gasoline can be enormous. One possible mechanism to reduce the consumption of petroleum products is to promote the use of newer technologies in everyday life.

"Nevertheless, a constituent of Makaha not only contacted my office, but also submitted testimony in opposition. I believe her concerns are valid and should be considered as this bill moves forward. This bill could be made stronger by incorporating concerns raised about the incentives offered for electric vehicles, while still supporting the ultimate goal of reducing Hawaii's reliance on imported oil."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 38-12) recommending that H.B. No. 2485, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2485, HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative Evans.

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

"Thank you. May I have a ruling on a potential conflict for this bill, as well as the previous bill? I'm an owner of an electric vehicle," and the Chair ruled, "no conflict."

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

"Yes, Mr. Speaker. I stand with reservation on this bill. I understand that we want to incentivize the use of electric cars, but my reservation is that one of the incentives is that they can use the High Occupancy lanes. Coming from the Leeward side, those lanes are already full in the morning with buses and cars of three people in it. So if we add this as an incentive, it will make these High Occupancy Vehicle lanes as congested as the other lanes."

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

"I have reservations for the same reason."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 39-12) recommending that H.B. No. 2154, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2154, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representative Okamura being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 40-12) recommending that H.B. No. 2590, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCE VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 41-12) recommending that H.B. No. 2480, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2480, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Okamura being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 42-12) recommending that H.B. No. 2587, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2587, entitled: "A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 43-12) recommending that H.B. No. 2018, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2018, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"May I have a ruling on potential conflict of interest? I am a mortgage loan officer outside of this Body," and the Chair ruled, "no conflict."

Representative Riviere continued to speak in opposition to the measure, stating:

"Thank you. I stand in opposition. We created this mediation process last year to the tune of about \$2.25 million in transferred funds and start-up funds. To date, we've had zero use of this facility. There are 26 trained mediators, and not a single lending institution chooses to use it. This bill attempts to fix that situation by partially repealing the Unfair or Deceptive Acts or Practices which Fannie Mae and Freddy Mac have decided are far too dangerous to engage in.

"It attempts to identify what are unfair or deceptive acts or practices, which in itself can be ambiguous and still problematic. But more importantly, this version adds 180 days to void the whole process. So that means after the whole process is complete, the foreclosure is complete, the house has essentially been conveyed, and six months later, that whole decision can be overturned. So you've moved into your home, you've been there for six months and now sorry, that transaction never happened. That's ridiculous, because you think they won't come in for an unfair or deceptive acts. Try to do a loan on a mortgage on a property where six months later the whole process will be voided. That's not going to happen. That's not going to encourage use of the mediation program, and therefore I stand in opposition to this. Thank you."

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

"Thank you. With reservations, Mr. Speaker for the well-reasoned statements of the previous speaker, and also because there was testimony that there was no guarantee that Freddy Mac or Fannie Mae will take part in the mediation services offered. Thank you."

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

"Thank you, Mr. Speaker. In strong support. We've created the mediation process at the suggestion of the Chief Justice. And we want to try to make sure that everybody that went in there was living up to the rule of the law and being honest with everybody. We kept the triple damages in there in case there were some problems. The lenders have used that as an excuse for not using the mediation process, and they've said that over and over and over.

"So we said, 'Why don't we just get rid of UDAP for the period that the mediation process is in law? And then if they don't use it, then we know there's another problem. Then we know there's probably that they don't show title.'

"The other thing with this bill is that when this section of UDAP expires, what kicks in is the task force recommendations on how to deal with UDAP. We're trying to fast track this bill to see whether or not the lenders will use it, if they will use mediation. And if they don't, we know there's another very serious problem. I urge your support. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling a possible conflict, on this bill as well as the following Standing Committee Report? My law firm does practice in the area, foreclosures. Thank you," and the Chair ruled, "no conflict."

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

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

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

"Mr. Speaker, in support. I think that the fact that no one, the lenders, are not using the law as currently written doesn't necessarily mean that it was a bad law, or that this change is a bad change. It just may mean that they're concerned that they've done things that will be considered deceptive. And in that case, I would say that our, I guess it was Act 48 from last year, was very successful in ending the practices that it intended to end. Thank you."

Representative Riviere rose to respond, stating:

"Thank you. I just wanted to add a couple things. The unintended consequence to nobody using the non-judicial process, is that the Judiciary's now backing up. 92% of the foreclosures filed last year have not been resolved. They're still in the courts, and they are backing up. It is especially a problem on the Neighbor Islands.

"So there's no resolution. The Unfair or Deceptive Acts or Practices was not created by this bill. It's always existed, and could always be cited and used. This bill creating it as an automatic default has not worked. The 180 day revocation of the whole process will not work. So we're just putting spackle on something that's not going to be fixed with the spackle. Thank you."

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

"Mr. Speaker, with reservations. I'm totally convinced we don't know what we're doing."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Finance, with Representative Riviere voting no, and with Representative Okamura being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 44-12) recommending that H.B. No. 2019, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2019, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling a possible conflict, on this bill as well as the previous Standing Committee Report? My law firm does practice in the area, foreclosures. Thank you," and the Chair ruled, "no conflict."

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

"With reservations, please. Thank you. My concern on this one is that it looks, in its present version, to apply to all mortgages whenever they were recorded. I believe that's entirely unreasonable to go back and change the rules to something that exists. If this were to go forward, it seems to me

that it would have to at least apply prospectively for future mortgages so that everybody knows what the rules will be.

"Again, changing the rules after the fact sets a horrible precedent, and it would not look good for the State. And I'll leave it at that. Thank you, very much."

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

"Thank you, Mr. Speaker. I am in reservations on this particular measure. I think that financial institutions should be able to pursue a deficiency judgment after a short sale because the person who went through the foreclosure might own other properties, and have other assets that could be attached. So I have reservations on this. Thank you."

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

Representative Pine 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 an aye vote with reservations for him, and the Chair "so ordered."

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

"Thank you, in strong support. Mr. Speaker, on the last two bills, this bill and the one before, are designed to protect Hawaii's homeowners."

Representative Pine rose to respond, stating:

"Just to clarify my reservations, Mr. Speaker. I did support the bills in the Legislature, last year. Ewa Beach has the highest foreclosure rate in the last few years, and so I do support Hawaii homeowners. But I also recognize that I'm a legislator and a former journalist, and I perhaps do not understand the mortgage industry as much as I would like. My reservation is really to raise a flag of caution that in our strong passion to protect Hawaii homeowners, let us just pause every once in a while to ensure that the goal that we are trying to achieve and how we're achieving it is really the right path to take."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2019, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Second Reading and was referred to the Committee on Finance, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 45-12) recommending that H.B. No. 1723, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1723, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 46-12) recommending that H.B. No. 2072, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2072, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you. In strong support of Stand. Com. Report 46-12 with written comments."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support. HB 2072, HD1 will increase government efficiency. There are many cases where a governmental agency needs documentation from another State agency. In this case, this measure seeks the support from the Department of Health which generates (in many instances) these records. I would like to thank the Chair and members of the Health Committee for their foresight in seeing that this measure will help the people of Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2072, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 47-12) recommending that H.B. No. 1957, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1957, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 48-12) recommending that H.B. No. 1708, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1708, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 49-12) recommending that H.B. No. 2114, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 50-12) recommending that H.B. No. 1967, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1967, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 51-12) recommending that H.B. No. 2273, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2273, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," passed Second Reading and was referred to the Committee on Education, with Representative Okamura being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 52-12) recommending that H.B. No. 1840, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1840, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, I stand in opposition to this measure. And I stand with all deference to the Chair of Finance. But, as with the discussion with the previous bill on foreclosures, I'm not convinced that we know what we're doing. We may be over our head in getting involved and creating a state bank. Even though now I know it's morphed into a task force. But Mr. Speaker, we're often told in Hawaii to remember your roots. Remember where you came from. And let us remember where this bill came from.

"This bill came from not a bill to make a task force, or a task force that now I understand is really to rescue and become a safety net for the mortgage foreclosure issue. But it's something that in the beginning was an out-and-out bank owned by the State of Hawaii, Chaired by the Governor and his political appointees as members of the Board. That's the origin of this bill. We should not forget that. And as it morphs through, remember that Hawaii is the owner, Hawaii is the residence, Hawaii is the place where the best bank in America exists.

"We're doing okay in terms of banking. We don't need this. I know people are concerned about the economy, but when government gets its hand in the cookie jar and says, 'Yeah, we're going to fix it all.' Look at what we did. We wasted a whole year on the mortgage foreclosure issue. And my sense is if we go through this state bank process to create a state bank, for whatever good intention, it's government going over its head and having bureaucrats doing what bankers should be doing, and they're doing it well right now. Thank you, Mr. Speaker."

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

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

"Mr. Speaker. Thank you, in support. It's an interesting debate. Because if you look at the fastest, maybe not the fastest growing economy in the world right at the moment, but the Chinese. The People's Republic of China has generally been referred to as an economic miracle. They've been growing at 8 to 10% for about 20 years. Basically everything in China is run by the government. It's called state capitalism. And I think that if they can figure out a way to have state organizations help the economy grow, then I think we can probably do the same. Thank you."

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

"I'm willing to explore this idea; so I'll just vote with reservations. But I do want to just clarify to the Members about China. China right now, recent economic reports on China are talking about how China in their attempt to help their people and spur their economy, they have overbuilt. And so China has this rare situation where they almost have entire cities that have beautiful new buildings and homes, but nobody lives there. So there is a very big concern from our American economists right now that China which is helping to kind of lift the world up economically, is close to being on a verge of a housing crisis that caused our crisis here in America. So I hope that we don't become like China. We definitely are watching them very thoroughly. I look forward to the future debate on this bill, and seeing what this comes to bear."

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

"Thank you very much, Mr. Speaker. I would want to vote on this measure with reservations. I understand it's just a task force. But I just want to send a message to the task force that I don't believe the state should be running the bank. I think we have enough responsibilities among ourselves without getting in to the banking business. I'm a director of the Federal Land Bank, so I know how difficult it is. It can be very challenging to ones' revenues if you make the wrong choices. So Mr. Speaker, with strong reservations, and I'm hoping this message will get to the task force if this bill should pass."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. Still in opposition. Just as a comment as someone who studies ethnic studies and is very proud of the Chinese heritage that I have, I must speak out with all due respect to the Representative of Chinatown that we must be careful to compare apples to oranges. Because when you look at the success of certain countries, there are a myriad of reasons, cultural, historical, philosophical that must be calculated in to understanding the success of China.

"And it is not to say that America, the United States of America, is not held in high esteem as well by those from China, for what America has contributed in its philosophy to the world. Which is why so many Chinese are very happy to come to America, to learn from America, so we learn from each other. But I don't know if the connection is accurate. So I speak in rebuttal to whether we should be exactly duplicating everything going on in China."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a brief rebuttal to the learned gentleman from Chinatown. No, I'm still in opposition. I'm not convinced that I should vote for the bill. I had just spoken earlier against the bill. Did you think I changed my mind? Actually, having said that, I appreciate the international theme by which he addressed the issue. He's a very learned gentleman in Eastern European and Russian studies. But Mr. Speaker, I think we need to be aware that he euphemized state capitalism by the term which is to the European and American model, pure socialism. Where basically the government owns the means of production. The government says what to do.

"And there are three engines of Chinese origin, derivation. The Singaporean model, the mainland China model and the Taiwan model. And if you look at Freedom House, they will have categories of economic freedom. Singapore is the freest country, economically in the world. I think mainland China is one of the higher rated ones, and Taiwan is lower. But when you look at economic development and free democratic processes, what the learned gentleman said about prosperity that follows that, doesn't say about the knock on the door at night. It doesn't say anything about what when government wants to do something, whether it's a state bank or it's state capitalism. Socialism has its way, Mr. Speaker.

"We are a limited human, frail 51 people. We don't know what's always best and that's why we created the private sector. That's why 85% of the jobs come from those people. So if we get a state bank that starts competing with our First Hawaiian Bank, the Bank of Hawaii, Central Pacific, that is an incursion for the sake of a 'do good.' Whatever we want to do with our banking. It's a step backwards, Mr. Speaker. So if we want to flirt with this, that's fine. But I would say let's go like we did last year, get it up to the edge and just let the thing die. And let's go on with the business of having a private sector and private capitalism, instead of the government sector and state capitalism, as the good gentleman had noted is prospering. Thank you."

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

"Thank you, Mr. Speaker. In support, first of all, it's a task force, Mr. Speaker. Okay. Second of all, if the previous gentleman had been at the hearing he would have seen that the bankers came and testified, and we took their testimony and incorporated it into the bill. That's why it's a House Draft 1. I hope there are task force bills coming from the other side, because again, a task force is merely to discuss the idea and look at the

good and the bad, which is why your Committee included the Massachusetts Report, as well as the North Dakota Report."

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

"In support. We should learn something from North Dakota which is the only state in the nation that has a state bank. The State Bank of North Dakota works with all private banks. They support them, and help them. North Dakota is the only state in the nation that has not had the financial problems that every other state has had. They don't have the unemployment issue. They don't have the recession issue. They're the only state in the nation that's doing really well, and we ought to learn from them. Thank you."

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

"Thank you very much, Mr. Speaker. In support. I'd like to segue from what the Representative from the Big Island said. As people know, the Bank of North Dakota, again this is a task force. I want to echo the sentiments expressed by the other Representative from Maui. The Bank of North Dakota for example, for the past 15 years has returned about \$400 million back to the North Dakota General Fund. And why are they able to do this? It's because what the Bank of North Dakota does, and again with partnership with the private banks, is they're the depository for all state receipts.

"So in our case, in our state, all the receipts that we get whether from general excise taxes or whatever, we put it into the commercial banks. North Dakota puts it into their bank. Point 1.

"Point 2, the Bank of North Dakota only invests then in projects that benefit the state. So they did not engage in short term speculation or derivatives. They of course did nothing and had nothing to do with the housing crisis. It's a solid bank. I think it's worthy, Mr. Speaker. We're not voting on whether to establish one today. We're voting as to whether or not we should study it. I think it's worthy of study. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1840, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED BANK," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ching and Ward voting no, and with Representative Okamura being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 53-12) recommending that H.B. No. 1671, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1671, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Okamura being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 54-12) recommending that H.B. No. 1765, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1765, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 55-12) recommending that H.B. No. 2459, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2459, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Rhodes 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 H.B. No. 2459, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 56-12) recommending that H.B. No. 2608, pass Second Reading and be referred to the Committee on International Affairs.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2608, pass Second Reading and be referred to the Committee on International Affairs, seconded by Representative Evans.

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

"Yes, Mr. Speaker. Please note my reservations on this, due to the cost of implementing this and requiring foreign travel by the counties to go out and learn about the various licensing aspects of these various foreign countries. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2608, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on International Affairs, with Representative Okamura being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 57-12) recommending that H.B. No. 2322, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2322, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Okamura being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 58-12) recommending that H.B. No. 127, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 127, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, Mr. Speaker and Members. On the compassionate care measure, I voted no in the Committee and I will continue to vote no on the measure as it moves along. I know it goes to the Finance Committee so I shall make this very short. I don't believe that there should be mandates to hospitals, however good the intent is. And I do support care for those that have been raped and need to have care given to them. But I don't believe that, that issue should be mandated upon hospitals just as we should not be mandating upon businesses, especially in this case here because we may lose a hospital. And we cannot afford to lose a hospital.

"There is the former St. Francis Hospital, in its deed, the deed is very clear as to what it wants, and whoever wishes to use that building and that land would not be able to have the freedom to do what they want. They will be obliged to follow the deed. So in effect what we will be doing is

losing a hospital, and we cannot afford to lose a hospital. Thank you, very much."

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

"Yes, Mr. Speaker. I rise also in opposition. I would like the words of the previous speaker entered as my own. And I'd like to see the addition of the right of consciousness as a part of this legislation. Then I could support it. But when we start forcing people to do things that they consciously don't want to do, then that's an issue for me."

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

"Mr. Speaker, I rise with reservations on this measure. I rise with reservations based also on the testimony provided by the Catholic Forum. We did vet this issue with the Catholic community. They're not necessarily opposed to having compassionate care, especially for sexual assault victims, but the religious exemption is a concern, and I hope that the future Committees, consider the exemption in this bill for facilities. Thank you, very much."

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

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

"Thank you, Mr. Speaker. In support. Each year, about 25,000 women become pregnant as a result of sexual assault. Especially in cases of assault, the American Medical Association and American College, obstetricians, gynecologists and a host of others believe medically accurate information and the option to use contraception should be provided to all victims as a measure of basic medical treatment. Fifteen states and the District of Columbia have already adopted legislation requiring the provision of information about or access to emergency contraception in cases of sexual assault. In addition all military hospitals also provide the same.

"If there's a political consideration here, we should rest assured that even in a 2007 poll, as recent as that, 73% of all voters believe that pharmacies should not be allowed to refuse dispensing emergency contraception on moral or religious grounds. In cases of hospitals and assault, that number sky rockets. Even among Catholic women, as far back as the year 2000, at that time 78% supported emergency contraception in cases of assault.

"This is a bill that is quite frankly, common sense. No matter how anyone feels, we are a nation of multiple religions and conflicting beliefs. However as an objective government we ought to default and defer to best medical and to an individual's choice. Especially for victims of assault who have had their bodies and rights violated once already, we cannot allow government to mandate whether or not they will be violated a second time, by forcing upon them an unwanted pregnancy. This choice must be the individual's to make and we must pass this bill to make sure the victims are given the opportunity to make that choice themselves no matter which hospital they end up in. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support. I want to share a story with my colleagues about someone who had worked in my office during the session several years ago and had been raped. She had been at Queen's Hospital and she asked if there was anyone that could tell her about emergency contraception. Maybe she was worried that she might be pregnant. She wanted to get tested. She wanted help. They told her they wouldn't do it, and she said, 'Well then can you please put me in an ambulance or take me to another place that will do it.' And they refused to do that.

"So what she did is she called her mother, and her mother came and got her and they went to another place here in the city. So I think what happens is they don't realize that the person who's been traumatized gets so traumatized about the thought that they might get pregnant. They ask for

help and they're denied that. So she was not even given information or any assistance at all in what her options were. She was refused that.

"Now maybe the Catholic church does not want to perform an abortion. Maybe that's what they're really thinking in their mind. But why wouldn't they want to be willing to give someone some information and say, 'We're willing to help you. But if you don't want to be in this hospital, we'll help you get somewhere else.' But the fact that they denied her the opportunity to have a choice, or even assist her when she asked for assistance. If you're not going to do it, help them get somewhere else where they will, and they refused that. I think that is a horrible thing to say. We're in the year 2012. This shouldn't be happening. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. With reservations. I have my personal beliefs on the issue, but I also have the belief that I shouldn't be making decisions for women, especially in traumatic circumstances as so noted. My concern is that we should be giving consideration when we put down mandates on hospitals, especially those that have faith-based ties. Thank you, Mr. Speaker."

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

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

Representative Johanson's written remarks are as follows:

"I rise in opposition to HB 127. While I deeply sympathize with victims of sexual abuse and assault and fully support the disclosure of medically accurate information by hospitals to their patients, I do not believe this measure offers the necessary flexibility, particularly for religious medical institutions, to engender an acceptable health community here in Hawaii. The proposed measure may force all hospitals to provide services that may not be in line with their mission, beliefs or philosophy. Particularly at a time in our State when medical services are in dire need, we should not limit or dissuade organizations from providing these much-needed services to Hawaii residents. This measure is well intended, but it may lead to unforeseen consequences of reducing medical care options and access for the State of Hawaii."

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

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

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

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

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

Representative Pine rose to respond, stating:

"Thank you, Mr. Speaker. I know we've been discussing this for a long time. I'm still in opposition. I reserved my no vote earlier. As a woman, I do want to share some other stories. But I do want to make it clear what the Majority Floor Leader had stated, that this person was refused help. It has been very clear to me in all the hearings that I've been to that the people who in the past ran the hospitals, that wanted this exemption, they were very willing to actually drive the victim to another hospital. So that

story is not applicable to any of the testimonies that we have here in the House of Representatives.

"But there is another side of this story that as we move along with this issue and continue to discuss it. There is another situation that we should also take into consideration.

"I think we all are very compassionate towards any victim, especially a woman whose body has been brutalized. But we also have to be aware of that victim's mentality. If they are staunchly religious, a woman who has been or a man who has been through this type of trauma, perhaps cannot make certain decisions either. What would happen to that victim, that Mormon, that Muslim, that Catholic or any other person of very devout beliefs who was given this information. And in her delirium, and her sadness and depression took that pill. We in a sense, with this vote, we brutalize her again. Because in her confusion, she broke her own vow. So we need to consider that too.

"If we are going to move forward with this, we should also recognize that we all have different beliefs, and that our action can hurt someone even further."

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

"Mr. Speaker, I rise in opposition. I am not particularly or I'm actually not that against EC. I'm not. In the past I did have a hospital in my district that was Catholic and I'm very, very protective of the fact that my hospitals, if they have a belief system, to respect that. Just as I would respect a Jewish hospital, deciding not to eat pork and seafood or what have you. All these things.

"But more importantly, I wanted to again reiterate that it's my understanding that they will drive a victim. You know, they've been willing to do this, to make sure that they are taken care of. And I think that they're just asking for an exemption. I reiterate again the point made by the Speaker Emeritus that in the big picture, if we lose a hospital, while in Ewa Beach or in the West, this will affect so many people detrimentally. And so with that, I'd like to ask that the words of the Vice Speaker be entered as my own, as well as Speaker Emeritus. And I request additional written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to H.B. 127 – Relating to Emergency Contraceptives for Sexual Assault Survivors because this version does not address the exemption for religiously affiliated medical centers and would jeopardize medical institutions.

"This measure does not take into account the religious beliefs of the hospitals and attempts to force unwanted policy upon religiously affiliated medical centers. Being the Representative for a district that had a hospital which operated with religious stipulations, I understand the importance of this issue and I would have hoped that the respect for religious beliefs would have been acknowledged.

"In a statement to the Committee of Health, St. Francis Healthcare System informed members that though St. Francis "does not own nor operate emergency service providers or hospitals; it does, however own the land ... HMC *must* abide by the Ethical and Religious Directives of the Catholic Church." To force upon St. Francis to adopt policies from this bill, would not only discourage the implementation of a much needed medical facility, but additionally disrespect the prior practices of St. Francis, who graciously treated our most indigent population.

"May I echo the suggestions of our public voices and request the, "... balance [of] religious liberty, tolerance and diversity of opinion by granting a religious exemption" to those facilities that may be constructed above, or associated with an objecting religious institution."

Representative Har rose in opposition to the measure and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in opposition. And quoting from the gentleman from Waimanalo, we're a faith-based community. 90% of people believe in God. Some people who are Muslim feel very strongly about drinking or eating pork. Some of the Jewish community feel very strongly about certain things that you should eat or not do. And there are certain Catholics who believe that abortion is the ultimate of something that shouldn't be done. The contribution that those Catholic hospitals have made, of which now the landowners have, has been immense for the community. Tremendous amount of ability.

"So tolerance is needed. I would ask for that because this bill has come up about 15 years in a row, and it usually gets debated back and forth; bantered, back and forth. And in the end we say, 'Well okay. We'll give them a break.'

"So I would say let's continue on that tolerance track that we have, and that if there are those options in so many other places, that those opportunities be given. But in the meantime, let's discuss it and then let's put it aside as we've done for 15 years at least, in the past."

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

"Thank you, Mr. Speaker. In Committee, I did vote to support this measure. However, given that it is very complicated with a lot impacts, I am going to go with reservations now, because I believe this does deserve more discussion. But I support a woman's right to choose. However, given what has happened in Ewa Beach, that is why this needs much more discussion. Thank you."

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

Representative Evans rose to respond, stating:

"Thank you, Mr. Speaker. I rise in support. I want to point out what one of the previous speakers said, that we all have different beliefs. And we don't want to do anything that actually hurts somebody. Well I think that's really what we're talking about today. Many people believe that certain hospitals can refuse to help a woman who may ask for help. But if they truly believe that the Catholic hospital or a religious hospital will support a woman in her choice who asks for help, who says, 'Please get me to a hospital,' then why don't we pass a law that penalizes them when they don't. Because, the reality is, this bill is really about helping a person. It's not about supporting the belief of whomever the administrator is and the board of directors. Thank you, Mr. Speaker."

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

"Mr. Speaker. I just want to close this debate for today. I am with reservations. I just wanted to say that perhaps the discussion and this topic is obsolete at this point in time, because I believe we don't have any more Catholic hospitals. The only hospital that was standing against this measure in the past was a Catholic hospital. At this time I think it's outdated. It may be a discussion at a future time, and I would like the Body to consider that when the occasion arises. But for now, I think this is a topic we can put to rest. Thank you, Mr. Speaker."

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

"In support. In the consideration of time, may I please have the words of the Representative from Waimanalo put in the Journal as if it's my own? And I'd also like my own words in the Journal. Thank you, very much."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support. In 2009 there were 125,910 rapes in the United States; a number which only represents 55% of the total estimated rapes in our country.¹ In the 2009 Crime in Hawaii report, there were 385 forcible rapes reported to law enforcement. Survivors of such terrible

sexual violence required emergency medical care at Hawaii emergency rooms. Rape is one of the most violent crimes a woman can experience.

"Sexual assault is a life-threatening event, and one that goes beyond the moment of attack to evoke long-term trauma in victims. The crime of rape does not end with violence. Survivors suffer from depression, intense fear, anxiety, and other crippling symptoms of post-traumatic stress disorder. Healing can take a lifetime. Victims may find themselves the object of scrutiny or blame, even by their own families.

"In the aftermath of rape, victims find themselves dealing with a host of reproductive and sexual health issues, including pregnancy. Statistics vary, but indicate that approximately 5-8% of all rapes result in pregnancy. The sense of vulnerability and aloneness victims experience after rape is tremendous.

"Emergency contraceptives are a safe and effective way to prevent a pregnancy resulting from rape. EC are high-dose contraceptives that, when taken within a recommended time period after a sexual assault, will prevent pregnancy. EC is not the "abortion" pill, nor does it cause abortion.² Any reference by speakers that have preceded me contrary to this are in error and lead to a misunderstanding of the purpose of EC. As legislators, we should base our decisions on sound science.

"Providing EC in the ER is the accepted standard of care. The American Medical Association's Guidelines for treating victims of sexual assault state that victims should be adequately informed about and provided EC, upon request.³ The American College of Obstetrics and Gynecology also supports this standard of care.⁴

"The allegation that the passage of this bill would prevent the sale and future re-opening of HMC is ludicrous. The opposite is true. Any ethical buyer of the hospital would not agree to conditions that limit delivery of the accepted standard of care. In addition, the humanitarian aspect of refusal of care is to me unconscionable. We are talking about a violent crime against women, and every effort should be made to ease their recovery from the trauma of rape.

"I urge the Members' support of this bill so I don't have to give this speech for another 15 years. 17 states and the District of Columbia have adopted legislation requiring the provision of information about and/or access to EC to sexual assault victims in emergency rooms.⁵ The federal government also standardized rules regarding EC and now requires that all military and federal hospitals stock EC.⁶ The Army Medical Command Regulations advise discussing and providing EC to sexual assault victims.⁷"

¹ National Crime Victimization Survey, US Department of Justice Bureau of Crime Statistics, 2010

² See *Emergency Contraception Fact Sheet*, Guttmacher Institute, <http://www.guttmacher.org/media/supp/ec121702.html>

³ See, American Medical Association, *Strategies for the Treatment and Prevention of Sexual Assault* (1995).

⁴ American College of Obstetricians and Gynecologists, *Violence Against Women: Acute Care of Sexual Assault Victims* (2004), at http://www.acog.org/departments/dept_notice.cfm?recno=17&bulletin=1625.

⁵ States Include: AR, CA, CO, CT, DC, IL, MA, MN, NJ, NM, NY, OR, SC, UT, WA, WI.

⁶ See, Department of Defense, *Pharmacy and Therapeutics Committee Recommendations*, November 2009, Signed February 2010.

⁷ See, Army Medical Command Regulation, 40-36, Part 17, January 2009.

Representative Yamane rose to respond, stating:

"Mr. Speaker. Just to make a point of clarification on one of the previous speaker's remarks regarding the impact of this with the current or future hospital. Just for clarification, my understanding is that measures like this which mandate services would affect the potential purchase of a future hospital setting at the former HMC West site. There is another hospital, Castle, who is also very concerned about the language of the bill. Thank you."

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

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

"Thank you, Mr. Speaker. I favor this bill, and I ask those who question the bill to think of what happens if a child is born as a result of a rape. Will that child be accepted into the family? Will the father resent the fact that the biological father was a rapist? Will the other children resent the fact that this baby is only a half-brother? I think you should think beyond just the rape itself. It's a matter of who's going to raise the child; the cost of the child, the emotional impact. I also would ask that the words of the Representative from Waimanalo be incorporated as my own. Thank you."

Representative Aquino rose, stating:

"Thank you, Mr. Speaker. I'd like to rescind my vote with reservations, and register a no vote."

Representative Ichiyama rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you Mr. Speaker, I rise in support. The crime of rape in Hawaii is a reality that we cannot ignore. In the 2009 *Crime in Hawaii* report, there were 385 forcible rapes reported to law enforcement. Many more incidents go unreported because of the stigma of becoming a rape victim. The survivors of such terrible sexual violence require emergency medical care at Hawaii emergency rooms and deserve to receive adequate treatment.

"Sexual assault is a life-threatening event, and one that goes beyond the moment of attack to evoke long-term trauma in victims. The crime of rape does not end with violence. Survivors suffer from depression, intense fear, anxiety, and other crippling symptoms of post-traumatic stress disorder. Healing can take a lifetime. Victims may find themselves the object of scrutiny or blame, even by their own families.

"In the aftermath of rape, victims find themselves dealing with a host of reproductive and sexual health issues, including pregnancy. Statistics vary, but indicate that approximately 5-8% of all rapes result in pregnancy. The sense of pain, vulnerability and aloneness victims experience after rape is tremendous.

"Emergency contraceptives are a safe and effective way to prevent a pregnancy resulting from rape. EC are high-dose contraceptives that, when taken within a recommended time period after a sexual assault, will prevent pregnancy. EC is not the "abortion" pill, nor does it cause abortion.¹ As legislators, we should base our decisions on sound science.

"Providing EC in the ER is the accepted standard of care. The American Medical Association's Guidelines for treating victims of sexual assault state that victims should be adequately informed about and provided EC, upon request.² The American College of Obstetrics and Gynecology also supports this standard of care.³

"The allegation that the passage of this bill would prevent the sale and future re-opening of HMC is inaccurate. Any ethical buyer of the hospital would not agree to conditions that restrict delivery of the accepted standard of care. In addition, the humanitarian aspect of refusal of care is unconscionable. We are talking about a violent crime against women, and every effort should be made to ease their recovery from the trauma of rape. Thank you very much, Mr. Speaker."

¹ See *Emergency Contraception Fact Sheet*, Guttmacher Institute, <http://www.guttmacher.org/media/supp/ec121702.html>.

² See, American Medical Association, *Strategies for the Treatment and Prevention of Sexual Assault* (1995).

³ American College of Obstetricians and Gynecologists, *Violence Against Women: Acute Care of Sexual Assault Victims* (2004), at

http://www.acog.org/departments/dept_notice.cfm?recno=17&bulletin=1625.

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

"Thank you, Mr. Speaker. I'm rising in support of the measure. Mr. Speaker, as I hear the discussion today, it seems to go into church issues which should not be a part of this Chamber with the separation of church and state. It also goes into abortion. And yet, emergency contraception is neither church, nor an abortion pill. It prevents fertilization, but it's not an abortion. And what we're dealing with, the thing that makes me so sad is, I listen to some of the comments.

"There was one statement about forcing people to do what they don't want to do. This bill would do it. But what did they force the woman to do, when they raped her? And what are her options, as she's traumatized and maybe reaches a hospital? And then what's available there for her? Stonewalling? Or are they going to help her in the way that we as policymakers should say we want her to be helped. She was forced to do something she didn't want to do. And by defeating a bill like this we would allow that to continue.

"I think, Mr. Speaker, this is a very important measure to put through. What it says to women who are raped forcibly is, 'You'll find a place to go and you'll be taken care of. You won't be getting an abortion, and you will not become pregnant. We will get you that immediate care.' I wish you just would stop and think, and maybe the men in the Chamber. I mean ..."

Representative Herkes rose to a point of order, stating:

"Mr. Speaker, point of order. Will you instruct the speaker to address the Speaker?"

Representative Thielen continued, stating:

"I guess I'm looking at my colleagues, the Vice Chair of Finance who I respect so much, and the Majority Floor Leader who I respect so much as part of our Women's Caucus. I'm sorry to the Big Island Representative, but I'm reaching out with a bond that we have developed through the years. I respect both of you so much, and what you've said, and what you stand for.

"Mr. Speaker, we have to show the compassion to these rape victims, the women. And we need to show it and let it happen immediately, so they don't continue to be traumatized. And thank you to our Minority Policy Leader too. Thank you."

At this time, Representative Pine called for the previous question.

The Chair responded, stating:

"This is a voice vote on this particular measure, so the Chair is asking for your particular vote by announcing it on the Floor of the House at this point."

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

"Thank you, Mr. Speaker. And I appreciate the comments from the Representative from Kailua to distinguish between an abortion and emergency contraception, because there is a big difference. And even the churches recognize that. I'm in strong support. Thank you, Mr. Speaker.

"And I don't know how many people have been raped in this room, and I don't think we really want to get into that. But I do know that after a woman is raped, she has a very difficult time even asking for help, or even admitting to what happened. For us to currently allow a hospital to not be honest and truthful with a woman who has just been raped about her options, that really concerns me. And that's why I am in strong support of this bill. I think that women who have been raped deserve some truth."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 127, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," was referred to the

Committee on Finance, with Representatives Aquino, Ching, Cullen, Fontaine, Har, Johanson, Pine, Riviere, Souki and Ward voting no, and with Representative Okamura being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 59-12) recommending that H.B. No. 1868, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Okamura being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 60-12) recommending that H.B. No. 1997, as amended in HD 1, be recommitted to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1997, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was recommitted to the Committee on Higher Education, with Representatives Nakashima and Okamura being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolution (H.C.R. No. 36) was referred to Printing and further action was deferred:

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Chang, Carroll, Coffman, Herkes, Ito, Nakashima, Riviere, Cabanilla and Har.

COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

H.C.R. No.

Referred to:

36 Committee on Water, Land, & Ocean Resources, then to the Committee on Legislative Management, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

H.B. No.

Re-referred to:

1997, Jointly to the Committee on Higher Education and the
HD1 Committee on International Affairs, then to the Committee on Finance

ADJOURNMENT

At 1:32 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 03, 2012. (Representatives Nakashima and Okamura were excused.)

ELEVENTH DAY

Friday, February 03, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Isaac W. Choy, after which the Roll was called showing all Members present with the exception of Representatives Awana and Cabanilla, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Ninth and Tenth Days was deferred.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 5) was received and announced by the Clerk:

Sen. Com. No. 5, transmitting H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," which was adopted by the Senate on February 2, 2012.

INTRODUCTIONS

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

Representative Cullen introduced Mrs. Roseline Josue, a transplant candidate, and her husband, Mr. Derwin Josue.

Representative Cullen also introduced Mr. Glen Hayashida of the National Kidney Foundation of Hawaii; and Ms. Malia Espinda of the Queen's Health Systems.

Representative Yamane introduced Mr. Tobi Solidum, an organ transplant advocate.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading and Final Reading by consent calendar. (Representatives Awana and Cabanilla were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 34-12) recommending that H.B. No. 101, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the committee be adopted, and that H.B. No. 101, HD 2, pass Third Reading, seconded by Representative Evans.

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

"In support with just slight reservations of this measure, Mr. Speaker. What this bill does is it allows electric vehicles traveling no more than 10 miles per hour to be allowed to travel on bike paths and other walkways. I certainly support promoting the use of any type of electric vehicle instead of using gas or fuel. But my only concern is in the drafting of this bill,

there is a provision under the description on the first page that defines what a bicycle is, and it adds new language that describes that a bicycle could propel a vehicle to a maximum speed of 20 miles per hour. So it kind of is in conflict to our purpose of this bill. Hopefully in the final stages maybe we can remove that section because it is a little confusing. And how are we going to control the speed if we're allowing a bicycle to be able to go that fast. Thank you."

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

"Thank you, Mr. Speaker. I'm voting in favor with reservations. I have the very same concerns. And the concern I have is that this does reference a maximum speed of 20 miles per hour on a paved, level surface. I think that when you get pedestrians in the same equation, it could be a safety hazard. Thank you."

Representative Marumoto 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 H.B. No. 101, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 49 ayes, with Representative Awana being excused.

At 12:16 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 101, HD 2

H.B. No. 608, HD 3, SD 1, CD 2:

By unanimous consent, action was deferred to the end of the calendar.

REPORTS OF STANDING COMMITTEES

Representatives Souki and McKelvey, for the Committee on Transportation and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 61-12) recommending that H.B. No. 2380, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2380, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Carroll rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"In strong support of House Bill 2380, HD 1 which establishes a working group to explore options for reducing the shipping time and costs for transporting goods from Moloka'i and Lana'i to Oahu.

"In 2006 when the SuperFerry was in progress, a huge hardship was placed upon the Moloka'i and Lana'i residents because of the proposed consolidation of wharf space at the Kahului Harbor where space was needed to accommodate the SuperFerry docking. In April 2006, Young Brothers notified its customers of a docket filed with the PUC to discontinue its less-than-container load service (LCL) effective June 2006 at Kahului Harbor. There was little time to react and come up with a fair solution to address this issue. The Moloka'i community came together and letters were sent to the PUC asking them to suspend the docket and a public hearing should be held on this issue before a decision be made.

"The message to the PUC from the Moloka'i and Lana'i community at that time was that it is not an option to stop LCL service to our islands.

About 98% of Moloka'i and Lana'i goods are shipped via LCL. In addition, if the LCL service was to stop, devastation would follow because there are no other freight consolidators, storage or staging areas near the piers that would accommodate its customers.

"Since the decision where PASHA has been granted by the PUC to provide service in the prime areas in the State where their services are being provided, Young Brothers have been forced to request for rate increases to assist them with sustaining their services. This rate increase has had devastating consequences to the customers and specifically Moloka'i and Lana'i.

"This working group that we are trying to establish will address these concerns and look closely at time schedules, cost, needs and impacts to our residents. I urge my colleagues to please support measure and the formation of this working group which will look at ways to improve our shipping industry and meet the needs of our people."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2380, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 62-12) recommending that H.B. No. 1787, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1787, HD 1, pass Second Reading and be referred to the Committee on Health, seconded by Representative Evans.

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

"Thank you very much, Mr. Speaker. In strong support. And let me just say, this is one sweet bill."

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

Representative Tsuji's written remarks are as follows:

"Mr. Speaker, I am in support of HB 2100 which would appropriate monies for statewide bee hive research.

"For many years, UH-Hilo has been at the forefront of such research. The work done by Dr. Lorna Tsutsumi of the College of Agriculture, Farming, Natural Resource Management is noteworthy and has garnered support from renowned Chef Alan Wong.

"Honey bees are responsible for crop pollination and their health and well-being are especially important if we truly want to reduce our dependency on imported food. Unfortunately, there are several major pests threatening honey bees in Hawai'i.

"The small hive beetle arrived in the State in 2010 and has been detected on four islands. Its presence compounds the challenges for beekeepers, who are already dealing with the *Varroa* mite since 2007.

"Testimony received in Committee supported this Bill. It has quite a journey ahead so I urge my colleagues support it through the process."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 1787-Relating to Agriculture. This bill exempts producers of agricultural products in areas without access to municipal water supplies or infrastructure from processing the product in a certified food-processing

establishment or obtaining a permit from the Department of Health. This bill also sets the qualifying annual gallonage of honey for home-based honey production to an unspecified amount.

"We must procure thoughtful measures available to accomplish a sustainable local agriculture that thrives not only through ingenuity and natural capabilities, but the underpinnings of the local economy. There has been an alarming worldwide decrease in honey bee population due to predators and disease. Honey bees are not only essential for the production of honey and its copious useful products, but for the natural pollination of our indigenous fruits and vegetables. Nothing is harvested naturally without pollinators like the bee. H.B. 1787 will certainly address the declining bee population in Hawaii, and hopefully we may become a national forerunner in this pressing issue.

"It is my hope that this bill will not only extend to the local beekeepers, but to our local cacao farmers as well. As most of you are aware, Hawaii is the lone state within the United States that produces cacao. We must take initiative to do whatever we can to promote this effort. According to a recent Harvard University study, cacao, like honey, contains antibacterial agents. Allowing cacao growers the similar exemptions could work wonders for the cacao industry. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1787, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Health, with Representative Awana being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 63-12) recommending that H.B. No. 1945, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1945, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 64-12) recommending that H.B. No. 2093, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2093, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL EDUCATION," passed Second Reading and was referred jointly to the Committee on Higher Education and the Committee on Education, with Representative Awana being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 65-12) recommending that H.B. No. 2525, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2525, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker. I stand in favor, and I just want to underline the importance of this bill for the future renewal of energy, not only its development, but it's actually getting onto the grid. It puts the responsibility to measure that, to stand up to HECO if you will, whether the grid can take it or not, to be able to get more, hopefully quicker, and more accessibility for renewable energies, rather than right now saying, 'Well, we got 15%. You can't measure it. You've got to spend \$15,000, \$20,000 to get onto the grid.'

"This hopefully will segregate it to where it will be an up-or-down decision on a scientific basis with our data versus their data. Right now I think it's rather one-sided. So this is a good bill. I hope it moves well, and that there's a consensus to pass it. Thank you."

Representative Hanohano 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 H.B. No. 2525, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 66-12) recommending that H.B. No. 2490, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2490, 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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 H.B. No. 2490, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 67-12) recommending that H.B. No. 2589, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2589, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just in strong support. As you know, we've had a boat stuck on our reef now for ten years. And I hope that this can finally get the Department to get it off the reef. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Awana being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 68-12) recommending that H.B. No. 2482, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2482, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 2482, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY

DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Awana being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 69-12) recommending that H.B. No. 2612, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2612, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Awana being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 70-12) recommending that H.B. No. 2614, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2614, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Awana being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 71-12) recommending that H.B. No. 2320, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2320, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 72-12) recommending that H.B. No. 1736, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 73-12) recommending that H.B. No. 2035, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2035, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 74-12) recommending that H.B. No. 1965, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1965, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR PHARMACISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 75-12) recommending that H.B. No. 2276, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2276, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ichiyama rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support. This bill proposes to require any person under the age of sixteen to wear a helmet while operating a skateboard and mandates a fine between \$50 and \$250 for those who violate this rule. Skateboarding is a popular recreational activity among youth in our communities. It is essential for the safety of our *keiki* that they are fitted with the proper equipment to protect them from the risk of head injuries.

"Many of my constituents have expressed concerns about the rising prevalence of skateboard related injuries. According to the Queen's Hospital Trauma Registry, of the 119 patients who were injured while skateboarding between 2006-2010, nearly 40% of the patients were under 16 years of age. The Injury Prevention Advisory Committee states that the cost of treating these injured skateboarders is staggering, with average total charges at \$11.3 million per year. We can prevent these head injuries and expenses by requiring the use of protective head gear by our youth and creating appropriate punishment for violations. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2276, entitled: "A BILL FOR AN ACT RELATING TO SKATEBOARDS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 76-12) recommending that H.B. No. 1955, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1955, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 77-12) recommending that H.B. No. 1960, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1960, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 78-12) recommending that H.B. No. 1846, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1846, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIAWA GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Finance, with Representative Awana being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 79-12) recommending that H.B. No. 1952, as

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

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1952, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I stand in strong support of H.B. 1952-Relating to Bone Marrow Transplants. This bill appropriates funds, \$500,000, subject to a dollar-for-dollar match in private funds for Hawaii Pacific Health to establish a bone marrow transplant center in Hawaii.

"The importance of this bill cannot be understated. Bone marrow transplants assuredly save lives. With the closing of Hawaii Medical Center's Transplant Institute, critical patients were faced with the daunting task of not only receiving the bone marrow transplant, but facing extensive charges to travel to the mainland without the aid of Medicare or insurance companies. As if it is not difficult enough traveling to a distant medical center, burdened with large finances, bone marrow transplant patients must largely do it without the fundamental tool to healing: friends and family. Imagine experiencing something like this without the support and the simple hand grasp of your mother, your father, sister, brother, daughter, son or friend. It is absolutely imperative that we return bone marrow transplant capabilities to Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1952, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BONE MARROW TRANSPLANTS," passed Second Reading and was referred to the Committee on Finance, with Representative Awana being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 80-12) recommending that H.B. No. 1830, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1830, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker. Thank you, Mr. Speaker. I stand in strong opposition and would like to make a few comments. Thank you, Mr. Speaker. You know, for the past 4 years while I've sat in these Chambers, bills regarding appraisal have come forward and moved. And as designated in one of the testifiers descriptions of even recent legislation as legally questionable, I wanted to bring this bill to the attention of the Body and just point out the number of individuals, groups, reputable groups that are in opposition to this, including the Land Use Research Foundation, our own Department of Commerce and Consumer Affairs, the Hawaii Appraisal Institute and Hawaii Reserves Incorporated.

"The gist of their opposition is that this bill before us is unnecessary. It violates the intention of the Hawaii Arbitration Law. There is no logical basis to require only appraisers to serve as arbitrators. And the practical effect of this bill is to now require and to throw into question, many, many leases that are currently in the process. But I think the opposition that really crystallizes this for me is the testimony from the Land Use Research Foundation which says that they believe that the intent and application of this bill is unreasonable, unwarranted and anti-business.

"I really urge my colleagues to take a look at this bill and also join with these other testifiers in opposition to this measure. Thank you, Mr. Speaker."

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

"A no vote also. And may I have the words of the previous speaker as if they were my own? And as a footnote to that, that I believe this bill was passed previously by this Body. And if I'm not mistaken, and it was vetoed by the Governor, for the very reasons that were mentioned. Thank you."

Representative Marumoto rose in opposition to 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 Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

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

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

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

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

Representative Saiki 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 H.B. No. 1830, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARBITRATION," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Belatti, Hanohano, Marumoto, Saiki and Ward voting no, and with Representative Awana being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 81-12) recommending that H.B. No. 1611, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Awana being excused.

END OF CALENDAR

UNFINISHED BUSINESS

H.B. No. 608, HD 3, SD 1, CD 2:

Representative Chong moved that H.B. No. 608, HD 3, SD 1, CD 2, pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in strong support. This measure, in immediate accordance of Article VII of the Constitution of the State of Hawaii, it's going to appropriate emergency funds subject to dollar-for-dollar matching funds to support services to perform kidney and liver transplants. Because the Legislature does find that organ transplantation is a lifesaving therapy for many of our critically ill, with end-stage diseases, and funding is critical to maintain a federally recognized Stage 3 chronic disease program. We recognize that more than 110,000 patients are on the national organ transplant waiting list. And over 400 are Hawaii residents. But Mr. Speaker, we're very grateful because diabetes is an overbearing crisis, a tragedy. It's currently costing our State over a billion dollars annually.

"It's on the rise, Mr. Speaker. A third of the population of Hawaii. In fact, it's estimated that one in every two children born after the year 2000 will be affected by this disease, and it oftentimes relies on immediate transplant services. Kidney and pancreas transplants are widely accepted long-term recovery methods for Type 1 and at times, Type 2 diabetes, and it would prove highly imprudent to discontinue such a major avenue for such a severe complication here in Hawaii.

"At HMC we're very proud, now let's not forget, that when we lost this transplant center we lost a piece of history, because it was in 1966 that our own Dr. Livingston Wong, a member of Dr. Hume's transplant team from Harvard Medical School, joined the St. Francis Medical staff. Sister Maureen Keleher was aware of the growing problem of kidney disease and gave Dr. Wong and fellow physicians the green light to start a transplantation program. In '69 he came from Harvard. He joined the St. Francis team in Liliha to perform the first ever kidney transplant in Hawaii, and 9 years later St. Francis established the foundation for bone marrow.

"Mr. Speaker, we know intimately of a hero that sits on our Floor today, who saved the life of a person who served our Chamber so well.

"My friend, Beverlyn Ho who also worked here in the Capitol. She was a 4th generation from Liliha and Palama who many of you who have served many years may remember. She was not so lucky. And had I not been a mother who must preserve my own kidneys for one day taking care of perhaps my own family, I would have considered giving her my kidney.

"What we do in Hawaii is important, and if you had known Bev, she was really special. You would have known how I came to understand this intimately, as more than just a piece of legislation. And so with that, I have much thanks. I want to thank our Governor who expedited this. I want to thank the leadership of the Senate and the House. You, Speaker Say. I want to thank the Chairs who expedited this measure; the Committees, and particularly the Chair of Health for all of his time and effort. To Glen Hayashida and the National Kidney Foundation; to Queen's Hospital; to CJ our current Chief Clerk; to Pat Mau-Shimizu; and to St. Francis Healthcare System."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Ching continued, stating:

"Thank you. To George Greene of the Healthcare Association, and all who have helped this very important matter. Mr. Speaker, I've walked through dialysis centers, and some of the greatest local people we have are filling those centers from morning till evening. I want to thank this Chamber and all who helped. May I submit additional written comments please," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 608-Relating to Health. This bill appropriates emergency funds, \$1.8 million dollars, subject to dollar-for-dollar private matching funds, to be expended by the Department of Health for grants to the Queen's Medical Center to perform kidney and liver transplants and to National Kidney Foundation of Hawaii to maintain its chronic kidney disease management program.

"The importance of this bill cannot be understated. Diabetes presently, has a stranglehold on my district. Native Hawaiians, Filipinos and Japanese have more than twice the rate of diabetes than Caucasians. Hawaii has a much higher prevalence of end-stage renal disease than the national average. Blindness, amputations, kidney disease, and organ failure are all directly related to this disease. There are currently over four hundred patients in Hawaii enrolled in an ever-lengthening organ transplant wait list.

"It would prove tragically imprudent to send our transplant patients a minimum of 2,500 miles away for transplant services. In this modern era of vast technological advances, it is absolutely cold-hearted for an isolated state to be ill-equipped for organ transplantation. It is my firm belief that

this bill is crucial to the health and healing of many of our critically ill family, friends, and residents of Hawaii. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support of HB 608, Relating to Health. It's been a longtime coming Members, to get this measure before you. With the help of the Finance Committee, the Finance Chair, the Governor, Queen's Health Systems, the Kidney Foundation and Speaker Calvin Say's Office, this bill was drafted with the specific intent to protect the people of Hawaii. This bill before you will save lives, keep families together and promote healthy lifestyles. It is my hope that this bill will be interpreted broadly, with the funds being used to cover services, operational costs, staffing, renovations, and other support services for the organ transplant program at the Queen's Medical Center.

"Mr. Speaker, we were left in a state of crisis with the closing of Hawaii Medical Center. This closure led to hundreds of patients facing relocation for their medical services, and the loss of a valuable emergency room. Adding to these worries, those facing kidney and liver issues were dealt a heavy blow, knowing that the only Medicaid and Medicare certified center for hospital and kidney transplants would soon be closing.

"In Hawaii alone, there are over 400 people on the organ transplant wait list, 90 percent of which are for issues relating to kidney failure. In addition to those currently on the wait list, it is estimated that 156,000 people in Hawaii have chronic kidney disease, and another 100,000 are 'at risk' for kidney failure. Hawaii leads the nation in chronic kidney disease with a rate 30 percent higher than the national average. Hawaii Medical Center provided treatment services for those facing many of these problems along with providing transplant services, and with its closing, left everyone stranded.

"Without a certified transplant center in the State of Hawaii, our people will be forced to seek treatment at mainland hospitals, where the average wait time for a transplant can range from three to five years. Even if an individual is lucky enough to make it on the waitlist, and then off the waitlist and complete surgery, recovery times for transplant patients can also take upwards to several months. For many patients, a full-time caretaker is often needed to assist them through the transplant process, a role a family member is often forced to undertake due to the high costs of hiring a full-time caretaker. This leaves many families splintered and lives uprooted as our parents, sisters, brothers, family and friends go through the process.

"The need for a new liver and kidney transplant center is dire. HB 608, which works with the National Kidney Foundation of Hawaii and the Queen's Health System, is an investment in the wellness of the State of Hawaii. It is incumbent upon all of us to ensure that our citizens who face serious disease, have the tools and support necessary to improve their quality of life at a reasonable cost with the whole essence of aloha spirit and *ohana*.

"This measure will help Queen's Organ Transplant Program with a \$1.56 million dollar-to-dollar matching fund, and support the Hawaii Kidney Foundation with an additional \$300,000 dollar-for-dollar match. This bill would not be here today in front of you without support from the Governor, Queen's Health Systems, the National Kidney Foundation, the Senate, and my counterpart Chair Green, and the Senate President, but also other people like former Chief Clerk, Ms. Patricia Mau-Shimizu, Ms. C.J. Leong, your staff Calvin Azama and members in the community. Also, those who some of you see up there in the audience today, and members who came to testify, as well as many unsung heroes Mr. Speaker, from the Attorney General's Office to the Department of Health, to people like Mr. Tobi Solidum, who never let this issue rest.

"So for these reasons Mr. Speaker, on behalf of the people of the State of Hawaii, I strongly support this measure. Thank you."

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

"Thank you, Mr. Speaker. In strong support. I'd just like to thank the Chair of Health for all his hard work and guidance in getting this bill through. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support of House Bill 608. Hawaii experiences a higher than average rate of kidney disease with one person in seven afflicted with this disease, versus the national average of one person in nine. Native Hawaiians, Filipinos and Japanese appear to be the predominant ethnicities affected by chronic kidney disease. So this certainly is a disease that is not far from any of our homes.

"It is in this spirit that I congratulate the Chair of the Health Committee for his efforts in going through great lengths to ensure passage of this bill, giving hope to the many patients and especially those on the kidney and organ transplant waitlist. He coordinated meetings for a year and a half with various healthcare providers, and continuously consulted with the National Kidney Foundation of Hawaii to monitor events that were unfolding at HMC while proffering efforts and discussions to find a home for the transplant center. His foresight has been right on target, and I salute his efforts, and hope that House Bill 608 will provide the basis necessary to help the people of Hawaii for generations to come. In addition Mr. Speaker, I'd like to adopt the words of the Health Chair as if they were my own. Thank you, very much."

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

"Thank you, Mr. Speaker. I rise in support of House Bill 608. Thank you, Mr. Speaker. I wish to congratulate our Health Chair for his efforts in stewarding this most important piece of legislation through the legislative process, on behalf of the people of Hawaii. Most especially for those with chronic kidney disease, and those who found themselves as one of the 407 who are currently on the organ transplant waitlist in Hawaii who found themselves without a local transplant center. If ever there was a time when action needed to be taken, it is now, to provide the resources to build the necessary infrastructure, meeting the immediate needs of today's patients, while doing our very best to slow down the progression of this debilitating disease through patient surveillance, education, and wellness programs.

"Mr. Speaker, House Bill 608 is a holistic approach to address this healthcare crisis, and it's a positive step in making sure that our healthcare safety net and system remain sound in our care for our *ohana*, now and in the future. Mr. Speaker, I'd like to wish Queen's Medical Center and the National Kidney Foundation of Hawaii the very best in their mission to continue to provide the very best healthcare for our patients and our families. Thank you, Mr. Speaker."

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

Representative Cullen's written remarks are as follows:

"I supported this bill last Session as it provided profound insight into the important future benefits of this measure. I would like to commend the Legislature on pushing forward with this measure and thank Governor Abercrombie for signing this bill. Although no price can be placed on a human life, I believe this bill will not only save lives, but also save our citizens from the exorbitant cost that traveling out-of-state for a transplant could entail. It provides an important benefit to our State, our community and the residents of District 41."

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

"Thank you Mr. Speaker. I just would like to adopt all the words of the previous speakers as if it were my own, with just a brief additional comment. On behalf of the people of Maui and Lahaina, I want to really support what the Health Chair said. This is a statewide thing. This will help all the people of Hawaii. So I just wanted to add my voice on behalf of the people of Maui, to show that this is an important thing for everybody. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 608, HD 3, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes.

At 12:42 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 608, HD 3, SD 1, CD 2

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 19) and concurrent resolution (H.C.R. No. 37) were referred to Printing and further action was deferred:

H.R. No. 19, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADDRESS THE HIGH COST OF INCARCERATION WITHOUT REHABILITATION BY ESTABLISHING APPROPRIATE REHABILITATION PROGRAMS IN LIEU OF INCARCERATION FOR CERTAIN CONVICTED INDIVIDUALS," was offered by Representative Hanohano.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT REQUIRES INTERNET RETAILERS TO OFFER SHIPPING FEES FOR POSTAGE TO ALASKA AND HAWAII THAT ARE COMPARABLE TO SHIPPING FEES FOR POSTAGE TO THE FORTY-EIGHT CONTIGUOUS STATES," was jointly offered by Representatives Tokioka, Aquino, Carroll, Chang, Choy, Cullen, Har, Ito, Kawakami, Keith-Agaran, McKelvey, Nakashima, Yamane and Coffman.

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

**H.B.
No.**

Re-referred to:

2523 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 12:43 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 06, 2012.

HOUSE COMMUNICATIONS

House Communication dated February 3, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bill on Final Reading:

H.B. No. 608, HD 3, SD 1, CD 2

OTHER COMMUNICATIONS

RECEIVED

2012 FEB -2 P 2:59

CHIEF CLERK'S OFFICE
HOUSE OF REPRESENTATIVES
HONOLULU, HAWAII 96813



STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

February 2, 2012

The Honorable Calvin Say
Speaker of the House of Representatives
Hawaii State Capitol, Room 431
Honolulu, HI 96813

Dear Speaker Say,

I'm most disheartened to tell you that I must resign from the office of Representative of the 33rd District of the State of Hawaii House of Representatives.

When the opportunity arose to apply for this position, I believed that I was physically able to do the job for the people of my district. Regretfully, I was mistaken, and, under the advice of my doctor, am resigning effective February 2, 2012.

It is an understatement for me to say that I am disappointed. At the same time, I realize that the residents of my district deserve the full attention and energy of their Representative.

I humbly thank you and your staff for your tremendous assistance and support and wish you the very best with the legislative session ahead.

Sincerely,

Tom Okamura

Tom Okamura
State Representative

cc: The Honorable Neil Abercrombie, Governor, State of Hawaii

cc: clerks/accounting

Representative Tom Okamura

District 33 – Aiea, Aiea Heights, Halawa Heights, Pearlridge, Red Hill
415 South Beretania Street, Room 324 · Honolulu, Hawaii 96813

Phone: (808) 586-6340 · Fax: (808) 586-6341 · Email: repokamura@capitol.hawaii.gov

TWELFTH DAY

Monday, February 06, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:08 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Denny Coffman, after which the Roll was called showing all Members present with the exception of Representatives McKelvey and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 208) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 208, dated December 23, 2011, transmitting the Office of Language Access Report for fiscal year ending June 30, 2011, prepared by the Department of Labor and Industrial Relations pursuant to Act 290, SLH 2006.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 6 and 7) were received and announced by the Clerk:

Sen. Com. No. 6, dated February 3, 2012, informing the House that the following bill has this day passed Final Reading in the Senate:

H.B. No. 608, HD 3, SD 1, CD 2

Sen. Com. No. 7, transmitting S.B. No. 2691, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," which passed Third Reading in the Senate on February 3, 2012.

At 12:12 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bill passed First Reading by title and further action was deferred: (Representatives McKelvey and Takai were excused.)

S.B. No. 2691

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Jordan introduced her friend, Ms. D. Kapua Keliikoa-Kamai of the Waianae Valley Homestead Association.

ORDER OF THE DAY**REPORTS OF STANDING COMMITTEES**

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 82-12) recommending that H.B. No. 1716, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1716, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 83-12) recommending that H.B. No. 1729, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1729, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 84-12) recommending that H.B. No. 1915, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1915, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 85-12) recommending that H.B. No. 2140, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 86-12) recommending that H.B. No. 2235, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2235, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 87-12) recommending that H.B. No. 2139, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2139, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 88-12) recommending that H.B. No. 2350, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2350, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 89-12) recommending that H.B. No. 1715, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1715, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 90-12) recommending that H.B. No. 2773, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2773, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, may I request for ruling on a potential conflict? I work for a non-profit that serves as a fiscal agent for one of the Waipahu Weed and Seed sites. Thank you, very much," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 91-12) recommending that H.B. No. 2089, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2089, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

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

"Yes Mr. Speaker. I rise with reservations. I'm just concerned. I understand the idea of having sick leave. In the long run it potentially saves money for the employer because they stay home and they're able to get well rather than coming to work and being the 'walking dead' so to speak.

"But the other thing about this is the unintended consequences we might cause with this piece of legislation. I'm concerned that a small business would then say, 'Okay, there's mandatory sick leave, so now we're going to take away your paid vacation, because I can't afford this.' And that's a real concern. I would hate to see that we lose other benefits in some other area that they're already getting shift to be able to fund this. So I really think we should take a look at this and just allow the employers and the employees to negotiate and work this out between themselves. Thank you."

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

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

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

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, the role of unions is to do exactly what we're trying to do. We are not a union; we're a legislature. And if they want to negotiate through a union or the mediary which is usually the union, I think that's fine. Otherwise, as the Representative from Maui said, this is something they should be able to work out themselves. We are not the price setters and the fixers of these things. They are. I think that the best place for the private sector is to remain private. Thank you"

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

"Mr. Speaker, in support. Briefly, on the union issue. We've considered one of the most unionized states in the nation. But even as one of the most unionized states in the nation, there are less than 25 percent of the work force is unionized, so most workers don't have the protection that being a union member provides. I don't think we're overstepping our bounds by considering this measure, especially when you consider that the vast majority of countries in the world, I think the number is 145 countries provide paid sick leave, and there's 196 countries in the world. So approximately three-quarters of the world provides for paid sick leave. So I don't think we're stepping outside our bounds in terms of considering this legislation. Thank you."

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

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

"I just want a ruling on a potential conflict. I'm an employer," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2089, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives McKelvey and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 92-12) recommending that H.B. No. 2264, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2264, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

At 12:31 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

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

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

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

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

Representative Fontaine 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2264, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 93-12) recommending that H.B. No. 2579, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2579, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION FOR TEMPORARY DISABILITY INSURANCE CLAIMS," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives McKelvey and Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 94-12) recommending that H.B. No. 2583, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives McKelvey and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 95-12) recommending that H.B. No. 1511, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 96-12) recommending that H.B. No. 1768, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1768, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto 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 H.B. No. 1768, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC

PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 97-12) recommending that H.B. No. 2169, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2169, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, I just need a ruling on a potential conflict. I'm a CPA and I perform most of the peer reviews for local CPA firms in Hawaii. Thank you," and the Chair ruled, "no conflict."

Representative Thielen 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 H.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 98-12) recommending that H.B. No. 2266, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 99-12) recommending that H.B. No. 2628, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2628, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was referred to the Committee on Higher Education, with Representatives McKelvey and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 100-12) recommending that H.B. No. 2302, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2302, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was referred jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, with Representatives McKelvey and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 101-12) recommending that H.B. No. 1796,

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

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1796, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 102-12) recommending that H.B. No. 518, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 518, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Agriculture, with Representatives McKelvey and Takai being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 103-12) recommending that H.B. No. 2528, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2528, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, with Representatives McKelvey and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 104-12) recommending that H.B. No. 2242, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 105-12) recommending that H.B. No. 1879, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1879, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 106-12) recommending that H.B. No. 2508, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2508, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 107-12) recommending that H.B. No. 2481, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2481, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 108-12) recommending that H.B. No. 2339, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 109-12) recommending that H.B. No. 2098, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2098, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER ABUSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 110-12) recommending that H.B. No. 2285, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2285, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 111-12) recommending that H.B. No. 2192, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2192, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, with Representatives McKelvey and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 112-12) recommending that H.B. No. 2447, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 113-12) recommending that H.B. No. 2568, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2568,

entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 114-12) recommending that H.B. No. 2100, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2100, HD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

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

Representative Tsuji's written remarks are as follows:

"Mr. Speaker, I am in support of HB 2100 which would appropriate monies for statewide bee hive research.

"For many years, UH-Hilo has been at the forefront of such research. The work done by Dr. Lorna Tsutsumi of the College of Agriculture, Farming, Natural Resource Management is noteworthy and has garnered support from renowned Chef Alan Wong.

"Honey bees are responsible for crop pollination and their health and well-being are especially important if we truly want to reduce our dependency on imported food. Unfortunately, there are several major pests threatening honey bees in Hawai'i.

"The small hive beetle arrived in the State in 2010 and has been detected on four islands. Its presence compounds the challenges for beekeepers, who are already dealing with the *Varroa* mite since 2007.

"Testimony received in Committee supported this Bill. It has quite a journey ahead so I urge my colleagues support it through the process."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," passed Second Reading and was referred to the Committee on Higher Education, with Representatives McKelvey and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 115-12) recommending that H.B. No. 2430, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2430, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 2430-Relating to Agriculture. This bill creates an agricultural development and food security program within the Department of Agriculture.

"H.B. 2430 addresses the necessity for the proper collaboration of different sectors of the community while identifying the importance of these sectors to coalesce and improve upon the vast economic possibilities of Hawaii's agriculture industry. The overarching aim of this bill is to conserve agricultural lands, while increasing agricultural self-sufficiency and encouraging the availability of arable lands for sustainable agricultural development.

"It remains my belief that through this bill, the State will affectively take initiative in assuring the continued success of mature commodities such as

coffee and the immediate proliferation of more infant sustainable commodities such as cacao. The growth, production, and distribution of our local farms produce are top priorities in my support of the economic and physical health of our residents. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2430, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 116-12) recommending that H.B. No. 1892, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 117-12) recommending that H.B. No. 2760, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey and Takai being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 118-12) recommending that H.B. No. 2735, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading and was referred to the Committee on Higher Education, with Representatives McKelvey and Takai being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 119-12) recommending that H.B. No. 2820, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representatives McKelvey and Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 120-12) recommending that H.B. No. 609, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health, with Representatives McKelvey and Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 121-12) recommending that H.B. No. 1295, as amended in HD 1, be recommitted to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," was recommitted to the Committee on Economic Revitalization & Business, with Representatives McKelvey and Takai being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 122-12) recommending that H.B. No. 2721, as amended in HD 1, be recommitted to the Committee on Housing.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2721, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was recommitted to the Committee on Housing, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 123-12) recommending that H.B. No. 770, as amended in HD 1, be recommitted to the Committee on Human Services.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 770, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was recommitted to the Committee on Human Services, with Representatives McKelvey and Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 124-12) recommending that H.B. No. 771, as amended in HD 1, be recommitted to the Committee on Human Services.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 771, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was recommitted to the Committee on Human Services, with Representatives McKelvey and Takai being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives McKelvey and Takai were excused.)

THIRD READING

H.B. No. 1868, HD 1:

Representative Chong moved that H.B. No. 1868, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I work for Oceanic Hospitality and Business Class. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey and Takai being excused.

At 12:41 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1868, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 20) and concurrent resolution (H.C.R. No. 38) were referred to Printing and further action was deferred:

H.R. No. 20, entitled: "HOUSE RESOLUTION OPPOSING THE PASSAGE OF RULE 064B-BA81 PROPOSED BY THE NATIONAL OCEANIC AND ATMOSPHERIC AGENCY," was jointly offered by Representatives Chang, Har and Thielen.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE PASSAGE OF RULE 064B-BA81 PROPOSED BY THE NATIONAL OCEANIC AND ATMOSPHERIC AGENCY," was jointly offered by Representatives Chang, Har and Thielen.

ANNOUNCEMENTS

Representative Cabanilla: "Thank you, Mr. Speaker. I just would like to announce that the meeting for the Filipino Caucus and those who would like to be members, that meeting is postponed for tomorrow at 1:30. It's going to be in the Policy Room at Room 437, 1:30 tomorrow. Not today. Thank you, Members."

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
609	Committee on Health, then to the Committee on Finance
770, HD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
771, HD1	Committee on Human Services, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
1295, HD1	Committee on Economic Revitalization & Business, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce
2721, HD1	Committee on Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2788	Committee on Tourism, then to the Committee on Judiciary, then to the Committee on Finance
2810	Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts, then to the Committee on Finance

ADJOURNMENT

At 12:42 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 07, 2012. (Representatives McKelvey and Takai were excused.)

OTHER COMMUNICATIONS

A copy of the following Senate Communication to the Governor was received by the Clerk:

"February 6, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following bills, a copy of which is attached hereto:

S.B. No. 2205

"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO LOWER THE NUMBER OF NOMINEES PRESENTED BY THE JUDICIAL SELECTION COMMISSION TO FILL STATE COURT JUDICIAL VACANCIES."

S.B. No. 2206

"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES."

Respectfully,
/s/ Carol T. Taniguchi
CAROL T. TANIGUCHI
Clerk of the Senate

Enclosures

cc: CJ Leong
Clerk of the House"

THIRTEENTH DAY

Tuesday, February 07, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Ty Cullen, after which the Roll was called showing all Members present with the exception of Representative Takai, who was excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 1101) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 1101, informing the House that on February 04, 2012, the following bill was signed into law:

H.B. No. 608, HD 3, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 001)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 8 and 9) were received and announced by the Clerk:

Sen. Com. No. 8, transmitting S.B. No. 2205, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO LOWER THE NUMBER OF NOMINEES PRESENTED BY THE JUDICIAL SELECTION COMMISSION TO FILL STATE COURT JUDICIAL VACANCIES," which passed Third Reading in the Senate on February 6, 2012.

Sen. Com. No. 9, transmitting S.B. No. 2206, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES," which passed Third Reading in the Senate on February 6, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Cabanilla, Ching, Nishimoto and Takai were excused.)

S.B. No. 2205
S.B. No. 2206

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 125-12) recommending that H.B. No. 2649, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2649, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 126-12) recommending that H.B. No. 1666, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1666, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 127-12) recommending that H.B. No. 2727, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2727, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 2727 – Relating to Vehicle Immobilization.

"The purpose of HB 2727 is to deter individuals from driving illegally when their licenses have been suspended or revoked. The threat of immediate immobilization for those apprehended driving without a license may encourage more DUI drivers facing license revocation to install an ignition interlock device in their vehicles rather than chance driving illegally. For those not eligible for an interlock device, the possibility of vehicle immobilization should discourage individuals from driving illegally without a valid license. Ultimately, there should be fewer crashes caused by high-risk drivers.

"This bill proposes: a largely administrative system of implementing the immobilization program rather than court-based; the use of a vendor to provide the immobilization devices and monitor their use; penalties for tampering with or circumventing the device; a schedule of time periods for the immobilization device to remain on the vehicle; and a procedure for family members to petition for removal of the device if they have no other means of transportation.

"Individuals who are arrested for driving on a suspended or revoked license when the suspension or revocation was the result of an alcohol or drug related law enforcement contact fall into a high risk category of drivers. Highway safety research and advocacy groups recommend that penalties for these drivers include vehicle sanctions. It is apparent that the license revocation penalty has been disregarded, jail time is usually too short to be an effective sanction and fines may also be postponed or also disregarded. Immobilizing the vehicle is a sanction that is relatively simple and avoids the challenges and costs associated with impoundment or forfeiture.

"I urge the Members to pass HB2727 to reduce the problem of individuals illegally driving after their license has been suspended or revoked after a DUI."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2727, entitled: "A BILL FOR AN ACT RELATED TO VEHICLE IMMOBILIZATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 128-12) recommending that H.B. No. 1878, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1878, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 129-12) recommending that H.B. No. 2611, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2611, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 130-12) recommending that H.B. No. 2789, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2789, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Riviere 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 a no vote for her, and the Chair "so ordered."

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

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

Representative Marumoto 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 H.B. No. 2789, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen voting no, and with Representative Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 131-12) recommending that H.B. No. 2790, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2790, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

Representative Pine 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 an aye vote with reservations for her, and the Chair "so ordered."

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

Representative Marumoto 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 H.B. No. 2790, entitled: "A BILL FOR

AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 132-12) recommending that H.B. No. 2181, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 133-12) recommending that H.B. No. 2300, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2300, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Takai being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 134-12) recommending that H.B. No. 2529, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2529, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 135-12) recommending that H.B. No. 2706, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2706, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Higher Education, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 136-12) recommending that H.B. No. 2584, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2584, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 137-12) recommending that H.B. No. 2099, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2099, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 138-12) recommending that H.B. No. 2025, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2025, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure, which authorizes certain private employers to administer a work-sharing plan to avoid temporary layoffs. Under the plan, the bill allows employees to receive employment benefits to compensate for lost wages.

"The Work-Share program gives employers an alternative to avoid layoffs. Currently, during temporary layoff situations, employers who wish to reemploy their workers are at risk of losing their skilled employees to other business offers. Under the Work-Share program, employers can keep their skilled workers during a slow economy by reducing the work hours of a larger group of employees. The workers whose hours and wages are reduced would be eligible to receive a portion of their unemployment insurance benefits to compensate for the lost wages. The program benefits both parties as companies can retain skilled workers, reduce hiring costs once business improves, and avoid "financial and emotional hardships" associated with layoffs, while the employee will still have a job and receive unemployment benefits.

"During a recession, the State must do all it can to keep people on the job where they can continue to develop skills and gain experience. 20 states have already implemented work-sharing legislation. I believe it is imperative that we join those states to assist both employers and their employees during difficult economic times. For these reasons, I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 139-12) recommending that H.B. No. 2228, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2228, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 2228 HD1. The Breastfeeding in the Workplace bill is a commonsense bill which accommodates new mothers by making it mandatory that a sizeable business (20 or more employees) provide a clean location in which new mothers can express breast milk in privacy.

"This bill aids new mothers in assimilating back into the workforce after their pregnancy. Without an appropriate and sanitary environment in which to breastfeed, new mothers may potentially find themselves in an unfair situation where they must choose between being a mother and being

employed. Women have struggled for some time to attain equal footing in the workforce, and to reject new mothers as employees would be detrimental to this decades-long struggle.

"HB 2228 is a fair measure that applies to new mothers and does not pose an unreasonable burden on employers of 20 or more employees. A business of that size can be expected to provide some small, sanitary area to a new mother for the purposes of breastfeeding.

"Breastfeeding is a natural and necessary part of raising an infant, and it is my hope that the Legislature will be able to recognize this fact. In accordance with our modern and equal society, I hope similar legislation to this will be made to support new mothers in the workforce, and not keep them from securing gainful employment in this new phase of their life.

"I urge you to support passage of this bill as it pertains to the cause of women and their equal standing in the workplace."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE WORKPLACE," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 140-12) recommending that H.B. No. 2217, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2217, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT VACANCIES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 141-12) recommending that H.B. No. 2152, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2152, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

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

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

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on this measure. While I do support this measure in concept and recognize that there is a need to address the decrease in the number of physicians willing to accept worker's compensation claims, I have concerns about the potential cost implications that this measure may have for employers. The Hawaii Insurance Council estimated the total cost impact of this increase could be upwards of 3.4 percent or \$6.2 million. There is a potential for insurance premiums to rise, for employers to incur additional costs and to create long-term fiscal impacts to insurance providers, employees and the State.

"Moreover, testimony we received from the State Department of Human Resources Development and the Department of Labor and Industrial Relations indicates that the Director has the ability to raise fees for specific services in certain circumstances. At this time, because the measure

appears potentially unnecessary and costly, I support the measure with reservations."

Representative Ching 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 H.B. No. 2152, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 142-12) recommending that H.B. No. 2586, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISABILITY COMPENSATION DIVISION SPECIAL FUND," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 143-12) recommending that H.B. No. 2582, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2582, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS TO THE APPELLATE BOARD," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 144-12) recommending that H.B. No. 2575, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Second Reading and was referred to the Committee on Housing, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 145-12) recommending that H.B. No. 1956, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1956, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 146-12) recommending that H.B. No. 2776, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2776, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 147-12) recommending that H.B. No. 2274, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2274, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 148-12) recommending that H.B. No. 2275, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 149-12) recommending that H.B. No. 2696, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 150-12) recommending that H.B. No. 1740, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1740, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 151-12) recommending that H.B. No. 1876, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 152-12) recommending that H.B. No. 1953, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1953, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, just brief comments in support. What this bill does is it makes an appropriation to expand emergency medical services and ambulance systems for the Leeward Coast after the closure of Hawaii Medical Center. I just really wanted to publicly thank the Chair and Vice-Chair of Health for making this a priority for people of the Leeward Coast."

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

"Thank you, Mr. Speaker. I also rise in strong support, and also would like to thank the Chairman and all those that made this possible. Because we know that the importance of this bill cannot be understated. The closing of HMC Center, East and West affected so many residents of the State of Hawaii. So I'd like to incorporate the words of our Floor Leader, and also insert additional written comments, please."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 1953-Relating to Health. This bill makes an appropriation to expand emergency medical services and ambulance services on the Leeward Coast of Oahu. This bill also creates a grant pursuant to Chapter 42F to Wahiawa General Hospital to provide additional emergency room services.

"The importance of this bill cannot be understated. According to H.B. 1953, the closing of Hawaii Medical Center-East drastically affected the patients of Ewa Beach and Liliha district. Consequentially, the City and County is now responsible to take care of current and future emergency care cases. It is of paramount importance that we provide appropriate funding for emergency medical and ambulance services at this time to address the healthcare needs of our people, many of who needed to be transferred or discharged to other facilities.

"According to the testimony provided by the Emergency Services Department of the City and County of Honolulu, after HMC's closure, the City Emergency Medical Services (EMS) Division found "sick individuals seeking help at the empty emergency departments" and that their original funds were unable at this time to support the amount of patients needing care. They have acknowledged in their testimony that without "supplemental appropriations which would be afforded by this measure, other areas of our service will suffer."

"It is my firm belief that this bill is crucial to the health and healing of our family, friends, and residents of Hawaii. If any of our family members or friends were in an accident, we would hope that we would receive the most excellent care possible. Thank you."

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

"In support, Mr. Speaker. I just would like to thank the Chair of Health, as well as all the Members in this Body for yielding to the needs of the people on the Leeward Coast."

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

"Thank you, Mr. Speaker. I'd like to say that I also strongly support this, and if you would please allow me to have additional written comments. Thank you."

Representative Jordan's written remarks are as follows:

"I stand in strong support of HB 1953, Relating to Emergency Medical Care. The purpose of this bill is to ensure that there are adequate emergency services to Leeward Oahu after the recent closure of Hawaii Medical Center's two hospitals by appropriating \$1.2 million to the Department of Health to assist the City and County of Honolulu Emergency Medical Services Division with expanding emergency medical services and ambulance services in communities on Leeward Oahu. This will help expand hours of operations for ambulance services within the Leeward Oahu area which will help with shorting travel time for the patient, as well as provide much need support and relief for Emergency Medical Service personal.

"This bill also appropriates \$500,000 as a grant to assist Wahiawa General Hospital in providing additional emergency room services. As noted by the Committee on Health in SCR 152-12, this Body should consider not identifying specific locations and broadening the time to allow for the most efficient and effective use of the appropriation moneys."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1953, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 153-12) recommending that H.B. No. 2023, pass Second Reading and be referred to the Committee on Higher Education.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2023, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure, which would make permanent the assessment and deposit of the Hawaii State Center for Nursing ("HSCFN") fees into the Compliance Resolution Fund and distribution of those funds to the credit of the HSCFN special fund.

"In 2003, the Legislature passed Act 198, to create the Hawaii State Center for Nursing. The Center was given the mandate to collect and analyze data, and make recommendations regarding the current status and trends of the nursing workforce; conduct research in best practices and quality outcomes; develop a plan for implementing strategies to recruit and retain nurses; and research, analyze and report data related to the retention of the nursing workforce. We can see in the work that the Center for Nursing has produced that they have very ably done what was asked of them. The data and evidence collected by the Hawaii State Center for Nursing is invaluable in making workforce, policy and resource decisions.

"The HSCFN should be continued as it has become a leader in workforce planning, nursing research, and professional practice in the State. Stakeholders recognize the HSCFN as the source of reliable information regarding existing and emerging trends in nursing. The repeal of the Center fees would in essence cause the demise of the HSCFN as the fee is its main source of funding.

"I urge the Members' continuing support of nursing and healthcare in Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Higher Education, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 154-12) recommending that H.B. No. 2563, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 155-12) recommending that H.B. No. 2504, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," passed

Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 156-12) recommending that H.B. No. 1741, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1741, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 157-12) recommending that H.B. No. 1954, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1954, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 1954-Relating to Health. This bill provides reimbursements by Medicaid and its contracted health plans to hospitals for patients occupying acute-licensed beds who are waitlisted for long-term care patients.

"The importance of this bill cannot be understated. Currently acute care hospitals are financially constricted due to providing care to patients who need to continue receiving medical services long after hospitalization. That said, we need to recognize that acute hospitals are budgeted to care for patients that do not require long-term care and are doing the State of Hawaii and our community an added service by accommodating long-term care patients.

"We also need to recognize that acute hospitals are taking a financial risk managing patient transitions to appropriate facilities at this time. If the hospital is unable to find appropriate long-term care facilities for patients that no longer need acute care, according to H.B. 1954, the hospital absorbs the financial losses occurred due to reduced Medicaid reimbursement, which is 20 to 30 percent of the actual cost of acute care hospitalization. That means a 70 to 80 percent revenue loss that occurs on the part of the hospital. As you can see in the heart-felt testimony submitted by The Healthcare Association of Hawaii, which comprises of a breadth of healthcare organizations, including acute care hospitals and long-term care facilities, an average of 150 patients in Hawaii's hospitals are waitlisted because long-term care is not available, thereby causing "inappropriate quality of care for the patient and creates a serious financial drain on hospitals."

"It is my firm belief that this bill is crucial to the health and healing of our family, friends, and residents of Hawaii. Without compensatory reimbursement by Medicaid at this time, we may be causing undue strain on our hospitals. That said, we should be sensitive to contributing factors that may cause financial hardship on our hospitals, especially in the recent bankruptcy of HMC in Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1954, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 158-12) recommending that H.B.

No. 1919, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1919, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 159-12) recommending that H.B. No. 2538, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Second Reading and was referred to the Committee on Education, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 160-12) recommending that H.B. No. 2539, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 161-12) recommending that H.B. No. 2548, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2548, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 162-12) recommending that H.B. No. 2104, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2104, HD 1, pass Second Reading and be referred to the Committee on Transportation, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support. This bill intends to provide a great safety measure for those that are visually impaired or blind to apply for and obtain disability parking permits. The current law allows for disabled residents who require the use of a cane for mobility to obtain a disability parking permit. However, the blind who also required the use of a cane for mobility are excluded. Nearly half of the states have laws allowing the blind to obtain a disability parking permit including other similar veteran and tourist friendly states such as California, Florida, and New York.

"The current law also implies that the blind only ride TheBus, TheCab or the HandiVan as transportation where they are dropped off at a sidewalk and have a clear reference to their destination. However, many blind

persons travel with their families and must navigate through crowded and dangerous parking lots, risking their safety en route to the sidewalk.

"The Disability and Communication Access Board does not support the bill mainly due to funding, which was estimated to cost an extra \$60,000 a year. When one compares that to the medical costs of a potential blind victim in the parking lot, the number becomes irrelevant, showing that the benefits of authorizing a parking pass for the blind greatly outweigh risking their safety through a crowded parking lot. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Transportation, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 163-12) recommending that H.B. No. 1932, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1932, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 164-12) recommending that H.B. No. 2559, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 165-12) recommending that H.B. No. 1676, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1676, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

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

"Mr. Speaker. I am voting with reservations because we have some big projects, public projects like the rail coming up. I think this could increase costs significantly."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 166-

12) recommending that H.B. No. 1686, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 167-12) recommending that H.B. No. 1894, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1894, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto 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 H.B. No. 1894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 168-12) recommending that H.B. No. 2268, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 169-12) recommending that H.B. No. 2496, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2496, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 170-12) recommending that H.B. No. 2644, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2644, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 171-12) recommending that H.B. No. 2260, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2260, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

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

Representative Marumoto 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 Johanson rose and asked that the Clerk record an aye vote with reservations for him, 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 Awana 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 H.B. No. 2260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 172-12) recommending that H.B. No. 2437, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 173-12) recommending that H.B. No. 2251, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2251, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 174-12) recommending that H.B. No. 2577, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2577, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative Takai being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 175-12) recommending that H.B. No. 2578, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Human Services, with Representative Takai being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 176-12) recommending that H.B.

No. 1905, as amended in HD 1, be recommitted to the Committee on Human Services.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1905, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was recommitted to the Committee on Human Services, with Representative Takai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 39 and 40) were referred to Printing and further action was deferred:

H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE LEGISLATURE'S SUPPORT OF THE FEDERAL AVIATION ADMINISTRATION'S CURRENT RULES AND SAFETY GUIDELINES RELATING TO UNMANNED AIRCRAFT," was jointly offered by Representatives Rhoads and Luke.

H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, AFTER CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, TO DETERMINE THE COST OF PLACING AN OVERPASS OVER THE H-1 FREEWAY TO EXTEND BETWEEN NUUANU STREAM AND QUEEN EMMA STREET THAT WOULD REDUCE TRAFFIC NOISE POLLUTION AND BE USED AS A PARK OR OTHER COMMUNITY USE PURPOSE," was jointly offered by Representatives Rhoads and Luke.

ANNOUNCEMENTS

Representative Cabanilla: "Thank you, Mr. Speaker. I just would like to remind the group again that we are having a Filipino Caucus meeting at 1:30 in the Policy Room this afternoon."

Representative McKelvey: "Thank you, Mr. Speaker. Another announcement. Your Committees on Economic Revitalization and Business, and Housing have a joint hearing that was rescheduled from this morning. It will be at 1:30 today in Room 312. Thank you."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
19	Committee on Public Safety & Military Affairs, then to the Committee on Finance
20	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
37	Committee on Economic Revitalization & Business
38	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
<u>S.B.</u> <u>No.</u>	<u>Referred to:</u>
2691	Committee on Agriculture

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1556	Committee on Culture & the Arts, then to the Committee on Finance
1557	Jointly to the Committee on Culture & the Arts and the Committee on Hawaiian Affairs and the Committee on Education, then to the Committee on Finance
1905, HD1	Committee on Human Services, then to the Committee on Finance
2445	Committee on Judiciary, then to the Committee on Finance
2852	Committee on Judiciary

ADJOURNMENT

At 12:26 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 08, 2012. (Representative Takai was excused.)

FOURTEENTH DAY

Wednesday, February 08, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Cindy Evans, after which the Roll was called showing all Members present with the exception of Representative C. Lee, who was excused.

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

INTRODUCTIONS

The following introduction was made to the Members of the House:

Vice Speaker Manahan introduced the 8th grade students of St. Anthony School in Kalihi, and their teachers and chaperones.

ORDER OF THE DAY**REPORTS OF STANDING COMMITTEES**

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 177-12) recommending that H.B. No. 2257, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 178-12) recommending that H.B. No. 2258, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 179-12) recommending that H.B. No. 2409, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 180-12) recommending that H.B. No. 2639, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the

Committee on Higher Education, with Representative C. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 181-12) recommending that H.B. No. 2681, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2681, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

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

Representative Wooley 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 H.B. No. 2681, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Belatti voting no, and with Representative C. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 182-12) recommending that H.B. No. 2106, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2106, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 2106 - Relating to Student Activity Funds. This bill allows public schools to claim student activity funds left in the school by a graduating class immediately after the graduation of the class, rather than 5 years after the class graduates as provided under current law.

"Allowing these funds to go into the General School Fund in the Local School Non-Appropriated Account immediately after all graduation expenses are paid will allow money to be spent on students that contributed to the fund instead of allowing the funds to be stockpiled for future uses that are not clearly defined. For this reason, I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2106, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FUNDS," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 183-12) recommending that H.B. No. 2305, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2305, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 184-12) recommending that H.B. No. 2510, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 185-12) recommending that H.B. No. 2511, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2511, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 186-12) recommending that H.B. No. 2512, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 187-12) recommending that H.B. No. 2046, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2046, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker. In support. Thank you. While generally I am opposed to the creation of special funds and fees, I support the creation of the Adult and Community Education Program Special Fund, which would supplement the legislative appropriations because Kaimuki and Kaiser Adult Education School may go out of existence.

"The Board of Education has not requested funding for this program in the coming fiscal year. In order to save the program the school has to come up with a plan for self sufficiency or a degree of self sufficiency, so this special fund and fees, voluntary fees from the people who wish to take courses will help keep the school in existence. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2046, entitled: "A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 188-12) recommending that H.B. No. 1973, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1973, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I stand in strong support and would like to submit written comments."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support. This measure would allow public trust lands to provide funding for Hawaiian language immersion programs. HB 1973, HD1 is a measure important to the Hawaiian speaking community. We must not forget that English and Hawaiian are the two recognized languages in our State. Mr. Speaker, this is an issue of parity. Testimony that was provided by the Hawaiian Immersion community was compelling. Their challenges are great, yet they continue to persevere. The funds received will help fill the existing gap that has left them behind English speaking schools. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1973, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAMS," passed Second Reading and was referred to the Committee on Education, with Representative C. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 189-12) recommending that H.B. No. 2532, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2532, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A DISCOUNT AND SAVINGS PROGRAM," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative C. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 190-12) recommending that H.B. No. 2595, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2595, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 191-12) recommending that H.B. No. 2358, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUILDING CODE," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs, with Representative C. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 192-12) recommending that H.B. No. 1793, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 193-12) recommending that H.B. No. 1816, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 194-12) recommending that H.B. No. 2011, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2011, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC HOSPITALIZATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 195-12) recommending that H.B. No. 2817, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2817, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative C. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 196-12) recommending that H.B. No. 2665, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STROKE TREATMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 197-12) recommending that H.B. No. 1962, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1962, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 198-12) recommending that H.B. No. 1694, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1694, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition to this measure. Mr. Speaker, this is a tax by any other name. Even though we call it the internet tax, and with all

due respect to the CPA from Manoa, I have a couple of words to say. First of all, that our Governor has said, 'No new taxes.' This is a tax increase. Our Speaker has said, 'No new taxes.' This is a tax increase. Everybody in this election will not want to have taxes, and this is going to be a tax increase on everybody who shops.

"The other problem with this bill is that the economy is still fragile and hardworking families and small businesses cannot afford another tax. And even the Department of Taxation recommended that the Tax Review Commission, not us, look at this first. The Tax Review Commission. So we're kind of putting the horse one step ahead of the cart here, by not doing what was recommended by even the Tax Department.

"So Mr. Speaker, what's the hurry? What's the hurry to keep pushing this? There's federal legislation called the Marketplace Fairness Act that would provide us with the mechanism, constitutionally that if we want to do this, we could do it. So I say, this is, again, the 'nose of the camel' into internet taxation, which, when we get into that, we never know what's going to happen to the internet. What if we want to have a City and County internet tax? Or we're going to have a DHL wire-in tax on the internet. And I know when, or if he does, or someone does stand up and say, 'What about the fact that Amazon is doing this in other states?' Well there's a big federal court case that hasn't been decided yet, that will decide that. Yet we're trying to pre-empt it and get ahead of it.

"So I say let's slow down. Let's give it to the Tax Commission. Let's pursue it. Let's see what's available. But right now I don't think it's good public policy for us to pass this bill. Thank you, Mr. Speaker."

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

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

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

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

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

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

"Thank you, Mr. Speaker. In support. This is a fairness issue. This is a fairness bill. This is a pro-small business bill. People may be out there watching this and thinking, 'How can this tax be a pro-business bill.' The reason is, for everyone that does business in the State, who has a shop, whether it's a 'mom and pop' sporting goods store or whether it's Sport's Authority; whether it's a small 'mom and pop' selling hardware items like City Mill, or if it's Lowe's or Home Depot. If you have physical presence in this State, you have to pay general excise tax.

"You also pay a lot of other taxes, whether it be on your electricity, or whether it be your real property taxes to support community services. You pay those taxes. For those businesses who do not have presence in this State, but they sell online, they do not have to pay these taxes. And when you talk to most businesses, what they want is a fair playing field. What this bill does is it makes the playing field level now, because it is unfair

that if you have presence in this State or a physical store and you have to pay taxes, and somebody like Amazon does not.

"Is that fair to the businesses here who employee people? Who provide healthcare? Who support our little league and our schools? That they have to pay and those others don't? I don't think so.

"I think this is what we need to take a look at. Is Congress looking at this kind of legislation? Yes. There are several pieces of legislation, but it seems difficult that any of it is going to be passed anytime soon.

"So what do we tell the businesses who pay taxes? Just wait? Wait while your sales go out the door to mainland sales providers who do not pay taxes, and are taking away your business, and possibly taking away jobs from local residents? I don't think so. So I encourage the Members to think about it. They should look at the bill before they have their reservations. Thank you."

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

"Mr. Speaker, I am in opposition to this measure. Now, at present, Hawaii does not pay any tax on internet sales. We don't pay the 4.5% percent use tax unless there is a nexus. Now this bill creates that nexus. It is a big money raiser. It may be fair to business, but under this bill, Hawaii consumers will end up paying millions more. Thank you."

Representative Ching rose to respond, stating:

"Mr. Speaker, still in opposition. And I very much understand the Majority Leader's comments on helping small business. I realize that they may feel that they're paying taxes, and internet sellers aren't. The question becomes though for our consumers, for our people. For the people to do what they want, what they need to do to have their adequate choice. What happens is there are a lot of things that you cannot get in the stores that we have here in Hawaii. So people are kind of forced to go on internet for certain things.

"Have you ever checked postage on that? It's huge, because of where we live. So it's not like it's often becoming that much of a huge difference. But the important thing is that our people can get the items that they need. And yes, I think the solution is that we should lower our taxes on our small businesses. So with that, I would like to submit additional written comments, and I'm still in opposition, Mr. Speaker."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 1694-Relating to Taxation, which would require the collection of use taxes by sellers of tangible personal property, including purchases by an internet link or web site, or related services in the State on behalf of the seller. This bill includes those who engage in business in the State or sell tangible items to people in the State. Electronic and catalogue purchases would be taxed regardless of the seller's location.

"This bill increases the cost of living for our residents. Hawaii consumers already pay inflated prices. Added shipping costs, out-of-state taxes and extra packaging are among the exacerbated costs to consumers.

"The goal is simple; we must protect our residents. The costs are already exponentially higher than retail, due to the geographic location of our home. Let us not compromise choice, quality of life, and lower cost of living for our residents through increased taxes AND shipping. Thank you."

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

"Mr. Speaker, in strong support. Just in rebuttal to the good lady from Waiālae. If you do buy something on the internet, you're supposed to pay your 4 or 4.5% taxes. So this is a tax compliance move. This is not an additional tax. It never was. This is not a tax on the internet. It's for purchases that you made over the internet, and it's something that you're

supposed to have paid. By not supporting this bill, who are we protecting? Who are we protecting by not supporting this particular bill? The people who are not paying their taxes. And since this is Second Reading, I'll save my other rants for the Third Reading. Thank you."

Representative Ward rose to respond, stating:

"Also in opposition again, and with a brief retort to the learned gentleman from Manoa. I can say unabashedly that I'm protecting my constituents. I'm protecting those who, if we remember the latest statistic, 57% of Hawaii's families cannot send their kids to school with lunch money, without a subsidy. Hawaii is hurting, and it's not the elite who go on the internet. It's those who are trying to make it through. In a way, the internet is kind of like a WalMart, or a Costco, or something where you can get something quickly and you can shop around and get it least expensively.

"But I want to go back to the Majority Leader's point about this is about a fair playing field. Mr. Speaker, this is a fair playing field, because every Hawaii retailer, and I speak as 15 years at the Royal Hawaiian Hotel as a retailer, has the capacity to do internet and ship overseas to the huge market on the mainland, and the huge market throughout the world. And having filed my income tax, my sales tax every month, there's an exemption for the GET tax. If it goes outside of the State of Hawaii, you do not pay any tax.

"So those people that we say are hurting, who are the 'brick and mortar,' they have the same opportunity that the retailers on the mainland are being used as the providers of services and goods for the people of Hawaii. So it's an even playing field. Let's call a spade a spade. It's a tax increase, no matter how we dress it up. Like I think there was a Vice Presidential candidate who said, 'No matter how much lipstick you put on a pig, it's still going to be a pig.' This is a tax increase. Thank you."

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

"Thank you, Mr. Speaker. In support. I'd be interested to know, all of those people who oppose the bill, how many of them purchase online."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Ching, Fontaine, Hanohano, Marumoto, Nishimoto, Thielen and Ward voting no, and with Representative C. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 199-12) recommending that H.B. No. 1969, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1969, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker. May I request a ruling on a potential conflict? At my law firm I represent subcontractors and general contractors. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative C. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 200-

12) recommending that H.B. No. 2013, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2013, HD 1, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 201-12) recommending that H.B. No. 2298, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2298, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY RIGHTS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representatives McKelvey and Yamane, for the Committee on Economic Revitalization & Business and the Committee on Health presented a report (Stand. Com. Rep. No. 202-12) recommending that H.B. No. 1896, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1896, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative C. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 203-12) recommending that H.B. No. 2438, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2438, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. I request that I be excused from voting on House Bill 2438. One of the attorneys at my law firm represents one of the plaintiffs whose settlement with the State is being funded by this bill."

The Chair responded, stating:

"You are excused on this measure."

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

"Thank you, Mr. Speaker. I have the same request to be excused from House Bill No. 2438, as my law firm represents plaintiffs who will benefit from payments out of this bill."

The Chair responded, stating:

"You are excused on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2438, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the

Committee on Finance, with Representatives Belatti, Keith-Agaran, and C. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 204-12) recommending that H.B. No. 2193, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2193, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 2193 - Relating to Adult Guardianship and Protective Proceedings Jurisdiction. The purpose of this measure is to address the challenges Hawaii has encountered in dealing with issues surrounding interstate adult guardianships and protective orders.

"Adoption of this Act will establish guidelines to determine which court, in this State or another state, has jurisdiction to appoint a guardian or conservator for an incapacitated adult and to determine the disposition of out-of-state guardianship and protective orders thereby ensuring that only one state has jurisdiction at any one time. This process provides uniformity and reduces conflicts among states. For this reason, I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2193, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 205-12) recommending that H.B. No. 2351, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 206-12) recommending that H.B. No. 2448, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2448, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Judiciary, with Representative C. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 207-12) recommending that H.B. No. 2426, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2426, 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 C. Lee being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 208-12) recommending that H.B. No. 2673, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2673, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative C. Lee being excused.

SUPPLEMENTAL CALENDAR #1

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 209-12) recommending that H.B. No. 2576, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2576, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representative C. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 210-12) recommending that H.B. No. 2096, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representative C. Lee being excused.

ORDINARY CALENDAR

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolution (H.C.R. No. 41) was referred to Printing and further action was deferred:

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF THE PROFESSION OF MUSIC THERAPY," was offered by Representative Aquino.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
39	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs
40	Committee on Transportation, then to the Committee on Finance

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
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2205	Committee on Judiciary, then to the Committee on Finance
2206	Committee on Judiciary, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
2228, HD1	Committee on Labor & Public Employment, then to the Committee on Judiciary
2300, HD1	Committee on Hawaiian Affairs, then to the Committee on Finance
2612	Committee on Transportation, then to the Committee on Finance
2788	Committee on Tourism, then to the Committee on Finance

ADJOURNMENT

At 12:35 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 09, 2012. (Representative C. Lee was excused.)

OTHER COMMUNICATIONS

A copy of the following Senate Communication to the Governor was received by the Clerk:

"February 8, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following bill, a copy of which is attached hereto:

S.B. No. 2209
"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE JUDICIAL SELECTION COMMISSION TO DISCLOSE THE NAMES OF AND CERTAIN INFORMATION REGARDING ACTIVE NOMINEES AND APPLICANTS TO FILL JUSTICE AND JUDGE VACANCIES."

Respectfully,
/s/ Carol T. Taniguchi
CAROL T. TANIGUCHI
Clerk of the Senate

Enclosures

cc: CJ Leong
Clerk of the House"

FIFTEENTH DAY

Thursday, February 09, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Ms. Angelique Fontaine, a senior at Kamehameha Schools, Maui Campus, and the daughter of Representative Fontaine, after which the Roll was called showing all Members present with the exception of Representatives C. Lee, M. Lee, Souki and Wooley, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 209) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 209, dated February 3, 2012, transmitting the CIP-Funded Staff Expenditure Report, prepared by the Hawaii Community Development Authority pursuant to Act 164, Section 37, SLH 2011.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 10 and 11) were received and announced by the Clerk:

Sen. Com. No. 10, transmitting S.B. No. 2209, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE JUDICIAL SELECTION COMMISSION TO DISCLOSE THE NAMES OF AND CERTAIN INFORMATION REGARDING ACTIVE NOMINEES AND APPLICANTS TO FILL JUSTICE AND JUDGE VACANCIES," which passed Third Reading in the Senate on February 8, 2012.

Sen. Com. No. 11, transmitting S.B. No. 2542, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 8, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives C. Lee, M. Lee, Nishimoto and Souki were excused.)

S.B. No. 2209
S.B. No. 2542, SD 1

INTRODUCTIONS

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

Representative Fontaine introduced his wife, Mrs. Paige Fontaine visiting from Maui, and her parents, Mr. Takao and Mrs. June Shiroma of Pearl City.

Representative Ching introduced former Representative Michael Kahikina.

Representative Jordan introduced Kahu Kamaki Kanahele of the Waianae Coast Comprehensive Health Center.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 211-12) recommending that H.B. No. 2248, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2248, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, on Stand. Com. Rep. No. 211-12, please. I would like to just declare a potential conflict. I teach at Hawaii Pacific University," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and, the report of the Committee was adopted and H.B. No. 2248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 212-12) recommending that H.B. No. 31, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 31, 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 Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 213-12) recommending that H.B. No. 2633, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2633, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII MANOA CAMPUS CENTER COMPLEX," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 214-12) recommending that H.B. No. 425, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 425, HD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to speak against the measure. Thank you. Mr. Speaker. House Bill 425, Relating to Public Utilities would require the Public Utilities Commission to consider the costs and benefits

of a diverse fossil fuel portfolio, and I want to stress that. A diverse fossil fuel portfolio. I think that it really is a major step backward. On page one of the bill in the purpose clause, it states that, unless there are major technological breakthroughs, it is anticipated that in 2030, 60% of electricity generation will come from fossil fuels. That's an incredibly pessimistic approach.

"It is not the one that the former Administration had, but it seems to be now one that this present Administration has, that in 2030 we'll still be locked into dependency on polluting fossil fuels. This ignores the vast resources that we have on the Big Island with geothermal. And it ignores the recently released report from the United States Department of Energy stressing the vast potential for energy in our oceans. They have in fact in that report which is available online, they have indicated that Oahu itself could obtain 3 times the amount of power needed to power our island from tapping into the renewable energy sources of the ocean. Those types of wave energy projects are going forward in Europe, Australia, and I believe even China now is stepping forward.

"So I look at this as being such a pessimist approach and that's why I'm digging my heels in. If we really believe in our renewable energy, if we believe that the green jobs we will create are going to help our economy, are going to provide good paying jobs for our young people, then we will not pass a measure with a pessimistic approach saying that we give up. In 2030 we're going to still be 60% dependent on polluting fossil fuel. I know there's a catch all, or a so-called savings clause, that says nothing in this section shall subvert the obligation of electric utilities to meet the renewable portfolio's standards, but that's just SOP, S-O-P, SOP thrown out.

"Because what it does say above that, it says, 'the Public Utilities Commission shall consider the costs and benefits of a diverse fossil fuel portfolio.' So here we are saying to the PUC, go spend your time, go spend your resources on fossil fuel, a diverse portfolio. What that actually means too, is that we shall reach out to liquefied synthetic gas. Life of the Land said that that means the PUC will spend its resources and time on this fossil fuel based power generation, rather than working on the dockets that are truly going to put us forward in a renewable energy future.

"When you look at the pollution from these fossil fuel based energy sources, you wonder why on earth is Hawaii still standing knee high in oil muck. It doesn't make sense. This is imported to our island. It's not making us be energy self sufficient. When you talk about being energy independent, that really is our islands' security. If we're still dependent on some shippers going ahead and bringing us those fossil fuel barrels, and if we're still depending upon sending \$7 billion a year out-of-state for that purpose, what are we doing as policy makers? Why aren't we instead shelving or tabling this bill and saying, 'We don't want to go that way.' PUC has adequate authority to do what it needs to under dockets that are presented to it. But for us to say we're elevating fossil fuel generation and the diverse sources of that, whether it's coal, oil ..."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Or the liquefied gas. We're saying to the PUC, 'We're elevating that above having you go ahead with the dockets that are truly renewable-based, and we're continuing our insecurity for our islands.' I'm very astounded that the 5th Floor is taking this approach, and frankly I'm disappointed, Mr. Speaker. Thank you."

Representative Takai rose in opposition to the measure 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 Ching rose in opposition to the measure and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in opposition to the measure and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. I rise in strong support. Thank you, Mr. Speaker. There's nothing in this bill that takes away from anything with our renewable portfolio standards, which is one of the most aggressive portfolio standards in the country. What this bill does though is recognize the fact that most of the renewable energy sources are really on the Neighbor Islands, and until we can put cables in or develop geothermal, there's probably a 10, 15, 20 year time span, certainly on Oahu, where we're going to have to take a look and find ways to reduce our costs. Oil's going up. There are other fossil fuels that may potentially provide an ability to reduce our rates. What this bill does is provide the PUC as an interim, to working towards our long-term goals to do their best effort to reduce rates in the State. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in opposition. And as others have previously requested, the words of the good representative from Kailua would be as my own, and with the passion and compassion that she put. She's basically saying, 'We can do better, State of Hawaii.' We can do better. We should not only be the national leader, we should be the world leader, and not use any of the excuses. The good representative, the Chair of the Committee of Energy just said that, basically the renewable resources are primarily on the Neighbor Islands.

"I didn't know that the sun didn't shine on Oahu. The greatest renewable resource is the sun. Not just the geothermal and the other wind farms. We have not used our renewable potential on the photo voltaic on the roofs of the State of Hawaii, particularly on Oahu. Our penetration is 3 to 5%. *Manini*. 3 to 5%, and if we pass a bill like this, this is, 'Well if you don't really make it, it's going to be okay.' Versus, a very aggressive positive, 'We're going to do this thing.' Because we've got all the natural resources. We're blessed with all the sunshine, all the wave energy and all the other renewable, Mr. Speaker. We shouldn't sell ourselves short by using this possible excuse. And there's a lot of other excuses and other issues with the PUC about stability and reliability that really shows if we're very serious, we've got to go to the jugular to this. Get off of fossil fuels and stop using excuses. Thank you, Mr. Speaker."

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

"Mahalo Ho'omalu 'Ōlelo, Ke kū nei au me ke kako'o 'ole. He pila hewa kēia. Nui nā piilikia i loko 'o kēia pila. Ina e puka ana kēia pila e hele ana kākou i hope Mahalo pihō nō kō 'oukou ho'olohe ana me ka maopopo."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise in opposition. This is a defected bill. There are many problems in this bill. If this bill passes we are moving backwards. Thank you for listening and understanding.

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I just want to continue a bit more to my colleagues. Mr. Speaker, our three very strong, respected, environmental watchdogs all testified against the measure. Blue Planet Foundation, the Sierra Club, and Life of the Land, for the very reason that it's going backward and it's admitting defeat. Now, in 2012 we admit defeat, instead of pursuing our strong renewable energy goal, and accomplishing that, which we could do by 2030.

"I just wanted to read one thing about the updated assessment from the United States Department of Energy which shows that Hawaii's wave energy resource is 130 terawatt per year. What that translates to for Oahu is 22 terawatts per year. Right now it only takes 7.7 terawatts per year to power Oahu. So Oahu's wave energy potential can almost provide its island with 3 times the needed energy.

"The Marines understand this. Instead of saying, 'We're going to be stuck with fossil fuel till the year 2030,' the Marines, the Kaneohe Marine Base in Kaneohe, on the Windward side, is constructing a wave hub. And that wave hub is designed to capture some of the best wave climate in the world. They'll have 3 to 5 plug-ins for local companies and international companies to come and to hook up their wave energy converters. That should be online within a year. Maui is going ahead with its ocean lengths wave energy project. We have the resources.

"We do not need to stand here in 2012 and tell our Hawaii community that we admit defeat before we've even tried. Instead we should table this bill, and never put in language that we acknowledge we're not going to meet any lofty goal of becoming a green energy state. The Marine Base is going to go off-grid by the year 2015 or 2016. They're not admitting defeat. They're leading, and we're not here. We're just saying we're defeatists. We can't get there. I think it's a bad bill, and I think it should be tabled. Thank you."

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

"I rise in support. Mr. Speaker, when I see this bill, I see something totally different. What I see is acknowledging that we still reiterate that we are obligated. Nothing in this section shall subvert the obligation of electric utilities to meet the renewable portfolio standards as set forth in Section 269-92 of the Hawaii Revised Statute. So I think it really reemphasizes again that that's our goal.

"But the purpose of this bill is also to acknowledge from the time we go from here to there, we have to take into effect what the costs are to the rate payers, and what the costs are going to be to actually convert. It's going to cost an awful lot of money. And so to acknowledge that a diverse portfolio may be necessary until we get to our goal is not a bad policy.

"I just want to read the sentence that the previous speaker is talking about. It says, and this is new language in the bill, 'In exercising its authority and duties under this Chapter, the Public Utilities Commission shall consider the cost and benefits of a diverse fossil fuel portfolio and of maximizing the efficiency of all electrical utility assets to lower and stabilize the cost of electricity.' And I think that's the 'nuts and bolts' of this, and it's the lower and stabilized cost.

"We can't predict, right now, to go to renewable, if our heart and souls are in to it, otherwise we'd say, 'Okay, just tax everybody. Get it over with. Jump in there, and make it happen.' Take tax credits. Our economy is really suffering right now. We're trying to do the best we can, we know the economy is flat, so I think that this policy really sets the tone that we're going to move to our renewable portfolio, we're committed to it, but acknowledging we have to do it being very conscious about what affect it has on our rate payers. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support, and I would just like to add that nothing in this bill says that we are admitting defeat. What this bill says is that we are doing our duty to be responsible to the people of Hawaii by performing our due diligence, to lay everything on the table.

"Now the utilities are responsible to provide firm power, and a lot of these clean renewable energy sources are intermittent, meaning that they fluctuate with the environment, with the climate, with the way the weather is blowing, with the way the wind is blowing. But the utilities are mandated to provide power so that every time you flick that switch on, your lights go on.

"All this bill does is say that we need to look at every single option and look at everything that's on the table. Nothing in this bill says that we're admitting defeat. Nothing in this bill says that we're not looking for a brighter future for our *keiki*. Thank you."

Representative Wooley 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 H.B. No. 425, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ching, Hanohano, Pine, Takai, Thielen and Ward voting no, and with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 215-12) recommending that H.B. No. 2503, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 216-12) recommending that H.B. No. 2105, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2105, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 217-12) recommending that H.B. No. 2570, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2570, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

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

"Mr. Speaker. On Stand. Com. No. 217. Thank you. I just want to vote with reservations please; serious reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF DIETITIANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 218-12) recommending that H.B. No. 2564, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2564, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 219-12) recommending that H.B. No. 2664, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2664, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 220-12) recommending that H.B. No. 2406, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 221-12) recommending that H.B. No. 2120, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2120, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 222-12) recommending that H.B. No. 2530, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY REVENUE," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 223-12) recommending that H.B. No. 2410, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2410, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker. I just want to declare a potential conflict. My husband is a member of the military," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2410, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 224-12) recommending that H.B. No. 2318, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2318, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. May I have a ruling on a potential conflict? I'm an owner of a veteran-owned small business," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I rise in support of this measure, the Veterans Preference bill. Mr. Speaker, sometimes we forget that small businesses are the primary employer of the State, 85% of the people. Bills like this are the ones that give a boost, particularly in acknowledging those who have served. And I know in the State of Hawaii, it's been very difficult to even get minority preferences set aside, but this one is important enough that if we push it with enthusiasm, vigor and with political will, it can be done. Those who served need this, and these are the ones who hire the people to make a difference.

"We know that there are certain bills that we have introduced on our side of the aisle that are comparable to this. I think this bill could probably be improved in its next iteration in the next Committee with some of the things that we put in there. I hope the next Chair of that Committee will consider accordingly.

"But this is a good bill. And as a Vietnam veteran myself, this is special, because when we came back from Vietnam, there was no acknowledgement whatsoever. In fact, if I can be reminiscent, it's only when we honored the Marines from Kailua and my friend was leading the Floor Presentation, that it was really a welcoming home.

"So this is a welcome home to all those who served in Afghanistan. This is a welcome home to those who served in Iraq. And it's a good charge for our small business community. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2318, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Aquino and Yamane, for the Committee on Public Safety & Military Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 225-12) recommending that H.B. No. 1963, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1963, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mahalo Ho'omalu 'Ōlelo, Ke kū nei au me ke kako'o 'ole. He pila hewa kēia. Nui nā piilikia i loko 'o kēia pila. Ina e puka ana kēia pila e hele ana kākou i hope Mahalo piho nō kō 'oukou ho'olohe ana me ka maopopo. Mahalo."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise in opposition. This is a defected bill. There are many problems in this bill. If this bill passes we are moving backwards. Thank you for listening and understanding.

Representative Wooley 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 H.B. No. 1963, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary, with Representative Hanohano voting no, and with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Aquino and Yamane, for the Committee on Public Safety & Military Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 226-12) recommending that H.B. No. 2600, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2600, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

"Mahalo Ho'omalu 'ōlelo. Ke kū nei au me ke kako'o 'ole. A'ole pono ka mana'o i loko 'o kēia pila. No laila 'ōia ke kumu e kako'o 'ole. Mahalo no ko 'oukou ho'olohe ana. Mahalo."

Representative Hanohano provided the following translation:

Thank you, Mr. Speaker. I rise in opposition. The concepts in this bill are offensive. This is the reason I am in opposition. Thank you all for listening to me. Thank you.

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2600, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Hanohano voting no, and with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Aquino and Yamane, for the Committee on Public Safety & Military Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 227-12) recommending that H.B. No. 2798, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2798, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 228-12) recommending that H.B. No. 1699, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1699, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I rise with reservations. And I rise with a degree of sadness. I think it's a sad day in a first world leading country that we have to have a meal break put into and codified in the laws of the state of the people. Mr. Speaker, we're not the third world, where you might have employees who, because they don't have enough money, can't eat lunch. The fact that we have to deal with this suggests that the 'nanny state' is growing as well. I know there is a price control bill that we're going to be hearing that is not good policy. There's probably, if this passes, a meal

control board, that's going to be developed. I don't know who the employer is out there, but I don't think there's an employer in the State of Hawaii who will not allow his employees to eat, and eat at appropriate times. I think it's a good gesture if we want to make labor feel happy.

"I think labor is happy when they get better wages, and better health and employment benefits. But if there are people who're out there that are hurting, that means the State of Hawaii is really amiss in watching over its people. And I know it says in the report that while there's nobody over 16 years old who has any mandated meals. Well we are a civilized nation. The fact that we've got to tell people to feed people. That is a step backward in my sense of the anthropological development of who we are as a people, who we are as a State, and who we are as a Legislature to be mindful of the very important issues of getting people hired, creating jobs, rather than putting legislation in to make sure that there's a meal break.

"Mr. Speaker, I'm confused by this, but primarily disappointed. Having lived in the third world for a number of years, I know what hunger is. I lived among people who'd never ate for days, who had malaria. We have to watch over our people, but to codify this is very strange and that's why I have strong reservations. Thank you."

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

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with reservations regarding H.B. 1699-Relating to Labor. This bill requires employers to provide meal breaks for employees who work more than a total of five hours a day. It imposes penalties for failure to provide meal breaks. It also clarifies that the penalty is based on an employee's regular wage at the time the infraction occurred.

"As stated by the Maui Chamber of Commerce, later echoed by the Chamber of Commerce of Hawaii:

Most employers already provide meal breaks and often longer than thirty minutes. This measure will cause confusion and litigation regarding the calculation of overtime payment. If this measure were to pass, an employer would have to factor in premium pay in calculating the regular rate because the only method of calculating the regular rate of pay under Hawaii law is to take the total earnings for the period and divide by the number of hours worked. This measure would also hurt employees who would rather work through their lunch or take shorter breaks in order to shorten their work day. Employers would now be required to force employees to take an unpaid thirty minute meal break before the fifth and again before the tenth hour of work, therefore prolonging an already long work day.

"I also concur with Tim Lyons, President of The Hawaii Business League, in his statement that, "complaints in this area are almost non-existent; at least, we have not heard of any. Secondly, most employers are aware of the fact that employees need periodic breaks from their work and they accommodate this without requiring employees to work straight through if for no other reason than productivity is better when employees are in good health and get the proper nourishment." Thank you."

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

"Mr. Speaker, in support. I just would point out that at least 22 other states have similar legislation. And for those, the majority of employers, I'm assuming it's the majority of employers, who do provide meal breaks, this won't affect them at all. We're looking to try to provide a level of civilization if you like, for those employers who do not provide meal breaks. But for the notion that somehow this is a third world measure, I

think, is way off the point in that at least 22 other states in the United States have similar requirements."

Representative Ward rose to respond, stating:

"Mr. Speaker, may I have a brief retort? Because what it does is it maligns, it suggests that there are employers out there who are not giving breaks. I would challenge that assumption that there are employers who don't give breaks. If they're not giving breaks, they need to be reported to the Better Business Bureau. They need the Chamber of Commerce. They need to be counseled, if you will, on civilized behavior.

"But the fact that there are those in other states that have done this, the need for this seems to be rising to an occasion of which I think the employers in Hawaii have a standard of Aloha, a standard of caring, for their employees by which I'm confounded that this is really an issue. That's where the disappointment comes in. It's important that people eat, definitely. But it's important that we get them jobs so they can get the money so they eat better, and that to me is where the focus should be. Not on these meal break issues which are important, but not the significant policy-making obligation with this Body. Thank you, Mr. Speaker."

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

"Mr. Speaker, just a short comment. Since we meet in session during lunchtime, in the afternoons, I generally ask my staff not to have lunch at their normal time. So, I'll be supporting this legislation to see what other private sector businesses do, and then incorporate that into my policy for the office. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1699, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 229-12) recommending that H.B. No. 2655, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Mizuno and Rhoads, for the Committee on Human Services and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 230-12) recommending that H.B. No. 1995, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1995, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in support. This measure established posting of the National Human Trafficking Resource Center hotline. Human trafficking is a multi-billion dollar business that takes place throughout the world. Although we do not want to admit it, such activities take place in Hawaii. I understand the concerns coming from the Hotel Industry. However, my hope is that we can continue this dialogue to come to an agreement. The outcome is to combat this injustice one step at a time or may I say, one sign at a time. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1995, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 231-12) recommending that H.B. No. 1724, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1724, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 232-12) recommending that H.B. No. 2234, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2234, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in support. This is a measure which will protect all youth under 18 and suspected of, or charged with an offense of prostitution, shall be granted immunity from prosecution and will be subject to the child protective provision of the Chapter 587A, HRS. This measure is smart on crime while at the same time protecting minors who are forced into prostitution. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2234, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 233-12) recommending that H.B. No. 2571, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 234-12) recommending that H.B. No. 2725, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2725, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CUSTODY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 235-12) recommending that H.B. No. 2190, as amended in HD 1, pass Second Reading and be referred

jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2190, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 236-12) recommending that H.B. No. 2536, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 237-12) recommending that H.B. No. 2476, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2476, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 238-12) recommending that H.B. No. 2452, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2452, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 239-12) recommending that H.B. No. 2343, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2343, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO REQUIRE DISCLOSURE OF THE NAMES OF JUDICIAL NOMINEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 240-12) recommending that H.B. No. 2591, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 241-12) recommending that H.B. No. 2594, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2594, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 242-12) recommending that H.B. No. 2463, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 243-12) recommending that H.B. No. 2464, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Chang, Coffman and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 244-12) recommending that H.B. No. 2671, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2671, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

Representatives Souki and Aquino, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 245-12) recommending that H.B. No. 2030, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2030, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I stand in strong support of this measure. You know, it's unfortunate that we recently lost two officers' lives to this very situation of being struck by a vehicle while stalled or assisting other people. It would just seem common sense that people would slow down and move out of the way of a public servant doing his duty. But what we have here today is we're codifying it, and we're going to ensure the safety and the protection of lives in our law enforcement and service personnel. This is so critically important. Thank you, Mr. Speaker."

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support. We no longer live in a world of common sense. 49 other states have already passed laws relating to the Move Over Law. By passing this measure, the Legislature believes the safety for emergency personnel is paramount. I ask that Members of this Body do the same and support this measure. Thank you, Mr. Speaker."

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 2030-Relating to the Statewide Traffic Code. This bill requires motorists when passing a stationary authorized emergency vehicle on a highway to vacate the lane closest to the stationary authorized emergency vehicle or reduce driving speed until safely clear of the stationary authorized emergency vehicle.

"It is my hope that H.B. 2030 will save the lives of our brave police officers and emergency responders, as well as honor the memories of Officers Eric Fontes and Garret Davis. It is vital that we procure this thoughtful measure to create a safer highway system for persons who selflessly provide vital services for the residents of Hawaii. Thank you."

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

Representative Mizuno's written remarks are as follows:

"I support HB2030 to join the 49 other states that already have a "move over law." This will enhance safety for personnel utilizing emergency vehicles while performing safety tasks."

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

"In support with a short comment. I would just like to ask those who support this bill that if we could in some way go further. I hear about accidents and officers being injured, but I don't hear about why motorists are stalled. And I believe that some of these stalls are due to simple human error that could have been taken care of, and that's what I hope this Body will look in to. Why people are stalled, and are there reasonable reasons why. And if not, I think they should be penalized."

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

"Thank you, Mr. Speaker. In strong support. I would just like the words of the Representative from Waialeale entered into the record as if it were my own. And just to reiterate the point that it's kind of sad that we have to actually pass a law for something that's common sense. So like we say on the Neighbor Islands, 'Slow down. This ain't the mainland.'"

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2030, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Belatti, C. Lee, M. Lee and Souki were excused.)

REPORTS OF STANDING COMMITTEES

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 246-12) recommending that H.B. No. 1743, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading by a vote of 46 ayes, with Representatives Belatti, C. Lee, M. Lee and Souki being excused.

At 12:45 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1743

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 21 through 25) and concurrent resolutions (H.C.R. Nos. 42 through 46) were referred to Printing and further action was deferred:

H.R. No. 21, entitled: "HOUSE RESOLUTION RECOGNIZING A DRAFT MEMORANDUM OF UNDERSTANDING AND COOPERATION BETWEEN THE STATE OF HAWAII AND THE LEAGUE OF CITIES OF THE PHILIPPINES," was jointly offered by Representatives Mizuno, Aquino, Awana, Brower, Cabanilla, Carroll, Choy, Coffman, Cullen, Hanohano, Kawakami, Keith-Agaran, Manahan, McKelvey, Morikawa, Nakashima, Nishimoto, Takai and Tokioka.

H.R. No. 22, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO EDUCATE OPERATORS OF ADULT RESIDENTIAL CARE HOMES AND COMMUNITY CARE FOSTER HOMES ABOUT THE APPROPRIATE INSURANCE FOR THEIR BUSINESS," was jointly offered by Representatives Yamane, Mizuno and Say.

H.R. No. 23, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TEACHER STANDARDS BOARD TO REVIEW RULES REGARDING LICENSING OF TEACHERS IN HAWAII WITH OUT-OF-STATE TEACHING LICENSES TO DETERMINE IF THERE ARE BARRIERS TO THOSE TEACHERS BEING LICENSED IN HAWAII," was jointly offered by Representatives Ito and Say.

H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO STUDY THE ISSUE OF FRATERNITY AND SORORITY HOUSE LOCATIONS," was offered by Representative Say.

H.R. No. 25, entitled: "HOUSE RESOLUTION SUPPORTING THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was jointly offered by Representatives Brower, Awana, Cabanilla, Say and Tokioka.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO EDUCATE OPERATORS OF ADULT RESIDENTIAL CARE HOMES AND COMMUNITY CARE FOSTER HOMES ABOUT THE APPROPRIATE INSURANCE FOR THEIR BUSINESS," was jointly offered by Representatives Yamane, Mizuno and Say.

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TEACHER STANDARDS BOARD TO REVIEW RULES REGARDING LICENSING OF TEACHERS IN HAWAII WITH OUT-OF-STATE TEACHING LICENSES TO DETERMINE IF THERE ARE BARRIERS TO THOSE TEACHERS BEING LICENSED IN HAWAII," was jointly offered by Representatives Ito and Say.

H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO STUDY THE ISSUE OF FRATERNITY AND SORORITY HOUSE LOCATIONS," was offered by Representative Say.

H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF AIR CONDITIONING PIPEFITTERS, FIRE SPRINKLER TECHNICIANS, AND SOLAR TECHNICIANS," was offered by Representative Say, by request.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was jointly offered by Representatives Brower, Awana, Cabanilla, Say and Tokioka.

ANNOUNCEMENTS

Vice Speaker Manahan: "If there are no announcements, the Chair would like to remind Members of today's Triple Referral Filing deadline. For any bills moving from their first Committees to their second Committees in a Triple Referral, you must file the Committee Reports with the Chief Clerk's Office by 6:00 p.m. this evening. Please note this is a firm deadline, so allow yourself and your staff sufficient time. Thank you, very much."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R.

No. Referred to:

21 Committee on International Affairs, then to the Committee on Finance

H.C.R.

No. Referred to:

41 Committee on Culture & the Arts, then to the Committee on Legislative Management, then to the Committee on Finance

S.B.

Nos. Referred to:

2209 Committee on Judiciary, then to the Committee on Finance

2542, Committee on Education, then to the Committee on Finance
SD1

COMMITTEE REASSIGNMENTS

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

H.B.

Nos. Re-referred to:

280 Committee on Agriculture, then to the Committee on Finance

2359 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2673, Committee on Tourism, then to the Committee on Finance
HD1

2681 Committee on Public Safety & Military Affairs, then to the Committee on Finance

ADJOURNMENT

At 12:46 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 10, 2012. (Representatives Belatti, Ito, C. Lee, M. Lee and Souki were excused.)

SIXTEENTH DAY

Friday, February 10, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Faye P. Hanohano, after which the Roll was called showing all Members present with the exception of Representatives C. Lee, M. Lee and Wooley, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 211 through 215) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 211, dated February 8, 2012, requesting immediate consideration and passage of House Bill No. 2547, Making an Emergency Appropriation to the Department of Human Services, which appropriates funds to address the budget shortfall for General Support for Health Care Payments (HMS 902), and requesting that the Legislature amend this measure to appropriate funds to address the budget shortfall for the General Assistance Program (HMS 204).

Gov. Msg. No. 212, dated January 26, 2012, transmitting the 2011 Environmental Council Annual Report, prepared by the Department of Health, Office of Environmental Quality Control, pursuant to Act 45, SLH 2011.

Gov. Msg. No. 213, dated February 2, 2012, transmitting the Annual Report for the Pesticide Use Revolving Fund for Fiscal Year 2011, prepared by the Department of Agriculture, pursuant to Section 149A-13.5(f), HRS.

Gov. Msg. No. 214, dated February 6, 2012, transmitting the Hawaii Brownfields Cleanup Revolving Loan Fund, Annual Report for Fiscal Year 2011, prepared by the Department of Business, Economic Development and Technology, Office of Planning, pursuant to Section 201-18(e), HRS.

Gov. Msg. No. 215, dated February 8, 2012, transmitting the Annual Report for FY2011 of the Hawaii Health Systems Corporation, pursuant to Section 323F-22(a), (b) and (c), HRS.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 12 and 13) were received and announced by the Clerk:

Sen. Com. No. 12, transmitting S.B. No. 2216, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," which passed Third Reading in the Senate on February 9, 2012.

Sen. Com. No. 13, transmitting S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," which passed Third Reading in the Senate on February 9, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives C. Lee, M. Lee and Wooley were excused.)

S.B. No. 2216, SD 1
S.B. No. 2518, SD 1

INTRODUCTIONS

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

Representative Nishimoto introduced his friend and constituent, Mr. Joshua Sweet with the Christian Homeschoolers of Hawaii, along with other homeschool students and advocates.

Representative Hanohano introduced members of her staff: Office Manager, Ms. Julia Peleiholani, and Ms. Kahikina Kaawaloa.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 247-12) recommending that H.B. No. 2806, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2806, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Ke kū nei au me ke kako'o loa. He pila maika'i kēia. 'O kēia pila e pili ana ka ha'i 'ōlelo no ke kaia 'āina no ka pae 'āina 'o Hawai'i nei. 'O kēia kona ha'i 'ōlelo. No nā waiwai like 'ole 'o Hawai'i nei e wili 'ia no ka noho ana 'o nā lehulehu. 'O nā ola ana no nā po'e O Hawai'i e pili ana ka hana no ke komike Aha Moku, Aha Kuka 'I nā waiwai like 'ole. 'Oia ka mea nui no kākou 'ola ana me ka'āina, ke kaim nā meakanu like 'ole a me nā mea like 'ole. Mahalo."

Representative Hanohano provided the following translation:

I rise in strong support. This is an excellent bill. This bill is the essence of the Governor's speech. Here is the quote from his speech. "Every aspect of lives is intertwined with the natural resources of our islands. Our survival is literally dependent on proper stewardship. A strong economy is not one based on unfettered consumption of our natural resources, but instead one that is sustainable over time.

Representative Souki rose to a point of order, stating:

"Mr. Speaker. Point of order. My good friend, the Representative on my left is speaking in the Hawaiian language. I do know that it's the first language in the State of Hawaii, it's a primary language, but unfortunately I don't understand it. I would like if the Representative would make, after she is finished, she could explain very briefly in English as to what the content of her remarks is about. Or maybe provide us some lessons at the end of the Session so we all can learn Hawaiian. I'm willing to learn Hawaiian even at this age, but at this point I really don't understand what my good friend is saying. So maybe if she could help us a little bit along the way. Thank you, very much."

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

"Mr. Speaker, I am in support. From my understanding, the Representative from the Big Island said she was rising in strong support of this most excellent bill. And then she seemed to indicate that the bill is the essence of the Governor's speech, and then quoted the Governor, "Every aspect of lives is intertwined with the natural resources of our islands. Our survival is literally dependent on proper stewardship." *Ke kū nei au me ke kako'o loa.* And she ended that with, the strong economy is not one based on unfettered consumption of our natural resources. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 248-12) recommending that H.B. No. 2807, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2807, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 249-12) recommending that H.B. No. 2808, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2808, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Ke kū nei au me ke kako'o loa. Makemake au e komo ko'u mana'o i loko o ka puke luna maka'āinana. Mahalo."

Representative Hanohano provided the following translation:

I rise in strong support. I am requesting to submit comments in the House of Representative Journal.

'O kēia pila he mea nui no nā kupa 'o ka 'āina ma ka ahupua'a 'O Kalapana, Puna, Hawai'i. Mahalo iā Kokubun Kane, ke kenekoa mai ka 'apana 'elua mai ka Moku 'O Keawe, i kona hana no kēia kukulu kauhale hou, nō nā po'e e nalo wale kō lākou home mai ka lua'i pele. Nā ka pomaka'i iā kā kākou. He pila maika'i loa kēia. Mahalo pihā.

This bill is very dear to the residents of Kalapana, Puna, Hawai'i. Thank you to former Senator Kokubun, District 2 for working to rebuild the community for the people who lost their homes from the lava flow. Blessings to all of us. This is an excellent bill. Much gratitude to all.

The Chair addressed Representative Hanohano, stating:

"Would you please enlighten us with your comments?"

Representative Souki rose to a point of order, stating:

"Yes. Mr. Speaker. Can we have a point of order? If we could have Representative Bower now interpret that for us, please."

At 12:16 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:17 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 250-12) recommending that H.B. No. 2875, pass Second Reading and be referred to the Committee on Education.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2875, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

"Mahalo Ho'omalū 'ōlelo. Ke kū nei au me ke kako'o loa no kēia pila. E ola mau ka 'ōlelo Hawai'i. Mahalo."

Representative Hanohano provided the following translation:

Thank you, Mr. Speaker. I rise in strong support. Long live the Hawaiian Language. Thank you.

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

Representative Wooley rose in support of the measure and asked that the remarks of Representative Hanohano be entered into the Journal as her 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 Committee was adopted and H.B. No. 2875, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Education, with Representatives C. Lee and M. Lee being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 251-12) recommending that H.B. No. 1707, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1707, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I stand in support, however I do have reservations with this matter. When it passed out of my Committee I was contacted by professionals in the industry from Maui who had major concerns about the bill. Some of it has been noted in the Committee report already. I'd like to reference this email with the concerns and note it in the record. Thank you, very much."

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

Representative Pine 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 H.B. No. 1707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 252-12) recommending that H.B. No. 2859, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2859, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Higher Education, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 253-12) recommending that H.B. No. 2573, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2573, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIP," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 254-12) recommending that H.B. No. 2062, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2062, entitled: "A BILL FOR AN ACT RELATING TO MUSIC THERAPY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 255-12) recommending that H.B. No. 2407, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2407, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Second Reading and was referred to the Committee on Education, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 256-12) recommending that H.B. No. 2435, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 257-12) recommending that H.B. No. 2650, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2650, HD 1, pass Second Reading and be referred to the Committee on Transportation, seconded by Representative Evans.

Representative Souki rose, stating:

"Mr. Speaker, may I have a short recess so I can ask the maker of this bill if this Culture and Arts Special Fund is being deleted or not."

At 12:19 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

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

"Mr. Speaker. I wish to vote against this measure. The Culture and Arts Special Fund has been with us for many years. It was begun during the era of Governor John Burns when he asked 'Pundy' Yokouchi, from Maui, who was quite an icon in his day, to set up a special fund on Culture and Arts, so that we may provide and preserve the art and the culture of the State of Hawaii.

"And by this measure, this bill, I may be wrong, but if you're going to delete it, then it means that we won't have it. Someone is shaking their head, but the maker has told me that it's going to be deleted. I will leave it up to her to explain that, and then I may change my vote at the end. Thank you."

At 12:21 o'clock p.m., Representative Wooley requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

Representative Souki rose, stating:

"Mr. Speaker. I have been educated and elucidated as to the nature of this bill, and I wish to change it from a no to a yes. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2650, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Transportation, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 258-12) recommending that H.B. No. 2421, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEED MILLS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 259-12) recommending that H.B. No. 2431, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL POLICY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 260-12) recommending that H.B. No. 2433, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2433, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 261-12) recommending that H.B. No. 2703, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2703, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SELF-SUFFICIENCY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 262-12) recommending that H.B. No. 1884, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives C. Lee and M. Lee being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 263-12) recommending that H.B. No. 2507, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 264-12) recommending that H.B. No. 1746, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1746, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker. On Standing Committee Report No. 264, may I request a ruling on a potential conflict? At my law firm I represent AOA's," and the Chair ruled, "no conflict."

Representative Har then 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 H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 265-12) recommending that H.B. No. 2097, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 266-12) recommending that H.B. No. 2116, as

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

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2116, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 267-12) recommending that H.B. No. 1926, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1926, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in strong support and ask for permission to insert written comments on the Assault on Medical Service Providers. There are 2,637 non-fatal assaults that occurred from 1999, a rate of 8.3 assaults per 10,000 workers. We need to protect our medical service people. Those that protect us, we must protect them. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 1926-Relating to assaults against medical service providers, which would expand the offense of assault in the second degree to medical services providers while on-duty.

"We must look to testimony provided by the Healthcare Association of Hawaii, where it states that, "The rate of assaults and violent acts against health care workers is more than 10 times the average rate." The testimony continues by saying up to 80% of hospital staff have been "physically assaulted at least once" while on duty. Numbers like these do not encourage new medical providers to join the workforce, where there is currently a shortage.

"The importance of this bill goes beyond the medical facility. This bill protects service providers, who not only spend years in study to practice their profession, but are additionally pre-disposed to potentially hazardous work environments. We must keep doctors and nurses safe from violence. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 268-12) recommending that H.B. No. 2848, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 269-12) recommending that H.B. No. 2601, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE

OF PROCESS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 270-12) recommending that H.B. No. 2474, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISON LITIGATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 271-12) recommending that H.B. No. 2226, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 272-12) recommending that H.B. No. 2514, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2514, 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 C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 273-12) recommending that H.B. No. 2515, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2515, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 274-12) recommending that H.B. No. 2780, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2780, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Rhoads, for the Committee on Human Services and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 275-12) recommending that H.B. No. 1994, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 276-12) recommending that H.B. No. 2115, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Aquino, for the Committee on Human Services and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 277-12) recommending that H.B. No. 1917, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1917, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker. On Stand. Com. Report. No. 277-12, I would like to cast a vote with reservations. Please allow me a brief moment to explain my reservations. Thank you. Mr. Speaker, I applaud the intent of the bill to protect and fight against domestic violence. My reservation is in regards to the fact that there are other professions, not only law enforcement, that have individuals that engage in domestic violence. And so targeting only law enforcement officers, I think, might characterize them as being perceived as having a higher incidence of domestic violence.

"Members, you know our law enforcement work with us on catching and penalizing these types of individuals and so we would not want them to be perceived as being part of the problem, but rather to know that they're part of the solution."

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

"Thank you, Mr. Speaker. On the measure before us, in support. Thank you, Mr. Speaker. The Honolulu Police Department reports that up to half of their calls relate to domestic violence. I want to thank Public Safety for recommending an amendment to this measure, to broaden the scope. Law enforcement are the first ones on the scene at a domestic violence situation. They need to have a proper policy in place. I think this is a good measure and I ask all Members to support it. Thank you, Mr. Speaker."

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

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure with reservations.

"I recognize the seriousness of domestic violence problems in our community and for this reason feel compelled to move this measure forward. However, I am concerned that this bill singles out law enforcement officers who have already received training regarding domestic violence and who already face the sanction of losing their jobs under the requirements of the Lautenberg Amendment.

"This bill is likely unnecessary. This bill proposes law enforcement agencies adopt and implement a written policy for officers charged with domestic violence. The police department has already established internal rules and regulations on the matter.

"Since the Lautenberg Amendment already applies, law enforcement officers who lose use of their weapons also lose their jobs as a result (they no longer meet the qualifications of police officers who must be able to use firearms)."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1917, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representatives McKelvey and Cabanilla, for the Committee on Economic Revitalization & Business and the Committee on Housing presented a report (Stand. Com. Rep. No. 278-12) recommending that H.B. No. 2103, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2103, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition. Thank you, Mr. Speaker. Mr. Speaker, this is the real thing. This is not a study. Remember we talked about the State Bank last week, and said, 'Look it's only a study.' This is the real McCoy. This is the bank that will be established as the State of Hawaii Bank and quite frankly, I don't want to repeat what I said last time so we've done a little bit of homework. We've looked into it. We don't want to reinvent the wheel, so we've looked at other states and what they're doing.

"In Massachusetts, lo and behold, they actually went through a few months ago what we are going through now. They did some research and I want to cite a couple of things that they found out.

"First of all, they found out that publicly-owned banks are really not a phenomenon that are in developed countries. It's usually in third world countries that the state owns the banking. Our good friend from Downtown Honolulu mentioned that China is the leading state bank successful example. Right now, there's not been even a consideration of a state owned bank since 1970, and the bank of North Dakota actually began in 1919. And they Mr. Speaker, started out with a \$2 million capitalization. And in the Massachusetts' study it says, 'The original capitalization, if put in today's dollars for a similar start up would be \$3.2 billion.'

"I ask my colleagues, do you want to get a state bank with \$3.2 billion? Because you see the model of North Dakota and you want to make this the State Bank of Hawaii, when we don't even have a funded liability for our pensions, for our trust funds, for our health program.

"Another revealing statistic was that the State Bank of North Dakota has \$4 billion in assets. Guess what? The Bank of Hawaii has \$4 billion in assets. Guess how many years Bank of Hawaii's been around to get \$4 billion in assets. And almost 100 years of the Bank of North Dakota. We are not going to get an immediate return on this unless we really put a lot of money into it. I know the intention of getting the money into it is to buy these foreclosed mortgages. I ask my colleagues, do you want your constituents to bail out the banking industry that has already been bailed out, and the mortgage industry that owes a lot of money to the taxpayers already?

"In addition to that, it is not the FDIC that the deposits are insured by in the Bank of North Dakota. It's the taxpayers of North Dakota. So this is another reminder that the burden of proof of the viability of this is not on the organizers of the bank, but those who are the taxpayers in the State of Hawaii. I know some people took a little bit of umbrage when I said, do you know who they've got on the first Bank of Hawaii? It's the Governor's political appointees who are going to be the board of directors. Well guess who runs the Bank of North Dakota. It's run and overseen by three commissioners. The first primary commissioner is the Governor, the second is the Attorney General, then there's an agricultural commissioner.

So do you see a little bit of political stuff mixed in to this? I think it's as we had predicted.

"The other thing about the Bank of North Dakota that we have to realize is that it was really put in place for farming and now, it's not even doing farming loans. 50% of its loans are actually buying the loans of small banks. North Dakota is rural and they have a lot of small banks. So basically half of their business is simply buying up loans from small banks. Hawaii has a handful of banks, but do you see any hue and cry for small banks to say, 'We need you, Bank of the State of Hawaii to buy loans from us.' There's no hue and cry from our small bankers.

"Another interesting point I think that which we forget thinking is that North Dakota by its bank has been successful. It mentions in the Massachusetts' study, and this is not me saying it. It's saying North Dakota has fared exceptionally well during the recent national recession. People have to be mindful that North Dakota's overall performance is mostly attributable to oil and natural gas extraction and high commodity prices. And it is me when I say it's also run by Republicans who are conservative, fiscally responsible people. And that's another reason why this thing works. It's because of the economy there, and who's running it, as well as the oil and the extraction industries that are driving it.

"Mr. Speaker, I should also add that the small business loans ..."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Ward continued, stating:

"My goodness. And this is not even Third Reading yet, but this is important stuff. Again, I am not speaking. It's the study that Massachusetts that did, because it said that there were like 18 other states that were considering to do this bank and Massachusetts says, 'We're out of here. After this study we have decided not to do it.' So I say that as a way to say, we don't have to reinvent the wheel because Massachusetts gathered all this information.

"Basically what they said was the burden of proof of loans to our small businesses should be the federal government, not just the state bank. Two-thirds of the profits of the State Bank of North Dakota actually do go back to the State, but that also says that one-third of their costs are administration. And whenever you're in a business that takes 33 1/3% just to run it, that's rather high. What they do put in the coffers is \$30 million so the benefit is substantial. \$30 million a year is substantial, but remember that this is a bank that's been in business almost 95 years. We're talking about starting from scratch, and it's going to be an elixir because we're going to make money on buying mortgages at 75 cents on the dollar.

"The other thing we need to know is that the state bank is liable, or the state is liable for any of the bank's losses. And I think I mentioned that in terms of our own constituents. One of the kickers here in addition is the fact that the DCCA Director has noted as follows: "Arguably, the soundness of Hawaii's financial institutions may be compromised and jeopardized by transferring state moneys to a state owned bank."

"The point is Mr. Speaker, that we have two of the healthiest banks in the nation. They have fared very well. There's no shortage of capital. They're not in just to bail out the mainland banks that have primarily cheated a lot of our residents or stonewalling our residents. And to say that we should put this burden on our constituents is what I'm basically arguing against. That's the bottom line.

"And finally, do we really want to pony up \$3 billion to do what the Bank of North Dakota did? I think it's a resounding no. I think if we asked our constituents, if we ask ourselves, can we afford to do a bank, to do high-risk loans with the state of the economy the way it is today, I think it's obvious, Mr. Speaker.

"Thank you, for your indulgence. And I hope everybody sort of starts changing their thinking. Perhaps maybe government is not the best to get into the banking industry. Maybe we should rethink what we're good at and stick to our knitting, in those areas, and not go too far out on a limb as

North Dakota did, and did well 100 years ago in an entirely different climate. Thank you, Mr. Speaker."

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

"Thank you Mr. Speaker. In opposition as well, and I'd like to ask that the remarks of the Minority Leader be entered as my own. I just wanted to recap just a few comments, distilling it down to what I think is my concern.

"In understanding how we prosper and how we provide excellent service, and the way that in general I feel that our system of government and system of business works is that when you have competition, when you have a monopoly there is a real chance of people saying, 'Well come to me, or you don't come to me.' That's life. You know. Whether it's a gas situation, or the only place you go to a super market, competition brings out work, and people wanting to be the best. They want to work hard. They want to do the best they can, because they know if they're Bank of Hawaii, but First Hawaiian Bank is doing something. Hey, great. But when you enter into the mix an uneven playing field where basically you have the illustrious and credible, never-ending taxation of the people. We just keep saying, 'Well, you know this is your money and we're going to do this.' When you don't have an even playing field the problem is that you discourage people.

"And you discourage people from working and doing what's best, good ideas, new ideas. That sort of thing. How can I do this better? And so to me, the real pitfall when I distill it down, and I know you can say North Dakota and this and that. And I agree with the Minority Leader. You always have to look in the environment. Just like a patient. Not every patient is all the same. Look at independent uniqueness. Hawaii is not North Dakota. I think that when we don't encourage competition, we don't encourage an even playing field, you hurt the young people. Because if they don't think they're going to have a fair shake, they're not going to stay. We want people to want to stay because I know that through their merit, through their merit they can do well. Thank you, Mr. Speaker."

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

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

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

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

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2103. The creation of a state-owned bank is an incredibly complex undertaking in relatively unknown territory for the State of Hawaii. Taxpayers should be assured the bank will possess the necessary expertise to properly operate. The State already struggles to balance and effectively govern its existing bureaucracies and I fear it may prove unwise to further burden a state government already stretched thin. I also believe the creation of a state-owned bank has potential to create unintended consequences and burdens for the taxpayers of Hawaii, particularly if it lacks the necessary operational mechanisms to achieve its ultimate goal. While I do honor the intent of the measure and want to help those in our community who are threatened with foreclosure, I have reservations as to whether or not the State of Hawaii is equipped to tackle a venture of this size and scope. For those reasons, I will be voting with reservations."

Representative Riviere 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 Committees was adopted and H.B. No. 2103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ching, Fontaine, Marumoto, Riviere and Ward voting no, and with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 279-12) recommending that H.B. No. 2267, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CLEARCOM, INC., IN THE DEVELOPMENT OF BROADBAND INFRASTRUCTURE IN HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 280-12) recommending that H.B. No. 2872, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 281-12) recommending that H.B. No. 2324, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2324, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2324, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 282-12) recommending that H.B. No. 2645, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2645, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I will rise in opposition to this measure. This bill would regulate professional employer organizations. They're also called employer-employee leasing organizations. These entities assist small businesses in payroll services, and making sure they pay their correct amount of payroll taxes, and assist in businesses acquiring various insurance that is required.

"I do not see any need to regulate this industry. I have not heard about any complaints from small businesses in this regard. I think before we enact such legislation, we should be requesting a sunrise study, especially since this bill calls for penalties up to \$2,500. I don't think our businesses should be regulated by the Department of Labor. I feel that it should be perhaps, if we decide it should be regulated, it should be in the Department of Commerce and Consumer Protection. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Marumoto voting no, and with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 283-12) recommending that H.B. No. 2161, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOGS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 284-12) recommending that H.B. No. 2325, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2325, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2325, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 285-12) recommending that H.B. No. 2524, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2524, HD 1, pass Second Reading and be

referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 286-12) recommending that H.B. No. 2653, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2653, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representatives Souki and Aquino, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 287-12) recommending that H.B. No. 2615, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2615, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, with reservations and just brief comments. I'm just not sure. This bill would possibly shut down the fireboat in Honolulu Harbor. And it's not clear to me what it would be replaced with, and that raises some questions in my mind."

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

"Thank you, Mr. Speaker. In support. In the Committee Report it notes that it is not the intent to shut it down. This is just to give flexibility to the DOT."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT," passed Second

Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 288-12) recommending that H.B. No. 1667, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1667, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of H.B. 1667-Relating to Taxation. This bill authorizes a state income tax credit for certain expenses paid or incurred by a school teacher during the taxable year.

"This bill reduces the out-of-pocket expenses for teachers that strive to provide an excellent learning environment.

"Many teachers incur out-of-pocket miscellaneous expenses to ensure that students have the best tools to learn. Our goal is to provide the best educational experience for our children. The amount of money teachers spend out of pocket is substantial. This is a measure that will help our teachers. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

ANNOUNCEMENTS

Representative Yamane: "Mr. Speaker, I rise to request a moment of silence. Former legislator and spouse of our current Representative Marilyn Lee passed away this morning at 12:45 a.m. Samuel served with some of you here today. He is survived by our colleague, Representative Marilyn Lee, as well as four children: Andrew, John, Mary and Thomas. Mr. Speaker, from Marilyn's discussion this morning, he passed away peacefully, and we would like to express our deep-felt thoughts and prayers to the family. Thank you."

Representative Ward: "Mr. Speaker, may I also share the disappointment and the sadness of hearing of his passing. Sam and I were friends. Sam was probably the lead international voice in the House for a number of years. He and I basically had a coalition, sometimes even against my colleague from Kailua, who didn't always champion the international. So hearing of Sam's passage is a blow as a friend, as a person, and as someone who really helped Hawaii and the nation by his career as a Foreign Service officer. He will be greatly missed and I'm happy that we're going to honor him as we close this session."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late former Representative Samuel S.H. Lee.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.

Referred to:

22 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

23 Committee on Labor & Public Employment, then to the Committee on Education

24 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education

25 Jointly to the Committee on Tourism and the Committee on International Affairs

H.C.R. Nos.

Referred to:

42 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

43 Committee on Labor & Public Employment, then to the Committee on Education

44 Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education

45 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

46 Jointly to the Committee on Tourism and the Committee on International Affairs

S.B. Nos.

Referred to:

2216, SD1 Committee on Judiciary

2518, SD1 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B. Nos.

Re-referred to:

1893 Committee on Finance

1896, HD1 Jointly to the Committee on Economic Revitalization & Business and the Committee on Health, then to the Committee on Finance

2047 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2324, HD1 Committee on Economic Revitalization & Business, then to the Committee on Finance

2325, HD1 Committee on Economic Revitalization & Business, then to the Committee on Finance

2412 Committee on Finance

2638 Committee on Judiciary, then to the Committee on Finance

2653, HD1 Committee on Economic Revitalization & Business, then to the Committee on Finance

2874 Committee on Economic Revitalization & Business, then to the Committee on Finance

ADJOURNMENT

At 12:50 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 13, 2012. (Representatives C. Lee and M. Lee were excused.)

SEVENTEENTH DAY

Monday, February 13, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Kahu Kordell C.L. Kekoa of the Kamehameha Schools Bishop Memorial Chapel, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 14 through 18) were received and announced by the Clerk:

Sen. Com. No. 14, transmitting H.B. No. 238, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," which passed Third Reading in the Senate on February 10, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey were excused.)

H.B. No. 238, HD 2, (SD 1)

Sen. Com. No. 15, transmitting S.B. No. 2058, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION," which passed Third Reading in the Senate on February 10, 2012.

Sen. Com. No. 16, transmitting S.B. No. 2062, SD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS," which passed Third Reading in the Senate on February 10, 2012.

Sen. Com. No. 17, transmitting S.B. No. 2218, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO RESIDENCY REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE," which passed Third Reading in the Senate on February 10, 2012.

Sen. Com. No. 18, transmitting S.B. No. 2712, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on February 10, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representative Cabanilla, Carroll, C. Lee, M. Lee and McKelvey were excused.)

S.B. No. 2058, SD 1
S.B. No. 2062, SD 1
S.B. No. 2218, SD 1
S.B. No. 2712

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 69) was received by the Clerk and was placed on file:

Dept. Com. No. 69, dated February 8, 2012, from Rodney A. Maile, Administrative Director of the Courts, The Judiciary, State of Hawaii, transmitting The Judiciary's 2011 Annual Report Statistical Supplement, pursuant to Section 601-3, HRS.

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Brower introduced the travel and tourism students of Hawaii Pacific University.

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

The House of Representatives reconvened at 12:24 o'clock p.m.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 289-12) recommending that H.B. No. 2505, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 290-12) recommending that H.B. No. 2636, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2636, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATION RECORDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 291-12) recommending that H.B. No. 2552, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2552, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In support with reservations. Thank you. I think no one disagrees with the intent of this measure and I'm sure we all support the DCAB special fund. What I would just ask that we consider as a Body as it goes on to the next Committee that if it is indeed a priority, the \$1 instead of being an extra additive on to the already rather large increase we had last Session, just be taken out of the existing \$45 fees as opposed to adding an extra dollar just to fund this very important thing. Thank you very much, Mr. Speaker."

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

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

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

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

"Reservations, and to note that the \$45 was just increased last year, which almost doubled it. So, I think there's some momentum of seeding the treasury to take one dollar as the Representative on our side had just mentioned."

Representative Marumoto 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere 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 H.B. No. 2552, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 292-12) recommending that H.B. No. 1942, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 293-12) recommending that H.B. No. 1556, as amended in HD 1, be recommitted to the Committee on Culture & the Arts.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," was recommitted to the Committee on Culture & the Arts, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 294-12) recommending that H.B. No. 1557, as amended in HD 1, be recommitted to the Committee on Culture & the Arts.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," was recommitted to the Committee on Culture & the Arts, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 295-12) recommending that H.B. No. 280, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was recommitted to the Committee on Agriculture, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 296-12) recommending that H.B. No. 2438, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 296-12 on H.B. No. 2438, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2438, HD 2, were made available to the Members of the House.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey were excused.)

REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 297-12) recommending that H.B. No. 2437, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 298-12) recommending that H.B. No. 2096, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2096, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker. I'd like to express a reservation on Committee Report 298. I generally favored this bill. We're very happy to see that the unemployment insurance rate will be kept at the Schedule F rate and it will certainly help our businesses and keep our people at work. It will help our job creation.

"My reservations go to raising our average weekly wage to 75%. This is only temporary from April through the end of the year. But 75% is already very generous if you're collecting unemployment compensation, and then at the end of the year it's very difficult to lower it again. So I don't think it's a wise idea to raise the average weekly rate percentage because it further drains our unemployment insurance fund. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey being excused.

At 12:30 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2437, HD 1
H.B. No. 2096, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 26) and concurrent resolution (H.C.R. No. 47) were referred to Printing and further action was deferred:

H.R. No. 26, entitled: "HOUSE RESOLUTION EXPRESSING CONTINUED SUPPORT FOR THE PROHIBITION OF GAMBLING IN HAWAII, AS RECOMMENDED BY THE 2011 HAWAII SECONDARY STUDENT CONFERENCE," was jointly offered by Representatives Manahan, Aquino and Cullen.

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING CONTINUED SUPPORT FOR THE PROHIBITION OF GAMBLING IN HAWAII, AS RECOMMENDED BY THE 2011 HAWAII SECONDARY STUDENT CONFERENCE," was jointly offered by Representatives Manahan, Aquino and Cullen.

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

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

H.B.

Nos.

Re-referred to:

1454	Committee on Finance
1557	Committee on Culture & the Arts
1557, HD1	Jointly to the Committee on Culture & the Arts and the Committee on Hawaiian Affairs and the Committee on Education, then to the Committee on Finance

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 14, 2012. (Representatives Cabanilla, Carroll, C. Lee, M. Lee and McKelvey were excused.)

HOUSE COMMUNICATIONS

House Communication dated February 13, 2012, from CJ Leong, 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 House Bill:

H.B. No. 238, HD 2, SD 1

EIGHTEENTH DAY

Tuesday, February 14, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:11 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Pastor Timothy Jay Mason of the Calvary by the Sea Lutheran Church, after which the Roll was called showing all Members present with the exception of Representatives C. Lee and M. Lee, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1102 and 1103) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1102, informing the House that on February 13, 2012, the following bill was signed into law:

S.B. No. 239, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND." (ACT 002)

Gov. Msg. No. 1103, informing the House that on February 13, 2012, the following bill was signed into law:

S.B. No. 809, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." (ACT 003)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 19 through 21) were received and announced by the Clerk:

Sen. Com. No. 19, transmitting H.B. No. 2002, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," which passed Third Reading in the Senate on February 13, 2012.

Sen. Com. No. 20, transmitting S.B. No. 2061, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," which passed Third Reading in the Senate on February 13, 2012.

Sen. Com. No. 21, transmitting S.B. No. 2759, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," which passed Third Reading in the Senate on February 13, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives C. Lee and M. Lee were excused.)

S.B. No. 2061, SD 1
S.B. No. 2759, SD 1

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

At 12:15 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 299-12) recommending that H.B. No. 2007, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 300-12) recommending that H.B. No. 2816, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 301-12) recommending that H.B. No. 2273, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2273, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 302-12) recommending that H.B. No. 2416, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2416, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 303-12) recommending that H.B. No. 1683, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1683, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to speak against this bill. Thank you. I must first ask for a ruling on a potential conflict. I'm a grandmother of a two year old," and the Chair ruled, "no conflict."

Representative Thielen continued to speak in opposition, stating:

"Thank you. I believe that my grandson, as well as the other children of early age in Hawaii deserve to have this Junior Kindergarten Program. Instead of eliminating this and hoping that maybe some other measures will pass that will set up some early learning opportunities, I believe we instead should make this program universal and fully funded. So I'm voting no on behalf of all of those young children. Thank you."

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

"Mahalo Ho'omalu 'ōlelo. Ke kū nei au me ke kako'o 'ole no ka mea au he pila hewa kēia. O wao no e hele ke kula maka makahiki e ha o wā o ka mea. Nui nō kēia pila. Makemake au kaha'i 'ōlelo no ka luna maka'ainana mamua 'o'i loko 'o ka hale pūkē lula maka'ainana no ko kana hua 'ōlelo like me ko'u. Mahalo."

Representative Hanohano provided the following translation:

Thank you, Mr. Speaker. I rise in opposition because this is a wrongful bill. I attended school at the age of four. There are problems/issues in this bill. I am requesting to have the words of my colleague who spoke before me entered into the House Journal as if they are my thought. Thank you.

The Chair addressed Representative Brower, stating:

"Representative Brower, would you like to interpret that for us?"

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

"Mr. Speaker I would just like to say that I am in support. *Mai ka na'au. Mai ka na'au.*"

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

"With reservations. And I think what the previous speaker was, not the one from Waikiki, was saying that it's difficult to be in support of eliminating Junior Kindergarten when we don't have anything in place that's active. It doesn't really make sense economically or strategically."

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

"Thank you, Mr. Speaker. I rise in strong support and may I make a few remarks? I appreciate the opposition and I know that there is a lot of concern. I myself, if I could declare a conflict, have a young child, two young children, and am very much concerned about our early education, especially in our public school system. However, I would urge Members to look forward on the agenda to Stand. Com. Rep. No. 309-12 and that we do in fact have a plan. I would love to join hands with Members of the other side of the aisle as we do talk about universal and funded early education because that will be an interesting conversation to have. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and he report of the Committee was adopted and H.B. No. 1683, entitled: "A BILL FOR AN ACT RELATING TO JUNIOR KINDERGARTEN," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano and Thielen voting no, and with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 304-12) recommending that H.B. No. 2008, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2008, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 305-12) recommending that H.B. No. 2091, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2091, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 306-12) recommending that H.B. No. 2127, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2127, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. May I have a ruling on a potential conflict? I'm a graduate of Hawaii Preparatory Academy," and the Chair ruled, "no conflict."

Representative McKelvey continued in support of the measure, stating:

"In support. And please don't let the Members hold that they produced me against this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2127, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 307-12) recommending that H.B. No. 2728, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 308-12) recommending that H.B. No. 2513, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Takumi and Mizuno, for the Committee on Education and the Committee on Human Services presented a report (Stand. Com. Rep. No. 309-12) recommending that H.B. No. 2519, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2519, 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, stating:

"Thank you, Mr. Speaker. I'm rising in support of this measure. But I want to tie it back again to House Bill 1683, which eliminates Junior Kindergarten. If this measure doesn't make it through Finance and then over to the Senate, and then through their Ways and Means Committee, we then are left with eliminating the Junior Kindergarten Program. I'm sorry the two weren't tied together. In other words, Junior K stays alive unless the funding is appropriated and the Early Learning Council and the Early Childhood Coordinator are able to be funded and be able to up the new Early Childhood Education System.

"I don't want to see a gap, Mr. Speaker. I don't think that's good for our children. We'd have one age level going through that would be

significantly behind the rest of the students going ahead of them and coming behind them. And that can create a lot of difficulties. Thank you."

Representative Ching rose in support of the measure and asked that the remarks of Representative Thielen be entered into the Journal as her 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 H.B. No. 2519, HD 1, entitled: "A BILL FOR AN ACT RELATED TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 310-12) recommending that H.B. No. 2078, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2078, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 311-12) recommending that H.B. No. 2531, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2531, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 312-12) recommending that H.B. No. 2809, pass Second Reading and be referred to the Committee on Agriculture.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2809, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support, and I'd like to insert written comments on this one. The fact is that poi is one of the best things that people can eat if they have diabetes. It's one of the best, most healthy products we have. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of H.B. 2809 - Relating to Agriculture. This bill designates October as "Kalo Appreciation Month".

"H.B. 2809 will successfully promote the cultivation and awareness of Hawaii's most sacred indigenous plant, *kalo*. This measure will do wonders for the *kalo* industry by showcasing the healthy benefits of the vitamin and fiber-rich vegetable. It is imperative that we utilize this healthy option in everyday Hawaii diets, for *kalo* has the ability to enrich our diets with much needed vitamins and nutrients and aide in the fight against diabetes. Promoting this amazing vegetable that has sustained the Hawaiian people for hundreds of years is vital for the health of our people. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2809, entitled: "A BILL FOR AN ACT RELATING TO KALO APPRECIATION MONTH," passed Second Reading and was referred to the Committee on Agriculture, with Representatives C. Lee and M. Lee being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 313-12) recommending that H.B. No. 2042, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2042, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 314-12) recommending that H.B. No. 2483, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 315-12) recommending that H.B. No. 2259, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2259, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 316-12) recommending that H.B. No. 2484, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2484, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, on Stand. Com. Rep. No. 316, may I have a ruling on a potential conflict? I drive an electric vehicle. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2484, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 317-12) recommending that H.B. No. 2740, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2740, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 318-12) recommending that H.B. No. 2004, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2004, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 319-12) recommending that H.B. No. 2005, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 320-12) recommending that H.B. No. 1791, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1791, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 321-12) recommending that H.B. No. 2309, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2309, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 322-12) recommending that H.B. No. 1928, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1928, entitled: "A BILL FOR AN ACT RELATING TO TESTING FOR INTOXICANTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 323-12) recommending that H.B. No. 2453, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2453, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 324-12) recommending that H.B. No. 2617, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2617, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 325-12) recommending that H.B. No. 2800, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2800, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

Representative Fontaine 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 H.B. No. 2800, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives C. Lee and M. Lee being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 326-12) recommending that H.B. No. 2153, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2153, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"With reservations. It just seems to me like it's a way to, or it feels like discrimination against poor people. This will make them take the longest route into town because they can't afford to take the direct route. Mahalo."

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

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

"In strong support, Mr. Speaker. I think that we have roads that are so congested, especially those heading to the Leeward side. And yes, someone may argue that this will impact those who can't afford the toll road. But I think when we have toll roads it would benefit everyone. Because those that can afford to pay will use it, and there will be more space for those that cannot. We have to face the fact that we will never have enough money to build another freeway. We will not have enough federal funding to build a new freeway. Toll roads are something that have been adopted by the 49 other states to solve the congestion problem.

"We cannot be locked in with just thinking that there is discrimination here. There is no discrimination Mr. Speaker, because we will all stand to benefit from it. We may not all be able to go in the fast lane, but we have to look at the bigger picture. We need more roads. That's the bottom line. So let's allow those people who need to be where they want to be in the

fastest time period, or the shortest time period, let's let them have this option. Do I need to be at the airport in five minutes? Or we'll all be stuck in bumper-to-bumper traffic for 45 minutes.

"There is a use for toll roads, and there is more than one reason we should have toll roads. So with those reasons, I would like my colleagues to consider and move this measure forward. Our population is growing, but there's no way we can stop or do anything about that. Yet our funding for more freeways or highways doesn't move along with the population growth. Thank you."

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

"Thank you, Mr. Speaker. I rise in opposition. Just very quickly, in terms of my actual reason for opposition which is the bigger picture. In the bigger picture, you know one of the number one stress people talk about is the frustration with current traffic situation. Toll roads are just going to make it worse.

"But what I'm concerned about is that we are nickel and diming our people consistently. I don't think that that makes a place attractive. Aloha spirit. Just because 49 other states do it, doesn't mean that Hawaii has to be that way because we're different. We're not like the 49 other states. So I just think that in terms of the number of reasons, we haven't yet explored more healthy alternatives, better alternatives to our traffic situation. In the big picture I think it's a bad idea. And I'd like to submit additional written comments. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 2153, which authorizes the Director of Transportation to impose toll charges on existing highways or construct new toll roads. This bill provides for an agreement with private entities to construct, operate, and maintain toll roads, as well as prohibits toll roads where there is no alternative route available for use without a toll being charged.

"This bill most likely will exacerbate our traffic situation causing congestion and frustration to our residents and will also increase the cost of living for our residents as Hawaii consumers already pay inflated prices. This bill will physically restrict those residents that are unable to afford the toll charges using the highway, a route that may be of convenience, and consequently may cause these restricted residents to detour and expend more on gas or mileage when using alternative routes.

"Our goal is to protect our residents and a toll fee will increase the cost of living and prevent our residents from having transportation choices. Thank you."

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

"Yes, Mr. Speaker. Thank you, very much. I wish to speak in favor of this measure. I believe this is not the first time this has come before this Body here. I think now more than ever we need to look at alternatives for financing our highways. It's a little early yet, but I suspect that the federal Highway Fund, when it finally gets to Hawaii will be less than what we have had in the past. And even without the Highway Fund being passed by Congress and being cut dramatically, which it will be. Because of the high cost of energy, we've been buying smaller cars and electric cars. Our fuel usage and our taxes have been diminishing. What that means is that our share from the Federal Highway Act is also going to be diminishing.

"This bill just merely gives DOT an option; an option to determine whether they can use it, or whether they can find someone to partner with, or to do it themselves. And of course we've all heard and we've all seen the recent polls where the need for rail has dropped tremendously. There could be also a change in the Administration and they could take a whole different tack. So you're going to lose, or you may lose potentially that mode of transportation. It was intended to lessen the traffic impact from the West to the East. With all of this in mind Mr. Speaker, I think we should look at this objectively as a tool we may use in the future.

"It doesn't mandate it. It's just a tool for the Department of Transportation, and the people of Hawaii. It will be many years before a toll road could go into effect. It needs to go through rules. And it needs to go through the Legislature first. So there's a lot of protection before it can go like this. But Hawaii is very dense. The highways can hardly bear it. There is a tremendous traffic problem, from the West to the East especially. So we need to be mindful of this, and I can speak further on this when we move on with this bill. Thank you, very much."

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

Representative Awana 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 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 H.B. No. 2153, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOLL ROADS," passed Second Reading and was referred to the Committee on Finance, with Representatives Ching, Takai and Thielen voting no, and with Representatives C. Lee and M. Lee being excused.

Representatives Nishimoto and Awana, for the Committee on Higher Education and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 327-12) recommending that H.B. No. 1997, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1997, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Nishimoto and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 328-12) recommending that H.B. No. 2093, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2093, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL EDUCATION," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 329-12) recommending that H.B. No. 2491, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 330-12) recommending that H.B. No. 2572, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2572, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 331-12) recommending that H.B. No. 1819, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1819, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 332-12) recommending that H.B. No. 2492, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 333-12) recommending that H.B. No. 1848, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1848, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, the other day we had a briefing by the Office of Budget and Finance, and we saw the graphs. We saw the charts. We saw where the graphs and the arrows crossed, and they said, 'Guys, if we don't do something about this we're going to have up to 48% percent of our budget just going to retirees for the EUTF.' Now, is this the way to do it? I'm not sure.

"And what I want to end with is a quote from the Attorney General's Office. He said that, 'Giving the decision-making authority over amounts of the contributions to an arbitration panel thus removing legislative oversight and involvement poses significant risks.' So Mr. Speaker, as long as we've got our eyes open and we know that when the charts go up and those lines cross, and we go bust. We have to remember we're not Greece. We're still Hawaii. You have to plan for the future. This is one we have to watch cautiously. Thank you."

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

"Mr. Speaker, in support. There has always been a kind of tension between the constitutional right to collectively bargain, and the provisions that we currently have about the EUTF contributions. There is no impasse procedure for resolving differences between the exclusive representatives and the employers. I would just submit that we don't really have anything to fear.

"The way the impasse procedures work for all the other benefits is that you have a panel of arbitrators, which essentially amounts to a panel of judges or private judges. One of them is picked by the exclusive representative, and one of them is picked by the employer. They then pick a third off of a list from the American Arbitration Association. Well the American Arbitration Association is exactly what the private sector actors use all the time to resolve disputes, and I don't think there's any question. The AAA strives to be fair and honest in their dealings, and if they weren't, no one would use them. So I think that the fears that have been raised

about the fiscal catastrophe that would happen if we used a fair arbitrator to decide these EUTF issues, are overblown."

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

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

"Thank you. I'd like to say a little bit about this, with reservations if you don't mind. It's just that when an unfunded liability becomes such a crisis situation, an emergency situation, I think it steps on management rights. At a certain point or another, management must take a leadership role, so therefore I'm voting with reservations."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, in support still. I would just point out that the retirement benefits are of course, set in statute. The only part that's bargained for is for those active employees. So for the retirement benefits, we pretty much only have ourselves to blame. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 334-12) recommending that H.B. No. 2766, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2766, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 335-12) recommending that H.B. No. 2353, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2353, entitled: "A BILL FOR AN ACT RELATING TO VETERANS CEMETERIES," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 336-12) recommending that H.B. No. 1723, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1723, be referred to the Committee on Finance, seconded by Representative Evans.

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

"On Stand. Com. No. 336-12, I just would like to disclose a potential conflict Mr. Speaker. I am a recipient of the TRICARE Program," and the Chair ruled, "no conflict."

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

"I have the same conflict," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I have the same request. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1723, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 337-12) recommending that H.B. No. 1968, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1968, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Tsuji and Souki, for the Committee on Agriculture and the Committee on Transportation presented a report (Stand. Com. Rep. No. 338-12) recommending that H.B. No. 1941, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1941, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL INSPECTION FACILITIES AND RELATED INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 339-12) recommending that H.B. No. 2244, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 340-12) recommending that H.B. No. 2432, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2432, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Coffman and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 341-12) recommending that H.B. No. 2834, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2834, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ECONOMIC DEVELOPMENT TASK FORCE," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Wooley, for the Committee on Human Services and the Committee on Culture & the Arts presented a report

(Stand. Com. Rep. No. 342-12) recommending that H.B. No. 2133, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2133, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 343-12) recommending that H.B. No. 2189, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 344-12) recommending that H.B. No. 2467, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 345-12) recommending that H.B. No. 1773, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1773, entitled: "A BILL FOR AN ACT RELATING TO ACCUSED TO TRANSPORT WITNESS OR WITNESSES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 346-12) recommending that H.B. No. 2334, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2334, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose in support of the measure, stating:

"Ho'omalu 'ōlelo. Ke kū nei au me ke kako'o loa ma keia pila."

Representative Hanohano provided the following translation:

Mr. Speaker. I rise in strong support on this bill.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE HAWAII ISLAND COMMUNITY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 347-12) recommending that H.B. No. 2516, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2516, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 348-12) recommending that H.B. No. 1966, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1966, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 349-12) recommending that H.B. No. 2555, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2555, 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 with reservations, stating:

"Mr. Speaker, I rise with strong reservations. Yes, Mr. Speaker. This is a 50% increase in a birth certificate, death certificate, etc. It seems untimely and unfair, particularly if you're Hawaiian or part Hawaiian. And you know that the Hawaiian roll is coming up and there's 120,000 Hawaiians who are going to have to buy one of these. From the \$10, it goes to \$15. Either this is something that they should be exempted from, or this is untimely or targeted them. I know in one of our hearings it was said to be that this is the new Hawaiian Poll Tax. Because in order to vote in the Hawaiian Roll, you need to show and prove that you are Hawaiian. So this looks a little fishy."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS FEES," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 350-12) recommending that H.B. No. 2567, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2567, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"In keeping with that fee increase, this is a no vote. Mr. Speaker, this is a really big increase, from \$60 to \$100 to get married. Statistically, marriage is getting less and less accomplished or done, and this fee obviously is not going to increase the incentive to get married when in effect, it goes from \$60 to \$100.

"Why has this gone up? Some of us suspect that a fee by any other name, is a tax. Are we trying to really save, Mr. Speaker? As we said, there's no tax increases in this session. There are no reasons to go in new programs. Yet we're feeing people to death as if it was a tax? Is a spade a spade? This is a little bit too high, and that's why I'm voting no."

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

"Likewise, Mr. Speaker. A no vote."

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

Representative Pine 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 H.B. No. 2567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Ching, Marumoto and Ward voting no, and with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 351-12) recommending that H.B. No. 2556, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 352-12) recommending that H.B. No. 2732, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2732, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 353-12) recommending that H.B. No. 2312, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 354-12) recommending that H.B. No. 1958, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1958, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 355-12) recommending that H.B. No. 2726, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 356-12) recommending that H.B. No. 2749, as

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

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2749, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker. In support of this measure. Thank you, Mr. Speaker. You know, so many destinations, particularly tourist destinations are much more lenient with rules regarding dogs. In fact, I remember a few of destinations, to give you one extreme perhaps, some are five-star restaurants with the white table cloths, and dogs are allowed. And they just sit right underneath the table, in France. Now that's one extreme. The other extreme is when you can't bring a dog so much on a *lanai* in Hawaii.

"To me, we have a large per capita dog ownership in Hawaii, and it's a lifestyle thing we have numerous studies all the way down. Every single study says dogs are good for you. They elongate your life. This is true. And you know, I think that it's a good thing that man's best friend be allowed on a *lanai* or something like that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2749, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWING DOGS IN RESTAURANTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 357-12) recommending that H.B. No. 2232, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2232, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 358-12) recommending that H.B. No. 2227, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2227, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

Representative Ching 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 H.B. No. 2227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Yamane and Rhoads, for the Committee on Health and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 359-12) recommending that H.B. No. 2374, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2374, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF

LANGUAGE ACCESS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 360-12) recommending that H.B. No. 2361, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEBT COLLECTION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 361-12) recommending that H.B. No. 1779, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 362-12) recommending that H.B. No. 1789, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1789, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 363-12) recommending that H.B. No. 2375, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2375, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker. I rise in support. The tragedy of people losing their homes in foreclosures has been an ongoing tragedy for so long now. For several years, and it's really been exacerbated by the criminal intent. These people come along to vulnerable people who are desperate to try to save their home. These shysters come into town and they say, 'I can help you. Give me some money up front, and I will help you modify your loan. And I will help you modify your loan; I will help you do something. Don't worry. Don't make your mortgage payments. I'll take care of it.' And when they come and yell at you and say that you have to start paying, they say, 'Don't worry. That's all part of the plan.'"

"Many people have been drawn down the line into this fraud, and by the time anything is found, these guys have gone back to the mainland or wherever they are. There are also people in this State. So it is a problem. I have spoken with the FBI about it in between the Session, and they mentioned that it is a concern. There are undergoing investigations. My only concern with this is that maybe there's not enough money, or if there's no fines collected, how DCCA will promote or advertise to let people

know about the dangers of these frauds. That would be the concern that I hope can get fixed along the way. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2375, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 364-12) recommending that H.B. No. 2250, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2250, 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 with reservations, stating:

"Mr. Speaker, with reservations and brief comments. Mr. Speaker, this is reminiscent of the Great Depression and FDR's Civilian Conservation Corps. If you remember, that's how the masses were put into work, particularly young people. And it was a good carryover, but it's a little anachronistic. Out of time, out of sync. We are the lowest or second lowest unemployment in the nation, and how this fits in, I'm not sure.

"And secondly can we afford \$2 million now when the Unemployment Fund is at 75% of benefits, and going lower. I think Mr. Speaker, the next Committee should wait until March 15 when the Council on Revenues meets, and the Council on Revenues will say on March 15, 'Hey there's black ink coming,' or 'There's red ink persisting,' before we would move together on something such as this Great Depression measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2250, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 365-12) recommending that H.B. No. 2462, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2462, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 366-12) recommending that H.B. No. 2588, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2588, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you. In strong support. Strongest support. You know, just last week we had five more vessels go up on the rocks on Maui. And while the owners were able to get four of them out, one of them is on the rocks right now. It's a commercial one, and so this bill is really needed. And of course there's still the issue of the boat that has been sitting six years on the reef, called The Dolphin, which is turning into an oblique memorial to

government efficiency in its finest. So I humbly ask the Finance Committee, please, expedite this measure to the Senate. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 367-12) recommending that H.B. No. 2822, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2822, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 368-12) recommending that H.B. No. 1986, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1986, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support. This measure is important to the host community as it shows the Legislature's support for the Hawaiian language which is one of our State's recognized languages. Testimony provided in the Education Committee hearing was quite compelling. Native Hawaiian immersion language tests are being formulated by English speaking individuals from the mainland. HB1986 would provide Hawaiian language immersion students with testing methods conducive to those of English language students.

"The Native American immersion programs on the mainland have been successful in using the Native Hawaiian immersion methodologies for their testing, yet the Department of Education has not adequately addressed the Native Hawaiian immersion language when testing Hawaii students. Why is the Native Hawaiian language template for testing successful with the Native American immersion language testing, but not the Native Hawaiian language template in Hawaii with Native Hawaiian immersion students?

"Mr. Speaker, students in the Native Hawaiian Immersion Language Programs need to be given an equal footing as English speaking programs. This measure is a step in the right direction. For these reasons, I stand in strong support. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1986, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 369-12) recommending that H.B. No. 2010, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2010, entitled: "A BILL FOR AN ACT RELATING TO CHARTER

SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 370-12) recommending that H.B. No. 2527, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 371-12) recommending that H.B. No. 2711, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2711, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Mr. Speaker, reservations on the portion of the bill that seems to relate to card check provisions."

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

"Thank you. Mr. Speaker, the same thing. I have reservations in regards to card checks."

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

"Reservations for the same reason."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2711. While I do support the intent of this measure, it appears potentially unnecessary because it duplicates already existing minimum wage and labor laws. Testimony received in the House Labor and Public Employment Committee indicated that currently, contractors awarded public contracts are already required to comply with HRS 104, Hawaii's version of the Davis Bacon Law. I fully support fair compensation standards for employees, but I fear that in lowering the threshold, the scope of projects under the jurisdiction of this bill may eventually encompass all public contracts. That would be a cumbersome burden on Hawaii's building industry at a time when these and other industries are struggling economically."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2711, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 372-12) recommending that H.B. No. 2102, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2102, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I have a potential conflict. I am a recipient of Part B reimbursements," and the Chair ruled, "no conflict."

Representative Marumoto continued to speak in support of the measure with reservations, stating:

"I'd like to speak on this bill with reservations. I think I have some institutional memory, and you can probably correct me if I'm wrong, but it seemed to me that there was some sort of trade-off when the State decided to encourage the retirees to go onto Medicare when they retired. I think the State figured they could save money this way because offering reimbursements to the retirees would be cheaper than purchasing health benefits for the employee and maybe a spouse also.

"If things have changed, I'd like to be corrected. But apparently there was testimony by the HGEA that said this bill could actually have the EUTF pay more in premiums. It appears that fewer retirees will obtain Medicare because then they have to pay the premiums. While the State may believe it is saving by declining to pay reimbursements, it is actually requiring the retirees to pay the premium, a higher premium. Because under the HMSA 90/10 PPO Plan, a higher overall premium is charged for non-Medicare retirees. We need some more education on this particular bill. Thank you."

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

"Thank you, Mr. Speaker. I rise in opposition. First I'd like to incorporate the words of the previous speaker as if they were my own. And validate what she said. Absolutely, she is correct. Years ago, we used to require our employees to pay for a portion of their medical insurance with the commitment and promise that once they retire, we would cover them 100%. Now as medical costs have increased, we cut a deal with them and said, 'You know, the federal government will pay for your medical insurance if you go into Medicare, and we will pay for that premium.' We did it, with the understanding and obligation that we would pay for that federal Medicare premium.

"Now everything's all changed, and what I don't understand is State employees and county employees are getting bit on both sides. We now require a 50-50 match while working, and then we extended out the requirement to get 100% coverage upon retirement. And now we're saying that we're going to eliminate the Part B Medicare Premium Refund to the retirees. I say we take a look at the entire process and figure out once and for all whether we're going to cover our employees, just like we mandate the private sector. In other words, maybe while working, all our medical should be free, because after we retire, we're just like the private sector. We're on our own. Or we don't cover our employees while working. We do what we do now with the commitment that after they retire, we cover them. But we can't not cover them while working, and not cover them after they retire. It's just nonsensical. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. Just a couple of points on this bill. First of all, it only applies to people who were hired after June 30, 2012. So no one who is in the system has anything taken away. And those who are hired afterwards will know that that's the deal they're looking at.

"With regard to the current system being cheaper than what it would be if we adopted this bill. Well the history of it is that we used to just supply our retirees with a healthcare plan that was our own healthcare plan. So somewhere along the line someone realized that, Medicare will provide the same thing at a lot cheaper price because it's much closer to being a single payer system. And what we do now is just provide a secondary policy to cover the gap between what Medicare covers and complete coverage.

"So yes, if what we were replacing Medicare with was our own policy, it would be more expensive. But that's not what we're suggesting. That's not what's suggested in this bill. In this bill we're just saying, if you want the secondary coverage, what is essentially a Medi-gap policy, you have to pay your own Medicare Part B premium. And it does save the State significant amounts of money. If it went into effect this year, I think the number is \$46 million. Thank you."

Representative Johanson 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 H.B. No. 2102, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Takai voting no, and with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 373-12) recommending that H.B. No. 2439, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2439, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Souki and Aquino, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 374-12) recommending that H.B. No. 2071, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2071, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 375-12) recommending that H.B. No. 1695, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1695, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 376-12) recommending that H.B. No. 2559, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 377-12) recommending that H.B. No. 2614, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2614, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 378-12) recommending that H.B. No. 2475, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 379-12) recommending that H.B. No. 1708, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1708, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 380-12) recommending that H.B. No. 2436, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives C. Lee and M. Lee being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 27 and 28) and concurrent resolution (H.C.R. No. 48) were referred to Printing and further action was deferred:

H.R. No. 27, entitled: "HOUSE RESOLUTION DECLARING SUNDAYS TO BE "EAT LOCAL, BUY LOCAL" DAY IN HAWAII AND ENCOURAGING FAMILIES, RESTAURANTS, AND GROCERS TO BUY HAWAII-GROWN FOODS, FLOWERS, AND PRODUCE," was jointly offered by Representatives Awana, Brower, Choy, Evans, Marumoto, McKelvey, Mizuno, Nishimoto, Oshiro, Rhoads, Riviere, Souki and Tsuji.

H.R. No. 28, entitled: "HOUSE RESOLUTION RECOGNIZING WHITNEY HOUSTON AS ONE OF THE GREATEST RECORDING ARTISTS EVER AND CELEBRATING HER LIFE AS A HUMANITARIAN," was jointly offered by Representatives Mizuno, Brower and Hanohano.

H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING SUNDAYS TO BE "EAT LOCAL, BUY LOCAL" DAY IN HAWAII AND ENCOURAGING FAMILIES, RESTAURANTS, AND GROCERS TO BUY HAWAII-GROWN FOODS, FLOWERS, AND PRODUCE," was jointly offered by Representatives Awana, Brower, Choy, Evans, Hashem, Marumoto, McKelvey, Mizuno, Nishimoto, Oshiro, Rhoads, Riviere, Souki and Tsuji.

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. Well you know, it's Happy Valentine's Day to everyone in the Chamber. It is the day that the unique product from Hawaii is going to be consumed. So as we do realize that actually we will consume in this nation alone, on this month, on this day, \$345 million in sales, are now going on. Around the world, it's a \$75 billion industry. In Japan, maybe we should do this in Hawaii, you give

chocolate to every man in your life. Women you give it to every man in their life. You don't just give it to your husband, uncle, father, that's true. And then there's another holiday later in the year for men to give to women.

"But I'm just listing, MSN today, sent 10 reasons to eat your dark chocolate: No. 1, you live longer. Harvard studies say we'll live longer, it lowers blood pressure, it improves vision, it raises good cholesterol, it decreases stroke risk, it prevents heart disease, it fights free radicals, it prevents cancer, and I think I mentioned, it's a mood booster. So go buy it, but if you do, buy Hawaiian."

Representative Ward: "Mr. Speaker, this is also a day of not only affection, but also goodwill. And on behalf of the Minority, I want to wish the Majority, Mr. Speaker, and all of you for a good Session between now and May. And may it be a sweet one. Thank you."

ADJOURNMENT

At 1:16 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 15, 2012. (Representatives C. Lee and M. Lee were excused.)

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. No.

Referred to:

26 Committee on Judiciary, then to the Committee on Finance

H.C.R. No.

Referred to:

47 Committee on Judiciary, then to the Committee on Finance

S.B. Nos.

Referred to:

2058,
SD1 Committee on Judiciary

2062,
SD1 Committee on Judiciary

2218,
SD1 Committee on Legislative Management, then to the
Committee on Judiciary, then to the Committee on Finance

2712 Jointly to the Committee on Human Services and the
Committee on Health, then to the Committee on Judiciary,
then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.

Re-referred to:

1973,
HD1 Committee on Hawaiian Affairs, then to the Committee on
Finance

2407,
HD1 Committee on Culture & the Arts, then to the Committee on
Finance

2529 Committee on Hawaiian Affairs, then to the Committee on
Finance

2650,
HD1 Committee on Culture & the Arts, then to the Committee on
Finance

NINETEENTH DAY

Wednesday, February 15, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:08 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all Members present with the exception of Representatives C. Lee, M. Lee, Luke and Say, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 216 and 217) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 216, dated January 27, 2012, transmitting the Temporary Assistance for Needy Families (TANF) Report, prepared by the Department of Human Services pursuant to Section 346-51.5, HRS, and Act 164, Part VII, Section 127, SLH 2011.

Gov. Msg. No. 217, dated January 27, 2012, transmitting the Temporary Assistance for Needy Families (TANF) Financial Plan Report, prepared by the Department of Human Services pursuant to Act 164, Part VII, Sections 126 and 128, SLH 2011.

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 70) was received by the Clerk and was placed on file:

Dept. Com. No. 70, dated February 10, 2011 [sic], from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Quarterly Report on Expenditure of Funds from the Tobacco Settlement Agreement for University Revenue Undertakings FY2012, as required by Act 164, Section 23, SLH 2011.

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Cullen introduced family and friends of today's honoree, Army Specialist Edward Barut:

Ms. Filomena Buncayao, mother;
Mr. Edwin Barut, father;
Ms. Michelle Cacho, sister;
Ms. Ana Calvillo, fiancé;
Mr. Ben and Mrs. Tina Marquez, uncle and aunt;
Mr. Jarett Marquez, cousin; and
Mr. Alex and Mrs. Inga Mogote, uncle and aunt.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 29) was announced by the Clerk and the following action taken:

H.R. No. 29, entitled: "HOUSE RESOLUTION HONORING ARMY PRIVATE FIRST CLASS EDWARD BARUT, RECIPIENT OF THE PURPLE HEART MEDAL AND COMBAT ACTION BADGE, FOR HIS ULTIMATE ACT OF SERVICE AND VALOR IN SERVING OUR NATION," was offered by Representative Aquino.

Representative Aquino moved that H.R. No. 29, be adopted, seconded by Representative Cullen.

Representative Aquino, on behalf of the people of Hawaii, expressed great gratitude to Army Specialist Edward Barut for serving our country, and honored him for receiving the Purple Heart Medal and Combat Action Badge in recognition of his bravery, acts of sacrifice and highest distinction of service while on a NATO Training Mission in Afghanistan.

Representative Cullen also honored SPC Barut, and recognized and thanked members of his family.

Representative Cabanilla, on behalf of the Filipino Caucus, thanked SPC Barut for making the Filipino and Waipahu communities proud.

Representative Takai also congratulated SPC Barut on his recent promotion to Army Specialist.

Representative Pine, on behalf of the Minority Caucus, expressed her appreciation to SPC Barut for his service.

Representative Ward, on behalf of the Veterans Caucus, thanked the members of the Armed Forces for protecting our sea lanes, our skies, and our freedoms.

At this time, Representative Aquino presented to the Body, Specialist Edward Barut.

The motion was put to vote by the Chair and carried, and H.R. No. 29, was adopted, with Representatives C. Lee, M. Lee and Luke being excused.

At 12:23 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Ito, C. Lee and M. Lee were excused.)

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 296-12) recommending that H.B. No. 2438, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2438, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just a request to be excused from this vote as previously granted."

The Chair responded, stating:

"So ordered. You will be excused from this vote."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Same request."

The Chair responded, stating:

"So ordered. You will be excused from this vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2438, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Third Reading by a vote of 46 ayes, with Representatives Belatti, Keith-Agaran, C. Lee and M. Lee being excused.

At 12:34 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2438, HD 2

REPORTS OF STANDING COMMITTEES

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 381-12) recommending that H.B. No. 2478, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2478, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 382-12) recommending that H.B. No. 2736, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2736, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 383-12) recommending that H.B. No. 1398, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1398, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 384-12) recommending that H.B. No. 1883, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1883, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker. I'm standing with reservations on Stand. Com. Rep. No. 384-12, relating to House Bill No. 1883. Mr. Speaker, just a real brief comment. I understand the intent of trying to make sure that people don't get charged increased fees, however the fees are spread out through all the association for every homeowner. Sometimes if some individuals don't pay and the rest of the people pay for those charges and fees, they get spread out and it'll actually require others to pay more. Thank you."

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

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict? At my law firm I represent planned community associations although I do not have any active cases right now. Thank you," and the Chair ruled, "no conflict."

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

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

"Ho'omalu 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"Thank you, Mr. Speaker. In support. I would like to explain the intent of this measure. It's just to make sure that the late fees for any arrears in association fees to be not more than 10%, if the arrear is less than 30 days.

"The average association fees for the State of Hawaii are from \$500 to \$700. There are some associations that charge up to 40% in late fees after the 10th of the month. So this prohibition of not more than 10% applies if you didn't pay your fees anywhere from the 11th day to the 30th day.

"So after the 31st day, if you didn't pay your association fees, those associations still have the leverage to charge whatever the percentile they might want. But it's just for late fees anywhere from the 11th until the 30th day. And asking the association to not extend it more than 10%, I think is reasonable, Mr. Speaker. Thank you."

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

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

Representative Takai 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 H.B. No. 1883, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 385-12) recommending that H.B. No. 2143, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2143, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 386-12) recommending that H.B. No. 1794, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1794, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 387-12) recommending that H.B. No. 1971, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1971, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"I just want to note my reservations. I think this is a well-intended bill and I certainly want to support the goal to provide more affordable housing. However, I think that the way that this bill does it could possibly prevent us from building more affordable housing because we won't have the higher income people to supplement the building of it. I just want to monitor this as it goes through the Legislature."

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

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

Representative Marumoto 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 H.B. No. 1971, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 388-12) recommending that H.B. No. 1950, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1950, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Ho'omalū 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"Thank you, Mr. Speaker. I'd like to register a no vote and make a few brief remarks. Thank you, Mr. Speaker. My opposition to this measure is based upon the testimony of the Department of Land and Natural

Resources and the Office of Hawaiian Affairs, and I would like to point out to you, as well as to the rest of this Body, their testimony which in particular identifies this legislation as unnecessary. The Department of Land and Natural Resources is opposed to this bill because statute and administrative rules already exist to prohibit hunting on private lands without the permission of the land owner and because the measure would prohibit the legitimate use of firearms for natural resource protection and public safety.

"Also I would like to point out that in the Office of Hawaiian Affairs testimony that this measure is particularly anti-Hawaiian and anti-cultural practitioners where it says that although the Constitution broadly protects these activities, cultural subsistence hunting for example, practitioners in the field could still experience a chilling effect by this measure. For those reasons Mr. Speaker, I'm in opposition to this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1950, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 389-12) recommending that H.B. No. 2420, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2420, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support. Just some real brief comments. I would first like to thank the Chair of Water, Land and the Vice-Chair for their work on this measure. I believe this is one of those 'enigma key' bills that you'll be seeing which we can do economic stimulation and revitalization through incentives that are fiscally responsible and prudent.

"So again, I'm very happy with the work they've done to make this a fiscally responsible measure, but at the same time it will have benefits not only protecting our historical structures, but also stimulating the construction and remodeling industry as well. Thank you, again."

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

"Thank you. Just in support. I echo the words of Representative of Maui and ask that they be entered as my own. And I ask for additional written comments."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this bill. This bill is in line with tax credits offered by other States that showcase their history, such as Savannah, Georgia, Historic Charleston, South Carolina and the Gas Light District of San Diego, California - these communities recognize the need to support the mission of the National Trust for Historic Preservation, and they see their efforts translated to tourism dollars.

"1) Historic homes contribute to unique since of place that Hawaii offers visitors from the mainland United States and around the world. These homeowners have maintained their homes with pride. Grass roots efforts like Manoa o Malama have provided models for other grass roots organizations to be formed that are authentic to Hawaii and our heritage. Our Heritage includes monarchy that traveled to Europe to provide the finest examples of building techniques to the people of Hawaii.

"2) Missionaries who shipped homes from the East Coast of the mainland United States when the United States was still struggling for its own identity and Hawaii was serving the Pacific as a center for education of future political leaders who went on to change the world.

"3) Our Heritage reflects self studies of architecture in Europe by David Kalakaua that are reflected in the architecture of the Historic Post Office Downtown and the Judiciary Building across the street.

"4) Beautiful Japanese Temples, such as the Liliha Shingon and Sanju Pagoda reflect the multicultural heritage of the islands.

"5) Homes in the Historic Nuʻuanu Valley have been preserved by family members and passed down by generations. These homes are in danger of being lost forever if the descendants of the original families do not have some incentive for keeping the homes in pristine condition. The Philippine Consulate is a perfect example of homes that once stood in areas of the islands that are gone however and can never be replaced. Other grand homes are now symbols of Hawaii's ability to host other nations and the people who represent them as well as serve as presidents for universities. If smaller home are allowed to be torn down and replaced with less historic structures the overall beauty of the neighborhood is gone and the values of all the homes will be lost.

"6) Historic Hawaii Foundation offers support and guidance for these home owners and have done so with the help of volunteers and dedicated board members who continue to support the quality of life of our friends on the Neighbor Islands who may not have the means to maintain a home that was owned by their plantation working grandparents, but remain in the homes. Offering them incentives for maintaining Hawaii's unique history of immigration will help the world understand the success and failures of a Hawaii that helped to provide better lives for immigrants seeking a better life.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2420, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC STRUCTURES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 390-12) recommending that H.B. No. 2819, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2819, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 391-12) recommending that H.B. No. 2881, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2881, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENWAYS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 392-12) recommending that H.B. No. 2883, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2883, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 393-12) recommending that H.B. No. 1688, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1688, HD 1, 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. I'm rising to cast a no vote on this. Thank you. Mr. Speaker, what this is going to do is to mandatorily increase the minimum insurance required for motorists. I think we have one of the highest percentages of uninsured drivers on the road. I don't think this is going to help that situation. More people will just not be able to afford that increased premium and so they'll drive uninsured. Thank you."

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

"Mr. Speaker, I rise with reservations. How can a gecko and somebody named Flo offer 40% discounts when in effect, it's the same. We've got to increase your insurance when they're giving all these discounted rates. It just doesn't make sense. The people of Hawaii hear what's going on and then they see this bill. It's not going to mesh with the cost of living that's rising in all sections of the community. Thank you."

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

"Mr. Speaker, in support. I would just point out that the minimum amount of insurance that is required to drive a vehicle hasn't been raised in a very long time. I don't know how long, but if you are hit by somebody else and it's their fault, and you end up in the hospital, even if they are covered with the minimum amount, \$20,000 dollars, I think is the minimum right now, which gets you through a day and a half in the hospital. So, it's always prudent to have plenty of underinsured and uninsured coverage on your own policy.

"But when the limits are so low, that even if it's shown to be the other person's fault they can only cover damage for a few hours or a day or two, at some point you have to accept the fact that there's inflation and that you have to raise the minimums every once in a while. Thank you."

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

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

"I will vote with reservations. I just would like to point out that if you wish to purchase more insurance and have more coverage, you're always able to do so. Thank you."

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

"Ho'omalu 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 394-12)

recommending that H.B. No. 1945, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1945, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 395-12) recommending that H.B. No. 2490, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2490, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 396-12) recommending that H.B. No. 2499, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2499, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

"Mr. Speaker, with reservations and just a foot note. That this bill actually has 39 fee increases for bankers. Again for the cost of living, this is another blow, and the bankers are going to pass it on to the customers or consumers, our constituents."

Representative Riviere 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 H.B. No. 2499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 397-12) recommending that H.B. No. 2500, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 398-12) recommending that H.B. No. 2525, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2525, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 399-12) recommending that H.B. No. 2526, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2526, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

"In support, Mr. Speaker. Mr. Speaker, this measure is an Administration bill that is supposed to do mapping for the broadband initiative. The purpose of this is to get the best information so that we can compete for competitive federal grants. Currently, the way it's drafted is by tax map key and I think that's where the providers have problems. It is the goal, I think, of this Body to provide a competitive edge so that the State can acquire this type of federal grant. We are willing to, and we are going to be working with the providers going forward. We're going to work on compromises that are workable for them, so I urge my colleagues to support this measure going forward. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 400-12) recommending that H.B. No. 2613, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2613, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"E kala mai. Kako'o me ke kanalua no ka mea 'o kēia pila 'a'ohe ka lohe ana i loko o ke komike e pili Hawai'i. Mahalo."

Representative Hanohano provided the following translation:

Excuse me. With reservations because this bill had not been heard by the Committee of Hawaiian Affairs. Thank you.

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

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

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

Representative Marumoto 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 H.B. No. 2613, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 401-12) recommending that H.B. No. 2609, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 402-12) recommending that H.B. No. 2730, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 403-12) recommending that H.B. No. 2684, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 404-12) recommending that H.B. No. 1813, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1813, 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. I'm rising to vote no on this measure, and I'd like to explain why. Mr. Speaker, something is going on here which is not quite out in the open. But it seems as if the purpose is to fast-track any county or State project and avoid the environmental laws that have protected our resources for so many years. This bill, No. 1813, will say that any capital improvement project within a special management area,

that's your shoreline basically, that's funded even partially by State or county funds and located on the State or county lands is exempt from getting a special management area, either minor permit or a major permit.

"So it gets fast-tracked, and tying along with it also is House Bill 1893, which was re-referred just to Finance, avoiding the environmental Committee and the Water Land Committee. That one exempts these same projects from Chapter 343, the Environmental Impact Statement chapter. So Mr. Speaker, we have the environmental protections totally scrapped away, removed, for any State or county project.

"I don't understand how this is protecting our natural resources for today or for future generations, because under these two measures, they just get a fast-track approval and make them go ahead. So I am resoundingly 'no' on House Bill 1813, and I'm equally opposed to just the single Committee Referral to Finance for House Bill 1893 which is the companion bill, and that bill should have gone to Energy and Environmental Protection, and Water Land, but did not. Thank you."

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

"In opposition. There is something going on this year that is very alarming. I share the same concerns with the Representative from Kailua. The environmental laws have long been important to the State of Hawaii. It's an important part of our Constitution. And to exempt government while requiring it for everyone else on its face is questionable. Because if there is a potential for an environmental impact, then it should be reviewed. If these laws are inconvenient and are getting in the way of people making money, then maybe the laws themselves should be repealed entirely. Exempting the State because, for some reason, we believe the State's going to be good on environmental matters, no matter what, I don't quite have that much trust in our State. So please note my opposition to this and the bills previously noted. Thank you."

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

"Mr. Speaker, I also rise in opposition, and if I could make a few remarks. In addition to the concerns about the environment and the fast-tracking of these types of measures, I would also point to the testimony of the Office of Planning, which identifies that the SMAs are counties issues. Also in the Office of Planning's testimony that this bill could potentially jeopardize federal support of the Hawaii Coastal Zone Management Program, and in turn that the State may lose approximately \$2 million of federal funds annually. What this translates to according to the Office of Planning, is the loss of federal funding for nine positions at the Office of Planning, six positions at the Planning Department for Hawaii County, four positions at the Planning Department of Kauai County, and four positions at the Planning Department of Maui County. It seems to me that we would be gutting the very agencies that are there to protect and preserve our resources. Thank you, Mr. Speaker."

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

"Ho'omalu 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

Representative Ching rose in opposition to 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 Pine 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 an aye vote with reservations for him, and the Chair "so ordered."

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

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

"Thank you, Mr. Speaker. I rise in support with brief comments. Thank you. What's interesting is that the Office of Planning is really working on procedures to basically ensure that State and counties don't have to go through the Shoreline Management, SMA process, which is really duplicative of the EA and EIS process. So in many ways this bill is addressing this duplication and the Office of Planning is right now working to ensure the coastal management process will continue without any problems. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Mr. Speaker, may I please just respond to that. I would just like to note that Life of the Land, which is one of our environmental watchdogs, they're talking about this measure. They're saying that, 'House Bill 1813 is yet another attempt to carve away at protections in order to ram through projects that have Administrative support.'

'Life of the Land continues, 'Sensitive coastal areas deserve the extra layer of protection as codified in the Special Management Area review process and the Coastal Zone Management Program. It is irresponsible to look at economic issues without looking simultaneously at environmental issues.' And they conclude, 'We should be looking for win-win scenarios.' Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Second Reading and was referred to the Committee on Finance, with Representatives Ching, Riviere, Thielen and Wooley voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 405-12) recommending that H.B. No. 2154, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2154, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

"Ho'omalu 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

Representative Pine 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 H.B. No. 2154, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE

PERMITS," was referred to the Committee on Finance, with Representatives Ching, Riviere and Thielen voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 406-12) recommending that H.B. No. 2523, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2523, 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. This is the cable bill, the interisland cable bill, and I'm rising to speak against it, Mr. Speaker. Thank you. The bill is supposedly just putting together a regulatory framework for an interisland cable. It's saying, 'Trust us. All we're doing is the regulatory framework. It has nothing to do with the Island of Lanai and the wind farm. It has nothing to do with Molokai and the wind farm. This is just a regulatory system.'

"Mr. Speaker, the ratepayers, all of us here in this room, in this State, are going to bear the cost of this costly project. The money will be recovered by the cable company. Any other cost will be recovered by Hawaiian Electric. I wanted to just note that instead of going ahead with this extremely costly project, we could look in our own backyard. We could look at the wave energy resources that are available, that are out there right now as we're standing in this building that could provide the power that we need on each island, without going through a costly cable system.

"I'd like to have permission to put in a brief summary of the different projects that are available and to put that into the Journal, Mr. Speaker. Thank you.

"And then I would like to just note that for Oahu, we have according to the US Department of Energy's recent report, Oahu has 22 terawatts per year, and it only takes 7.7 terawatts per year to power Oahu. So instead of setting up a regulatory system for an interisland cable, I question why the Administration and this is an Admin bill, why the Administration isn't looking in our own backyard, and saying that we have the resources that we need for each island. We have the companies, some of whom are home-based right on Oahu, that can tap into that energy. And why isn't the Administration, and this Body moving ahead to develop those resources instead of setting a framework for an intensely expensive interisland cable on top of the intensely expensive fixed-rail system. I mean how much can our residents pay? Thank you."

Representative Thielen submitted the following:

"OCEANLINX"

- Oceanlinx's core patented technology is an Oscillating Water Column (OWC) device, based on the established science of wave energy
- **Turbine Technology:** airwave turbine developed by Oceanlinx; Turbine significantly more efficient at converting the energy in the OWC airflow into electricity
- AirWAVE turbine, which is located above water improving reliability and providing easy access for maintenance and repair
- The technology has been successfully constructed and tested since 2005, with the first Oceanlinx wave plant installed at Port Kembla in NSW, Australia.
- An individual production-sized plate is designed to produce a nominal capacity of up to 600-800 kW of electrical power depending on the site
- WaveRoller has the ability to generate energy on a wider spectrum of wave conditions compared to existing wave energy solutions; WaveRoller is well suited for locations where wave periods are long and the swell is strong

WAVE ROLLER

- A WaveRoller device is a plate anchored on the sea bottom at its base; back and forth movement of the tidal surge moves the plate, transferring the kinetic energy created to a piston pump
- AW-Energy has developed and patented the WaveRoller technology

LIMPET

- Limpet is a shoreline energy converter sited on the island of Islay, off Scotland's west coast
- Current Limpet device (Limpet 500) was installed in 2000 and produces power for the national grid
- Limpet uses the principle of an oscillating water column
- Limpet is a shoreline unit and ideally placed to generate electricity in areas exposed to strong wave energy

AQUAMARINE POWER

Aquamarine Power has engineered its Oyster technology to use the world's wave energy resource. Our research and development team are continually working to refine the design of Oyster.

- Aquamarine Power's Oyster wave power technology captures energy in nearshore waves and converts it into clean sustainable electricity.
- Oyster is a wave-powered pump which pushes high pressure water to drive an onshore hydro-electric turbine
- Oyster wave power device is a buoyant, hinged flap which is attached to the seabed at depths of between 10 and 15 metres, around half a kilometer from the shore.
- Oyster's hinged flap, which is almost entirely underwater, pitches backwards and forwards in near shore waves. The movement of flap drives two hydraulic pistons which push high pressure water onshore via a subsea pipeline to drive a conventional hydroelectric turbine
- In the future, subsea pipelines will connect multiple Oyster wave energy devices to a single onshore plant. Ultimately Oyster will be installed in wave farms of several hundred connected devices generating hundreds of megawatts of electricity
- Aquamarine Power has conducted over five years of rigorous testing of the Oyster concept at 25th and 40th scale in the wave tank at Queen's University, Belfast; In 2009, Aquamarine Power commenced sea trials of its first full-scale Oyster prototype (Oyster 1) and demonstrated its feasibility by delivering over 6,000 operating hours.
- Aquamarine Power has now commenced its second Oyster wave power project which will consist of three Oyster wave energy devices installed at sea in a configuration known as an array.
- Aquamarine Power will install its next-generation Oyster 800 wave energy device at Billa Croo in Orkney (Scotland, UK) this summer and plan to install two further Oyster devices in the same location in 2012 and 2013.

WAVE HUB**Description:**

- Wave Hub consists of an electrical hub on the seabed 16 kilometres off the coast of Cornwall, South West England to which wave energy devices can be connected.
- Wave Hub is a 12-tonne hub is linked to the UK's grid network via a 25km, 1300 tonne subsea cable operating at 11kV.
- The project holds a 25-year lease for eight square kilometers of sea. Wave Hub has the necessary consents and permits for up to 20MW of wave energy generation and offers a clearly defined and fully monitored site for marine energy production.
- Four separate berths are available to lease, each with a capacity of 4-5MW.
- Wave Hub can be upgraded for up to 50MW of generating capacity in the future when suitable components for operating the cable at 33kV have been developed.
- Wave Hub is completed by the Peninsula Research Institute for Marine Renewable Energy.
- Wave Hub has been funded by the South West Regional Development Agency (RDA), the European Regional Development

Fund Convergence Programme for Cornwall and the Isles of Scilly and the UK government.

Location: South West England

Commercial Stage of Technology:

- Wave Hub is involved with an offshore marine energy project in Cornwall, which allows developers to test new wave energy technology.
- The energy project has been taken on by the UK's Government and demonstrates the government's commitment to making wave energy a vital part of UK's green energy sources.
- The Department of Business Innovation and Skills (BIS) has taken over ownership of the Wave Hub from the RDA on January 1, 2012.
- The BIS has set up a stand-alone operating company called Wave Hub Limited, which will be based in Hayle, Cornwall. This arrangement will allow the project to build on the operational plans already put in place by the RDA.

OCEAN ENERGY

- OE Buoy has been deployed in Atlantic waves and has demonstrated the ability to generate power and survive the rigors of the ocean
- The OE Buoy has been designed around the oscillating water column principle.
- To ensure survivability the platform has only a single moving part.
- OceanEnergy's OE Buoy is a wave power generation platform which is designed for survivability
- The result of 7 years of research and development is that the OE Buoy has only a single moving part and has just completed over 2 years of rigorous testing in Atlantic waves
- Storms in Atlantic waves have confirmed the survivability of the OE Buoy as a power generation platform in the most extreme conditions

WAVEGEN**Breakwater Development**

- Wavegen has developed small power takeoff modules for incorporating into breakwaters, coastal defenses, land reclamation schemes and harbor walls
- The 18.5kW power modules consist of a Wells turbine, valve and noise attenuator.
- Complete modules weigh less than a tone so installation or removal is easily achievable using a small mobile crane
- Modules are very simple and rugged: the blades are fixed onto the rotor, have no pitching mechanism, no gearbox and have no contact with seawater
- Wavgen is currently in discussion with a number of European port authorities interested in installing this technology

OCEANIT**Oceanit working on a Kinetic Ocean Current Energy Generator:**

- Oceanit is currently looking at capturing the kinetic energy swirling around the ocean.
- System converts kinetic energy from ocean currents (wave-induced) motion using a specially designed underwater array of rotors
- System allows for energy generation in a variety of coastal environments—to power remote villages, moored/drifted buoys, hydrophones, remote sensors, etc.
- 1 kW can be produced by two 20ft x 5ft diameter rotors
- Not suitable for extreme wave action
- Oceanit is looking for funding to scale up the system and want to talk to end customers before moving to a commercialization phase

Department of Energy (DOE) Report

The U.S. Department of Energy's newly released "Mapping and Assessment of the United States Ocean Wave Energy Resource" shows Hawaii's wave energy was significantly underestimated. The updated assessment shows Hawaii's wave energy resource is 130TWh/yr according to DOE. The following is a breakdown of Hawaii's wave energy resource potential regarding the major Hawaiian Islands:

1. Kauai 21 TWh per year
2. Oahu 22 TWh per year
3. Molokai 22 TWh per year
4. Maui 16 TWh per year
5. Hawaii 35 TWh per year

The DOE's report demonstrates Hawaii's wave energy is a viable resource that can supply a significant amount of renewable energy on each island. Hawaii's wave energy could be a positive investment that could move Hawaii's energy supply away from petroleum, create new jobs, and decrease our State's greenhouse gas emissions."

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

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

"Yes Mr. Speaker, and Members. I speak very strongly in favor of this measure. First of all I want to thank the Chairmen of Energy, and of Water Land, for passing this very important measure. Providing a regulatory system is the first step in connecting the whole State together in a transmission system, not only for now, but for the future. For the future when we can look at geothermal from the Big Island which can be transported right across the State. We can look at areas where it's quite desolate like on Lanai, where we can have wind farms, and could transport their energy to Oahu. You won't have to build additional generation and power plants. All of this can be a plus. And this is the first step.

"We have no idea what the cost is going to be, and there will be costs as it goes along. But this cost is going to be shared by many parties besides the consumer. And we can look at this as, if it is on Lanai, the people of Lanai will benefit by having their rates lowered to the same rates as Oahu. That will be a tremendous benefit for the people of Lanai who now have the highest rates in the nation. So again, I thank the Chairmen and I hope the Chair of Finance and the Members will see fit in passing this measure through. It's a very important measure. Thank you, very much."

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

"Mr. Speaker, with reservations. The learned gentleman from Maui speaks the truth. The measure is needed, but the mechanics, I feel, are really suspect, Mr. Speaker. On page 15 for example, line 5 and 6 says an electrical utility company shall be entitled to recover through an automatic rate adjustment clause, its revenue requirements. That sounds like the fuel surcharge, which is now bigger than the cost of generating electricity.

"This sounds a little bit like the cost of electricity is going to be totally uncontrollable, and I would suggest, Mr. Speaker, because there's an actual technician that's coming on to the Public Utilities Commission, a guy who's actually worked in one, he knows the mechanics, because everything that Hawaiian Electric says, we don't have anyone competent to say that, that's not the case.

"So I think where we're at now is a little bit faster than we should be, but what otherwise is a huge project. This is equivalent to a train from here to Kapolei. It's got to be thoroughly vetted, thoroughly understood and fully transparent. But I just know from that one sentence, that scares the daylight out of me. Thank you."

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

"Thank you, Mr. Speaker. I also will be voting with reservations, and just would like to point out that my understanding is that the ratepayers of Oahu will be underwriting the total cost of this capital project, not the ratepayers on the Island of Lanai nor Molokai. It would be solely Oahu. Thank you."

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

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

"In opposition. I have several concerns on this, one of which is that I'm not aware that any island is producing so much electricity that they have enough to export. The call that this bill is necessary now, I would argue, is completely incorrect. It's too early. We don't have the generation to bring. There are certain islands that are just mortified at the possibility of being turned in to wind farms so that people on other islands can open their electric garage doors. I would suggest if this bill does proceed and make it out the other end, that maybe it exclude the smallest islands which do not have much need for demand.

"The purpose for an interisland smart grid would be to stabilize the power, and to provide continuous power back and forth both ways. The way that Oahu is such a huge consumer of power, I don't see how it could be perceived as working both ways providing backup power in both directions.

"And lastly I would say that this has the potential to be a very expensive boondoggle and I would wonder if today were we posed with the question, shall this Body allow a general excise tax increase for a rail system? I wonder how that vote would go today. So I ask that you keep that in mind now. What we do now may set in force some very expensive futures. Thank you."

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

"Ho'omalu 'ōleo. Ke kū nei au me ke kako'o 'ole. Aia i hea nā leo no na po'e? He pila hewa kēia. 'O ka mana'o i loko 'o kēia pila e ho'okae ka 'āina, ke kai, nā mea kanu like 'ole a me nā mea like 'ole. 'Ā'ohe pono kēia mana'o. 'O kēia pila e kokua na po'e anunu a me ka hui 'ai kala. 'O kēia pila a'ohe kokua nā po'e 'ai pohaku, nā kupana 'o ka 'āina. E ho'omana'o kākou ka Mo'i Lili'uokalani a me ka himeni Kaulana Na Pua. 'O kēia lina "ua lawa mākou i ka pohaku." Nā ka pomaika'i a me ka maluhia kā kākou. Mahalo pumehana."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise in opposition. Where are the people voices? This is a wrongful bill. The concept of this bill desecrates the land, the sea, the plants and everything on earth. This is not the right concept. This bill helps the greedy money society. It doesn't help the sustainable everyday people, the real people. We must remember Queen Lili'uokalani's story – *Kaulana Nā pua*, Famous are the generations to come. The line in the song, "We are satisfied in being sustainable in the caring loving relationship of our lands." Blessings and peace to all of us. Warmest aloha.

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

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

"Mr. Speaker, I rise with reservations. Thank you.

"The Representative from Puna, Pahoa, Hawaiian Acres and Kalapana spoke in strong opposition. She stated, "Where are the voices of the people? This is a wrongful bill. The concept of the bill desecrates the land, the sea, the plants and everything on earth. This is not the right concept. The bill helps the greedy money society. It doesn't help the sustainable everyday people, the real people. We must remember Queen Lili'uokalani's song, *Kau Hana Nā Pua*, Famous are the Generation to Come. The line in the song, "We are satisfied in being sustainable in the caring loving relationship of our lands."

"The Chair of Hawaiian Affairs concluded by saying, "Blessing and peace to all of us. Warmest aloha."

"And in closing Mr. Speaker, the Representative from Waikiki would thank you for this Session's seating arrangement. He sees and feels it will be a long Session."

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

Representative Wooley 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 H.B. No. 2523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, Riviere and Thielen voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 407-12) recommending that H.B. No. 2656, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Coffman and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 408-12) recommending that H.B. No. 2262, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 409-12) recommending that H.B. No. 1983, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 410-12) recommending that H.B. No. 2357, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2357, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in opposition to this measure. Thank you. And just briefly, I've always voted against this. When we created a Works of Art Special Fund, well when we the Legislature created this, it was 40 years ago, and in fact some of the notable people that worked on this include Pundy Yokouchi from Maui. I remember talking to Pundy and he kind of explained to me why we did it and how important it was. In fact we still are the first jurisdiction in the entire nation to do this.

"I don't like pitting performing arts with visual arts as this bill proposes, and I do know that the Chair of Culture and Arts is struggling right now to find other additional revenues to help the performing arts, but I do believe that this is not the way to go. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. In support, and I just want to make clear that there's nothing in this bill that mandates any change. But one of the challenges for the Foundation on Culture and the Arts is that there are so many amazing performers and performer educators, and they never have the ability to connect with those types of art forms, particularly for our host culture. This bill simply gives them the flexibility to fund those types of art, in addition to our acquisitions or things we can hang up on the wall.

"This law when first passed was certainly something that many other states were envious of. But at this point we're pretty far behind the times when it comes to supporting funds for performing arts. Thank you."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Takai be entered into the Journal as her 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 Committee was adopted and H.B. No. 2357, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 411-12) recommending that H.B. No. 2130, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 412-12) recommending that H.B. No. 1886, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1886, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 413-12) recommending that H.B. No. 2286, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 414-12) recommending that H.B. No. 2843, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 415-12) recommending that H.B. No. 1901, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 416-12) recommending that H.B. No. 2441, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 417-12) recommending that H.B. No. 2537, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2537, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 418-12) recommending that H.B. No. 2540, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 419-12) recommending that H.B. No. 2541, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 420-12) recommending that H.B. No. 2546, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2546, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Hanohano and Yamane, for the Committee on Hawaiian Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 421-12) recommending that H.B. No. 1745, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 422-12) recommending that H.B. No. 1964, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 423-12) recommending that H.B. No. 1787, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1787, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 424-12) recommending that H.B. No. 609, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 609, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of H.B. 609 - Relating to Health, which provides authorization to assimilate Hawaii Medical Center-East into the Hawaii Health Systems Corporation via appropriated funds.

"We need to strongly support various options for ensuring Hawaii Medical Center-East continues to serve the community. The important idea is to keep this facility in service. We have a large senior population, and it would be a tremendous benefit to have them near their families while in care. As stated in testimony provided by Hawaii Health Systems Corporation, "...18.7% of Hawaii's population is ages 60 or older, and [that], by 2030, 27.4% of the total population is expected to be 60 years or older." This forecast strongly suggests the support needed for our community.

"When our community lost Hawaii Medical Center-East, we lost a piece of history. Let us work toward strengthening our community and write a new history of action by passing HB609. We can address the shortage of long-term care beds, and a formal affiliation with Hawaii Medical Center

under Hawaii Health Systems Corporation's governance could be the first step. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 425-12) recommending that H.B. No. 1801, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1801, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, Mr. Speaker and Members. I wish to speak against this measure. I'm certainly not speaking against the maker of this bill who I believe had very good intentions, that we should put some money aside for this liability. The problem I have with this measure is that for one thing, it's \$500 million. I believe that the maker of this bill was merely trying to make a point. He knows that we can't afford to put \$500 million there. And I also wish to make a point, that we cannot go overboard on this here.

"I know the Governor's looking for some dollars to put into the special emergency fund, and the Hurricane Fund, and yes we may need to put money in there. But right now the majority of our agencies are running at about 45%, and we continue to not look at that area. When you have a State running at less than 50% capability, you're not providing the quality of services that we should be doing. In fact, most all of the departments are providing, because of the lack of staff, the lack of resources, less than equality in the services that our taxpayers deserve.

"There's another issue here, which is probably even worse, that's going to come about. A measure that provides that 30%, as a constitutional amendment that provides that 30% of the dollars to be set aside in the general fund for the emergency fund.

"Emergencies come about, Members, as we go along. You have to understand that, and we cannot be just putting all the money in there. If you wish to really take care of the emergency fund, rapidly, then raise the excise tax. We raided this fund in the past. We raided the ERS to balance our budget because we didn't want to raise the excise tax. We're all guilty of that. I was guilty of that during my tenure as Speaker, and during this current tenure. We have done that. So we're culpable, in this liability.

"The fairest way to do it, and of course this is not the time to do it, is at some point in time, to raise the excise tax, and have a portion of that excise tax be used to take care of the liability problem. And over a period of years, if you have a certain percentage of the excise tax increase, that would be the best way to do it. Not to put a large sum of money, and at the same time not to fund the agencies and the programs that we have and the position to where they need to be. Thank you, very much."

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

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

"Ho'omalu 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1801, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION

HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Souki voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 426-12) recommending that H.B. No. 2661, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Rhoads and Aquino, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 427-12) recommending that H.B. No. 2627, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives McKelvey and Rhoads, for the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 428-12) recommending that H.B. No. 812, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 812, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose and asked that the Clerk record a no vote for her, 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 Ching 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 H.B. No. 812, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 429-12) recommending that H.B. No. 2044, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 430-12) recommending that H.B. No. 2122, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 431-12) recommending that H.B. No. 2319, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 432-12) recommending that H.B. No. 2411, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2411, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 433-12) recommending that H.B. No. 2767, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 434-12) recommending that H.B. No. 518, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO REAL PROPERTY," was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 435-12) recommending that H.B. No. 1940, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1940, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE INSPECTORS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 436-12) recommending that H.B. No. 1948, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 437-12) recommending that H.B. No. 2150, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 438-12) recommending that H.B. No. 2668, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2668, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 439-12) recommending that H.B. No. 2831, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 440-12) recommending that H.B. No. 1674, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1674, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I just want to note my reservations for House Bill No. 1674. What this bill does is it extends eligibility for participation in the State financial aid university programs and resident tuition to people who are unlawfully here in America. Even though I'm a descendant of immigrants, I'm very concerned that we are denying Hawaiians free tuition, and they are our host culture. And not seeing that bill pass, but seeing something like this go through the Legislature is very concerning to me."

Representative Marumoto rose in opposition to the measure and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

Representative Ching 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 H.B. No. 1674, 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 Marumoto voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 441-12) recommending that H.B. No. 2023, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 442-12) recommending that H.B. No. 2100, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 443-12) recommending that H.B. No. 2628, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2628, HD 2, be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, with reservations. I'm just not sure that exempting students from the Landlord-Tenant Code is a good idea. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2628, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 444-12) recommending that H.B. No. 2706, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2706, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 445-12) recommending that H.B. No. 2813, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SCIENCE, TECHNOLOGY, AND INNOVATION AGENCY," passed

Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 446-12) recommending that H.B. No. 1974, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1974, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 447-12) recommending that H.B. No. 2314, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2314, 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 Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 448-12) recommending that H.B. No. 1679, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1679, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 449-12) recommending that H.B. No. 1755, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1755, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine 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 Ching 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 H.B. No. 1755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 450-12) recommending that H.B. No. 2539, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 451-12) recommending that H.B. No. 2568, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 452-12) recommending that H.B. No. 755, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 755, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 453-12) recommending that H.B. No. 2662, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 454-12) recommending that H.B. No. 1559, as amended in HD 1, be recommitted to the Committee on Culture & the Arts.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was recommitted to the Committee on Culture & the Arts, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 455-12) recommending that H.B. No. 1764, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 455-12 on H.B. No. 1764, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1764, HD 1, were made available to the Members of the House.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. No.

Referred to:

27 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business

H.C.R. No.

Referred to:

48 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business

S.B. Nos.

Referred to:

2061, SD1 Committee on Judiciary, then to the Committee on Finance

2759, SD1 Committee on Consumer Protection & Commerce

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

H.B. Nos.

Re-referred to:

425, HD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1559, HD1 Committee on Education, then to the Committee on Judiciary

2052 Committee on Judiciary, then to the Committee on Finance

2296 Committee on Judiciary

2532, HD1 Committee on Hawaiian Affairs, then to the Committee on Finance

2577, HD1 Committee on Labor & Public Employment, then to the Committee on Finance

2579, HD1 Committee on Labor & Public Employment, then to the Committee on Finance

2686 Committee on Judiciary

ADJOURNMENT

At 1:27 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 16, 2012. (Representatives C. Lee, M. Lee and Tokioka were excused.)

TWENTIETH DAY

Thursday, February 16, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Linda Ichiyama, after which the Roll was called showing all Members present with the exception of Representatives M. Lee and Souki, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Fifth, Sixth, Seventh and Eighth Days were approved. (Representatives M. Lee and Souki were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1104 and 1105) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1104, informing the House that on February 15, 2012, the following bill was signed into law:

H.B. No. 905, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DELIVERY OF GOVERNMENT SERVICES." (ACT 004)

Gov. Msg. No. 1105, informing the House that on February 15, 2012, the following bill was signed into law:

H.B. No. 2002, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION." (ACT 005)

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative McKelvey, on behalf of Representative Keith-Agaran, introduced participants of the Ka Ipu Kukui Fellows Program on Maui.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 456-12) recommending that H.B. No. 2506, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2506, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 457-12) recommending that H.B. No. 2501, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2501, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," passed Second Reading and was referred to the

Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 458-12) recommending that H.B. No. 2502, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 459-12) recommending that H.B. No. 2380, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2380, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 460-12) recommending that H.B. No. 2035, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2035, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 461-12) recommending that H.B. No. 1840, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1840, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition. I've spoken a number of times on this, and arguably this is probably one of the worst ideas that a legislature can deal with. But this is only the task force. The other one, HB 2103, goes right to the jugular.

"But I would suggest, rather than we move in haste Mr. Speaker, we look at what the Boston Federal Reserve Board did, ordering a study on what really happened in the 1919 creation of the Bank of North Dakota. They went through five serious points which I mentioned in my last speech, and I won't ask for you to bear that again. But the point is they have done their diligence. We know that the State Bank is going to buy toxic mortgages, and foreclosures. It's simply not going to work. It's going to put taxpayers' money at risk, and it's a dangerous proposition.

"Having said that, may I have more remarks written for the Journal? And I will be making more speeches on this in the future. Thank you, Mr. Speaker."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in opposition to HB 1840, HD2, which would create a task force to explore the idea of establishing a state bank. The Federal Reserve Bank of Boston already did a study in May of 2011 at the request of the State of Massachusetts to figure out if the success of the Bank of

North Dakota, which is the driving force behind this piece of legislation, could be replicated. Some of that study's major findings need to be brought to the attention of the House because they are relevant to Hawaii's tax payers.

"The Bank of North Dakota started with \$2 million in 1919. The Federal Reserve Bank of Boston's study found that it would cost \$3.6 billion to start up an equivalent bank today. Does Hawaii even have enough for a down payment? And do we really want to divert taxpayer money away from education, health, sustainability, and other existing programs for an unknown amount of years just to start a speculative venture that doesn't have a sound business plan and lacks any concrete justification?

"The billions of dollars that would be needed by the bank would not be insured by the FDIC. All of the risk would be on the taxpayers. Adding to the danger to taxpayers is the fact that adopting North Dakota's model would leave Gov. Neil Abercrombie and Attorney General David Louie at the helm of the bank, with 76 politicians voting on its budget. The bank and its practices would essentially be under the control of bureaucrats that for the most part don't have any experience running a bank. Politics would end up dictating lending policies and the bank's practices. For example, the state bank is supposed to bail out toxic lenders and make sub-prime mortgages.

"Along politicization leading to bad business practices being carried out, simply establishing a state-owned bank with tax-free status that additionally wouldn't have to deal with federal regulations would be bad for existing local banks because the state bank would serve as unfair competition.

"Lastly, the reasoning that we should establish a state bank on the grounds that it led to North Dakota's successful economy is wrong. The study concluded that the condition of North Dakota's economy was mostly attributable to oil and natural gas extraction rather than anything the state bank could have done.

"State banks have largely been creations of the Third World, in countries where the government has a very strong hand in the economy. When the state bank issue was previously debated on the House Floor, the Central Bank of China was used as an example, with the representative from China Town saying, "Basically everything in China is run by the government." But I don't think the people of Hawaii want to embrace that way of doing things, nor does the government have the capability to run everything.

"Taking advantage of existing programs and agencies is a faster, less costly, and less risky way to address some of the issues that the state bank is supposed to take care of. Getting the state to do something it has no experience doing while putting billions of taxpayer dollars at great risk would be a big mistake.

"For these reasons, Mr. Speaker, I rise in opposition to HB 1840 SD2."

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

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

Representative Pine 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 an aye vote with reservations for her, and the Chair "so ordered."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 1840 – Relating to State-Owned Bank. This bill establishes a task force to review, investigate, and study the feasibility and cost of establishing a state-owned

bank, which is dilatory to the efforts of current banking institutions. In addition, there is ambiguity of the cost to the State.

"May I echo the words submitted in the testimony by Hawaii Bankers Association, "Hawaii bankers are capable of independently performing [these] services or already obtain [these] services elsewhere ... Any state funds placed with the bank are self insured so the State loses the benefit of collateralization of state deposits." Additionally, the framework of this bill, which is designed around the State Bank of North Dakota, holds the State liable for deposits insured, not the FDIC. Thus, the State takes on the liability in the event of failure. In fact, when the State of Massachusetts considered a similar measure the commission recommended against establishing a state-owned bank.

"This measure would require an unknown amount of State money to establish a bank, let alone a task force to establish a bank. Thank you."

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

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

"Mr. Speaker, I rise in strong support. First of all, I'd like to thank the Committee Chair and Committee Members for advancing this bill to create a task force, to do a study of whether a state-owned or people-owned bank is appropriate for Hawaii. That's all it is. So I hope that we can keep an open mind in this marketplace of ideas, and continue the discussion. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1840, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED BANK," was referred to the Committee on Finance, with Representatives Ching, Marumoto and Ward voting no, and with Representatives M. Lee and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 462-12) recommending that H.B. No. 2356, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 463-12) recommending that H.B. No. 2355, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 464-12) recommending that H.B. No. 2253, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 465-12) recommending that H.B. No. 2626, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2626, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 466-12) recommending that H.B. No. 2277, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2277, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Hurray, a great ATV safety bill is on the move! HB 2277, introduced by Representative Ichiyama, barreled through the House Transportation Committee, crossed the House Floor unanimously as it passed Second Reading, and arrived in the House Committee on Judiciary intact.

"The bill prohibits minors under 16 from riding ATVs, bans ATVs from public streets, bans passengers and requires helmet use. I pushed similar features in HB Nos. 17 and 18.

"Roadblocks will no doubt arise as this vehicle moves closer to reality, but it is critical that the Legislature establish ATV rules soon because of the growing popularity of this form of recreation. Right now, there are none. The result has been numerous deaths and hundreds of serious injuries including permanent traumatic brain injuries – many among children. Let's keep HB 2277 up to speed!"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2277, entitled: "A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representatives Brower and Chang, for the Committee on Tourism and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 467-12) recommending that H.B. No. 2183, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2183, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 468-12) recommending that H.B. No. 2069, HD 1, as amended in HD 2, be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2069, HD 2, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I serve on a condominium Board of Directors, and own one," and the Chair ruled, "no conflict."

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

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

Representative Awana 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 H.B. No. 2069, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was referred to the Committee on Consumer Protection & Commerce, with Representatives M. Lee and Souki being excused.

Representatives Chang and McKelvey, for the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 469-12) recommending that H.B. No. 2338, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2338, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATIVE MEDIA INDUSTRY," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 470-12) recommending that H.B. No. 2520, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 471-12) recommending that H.B. No. 2593, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 472-12) recommending that H.B. No. 1753, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1753, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 473-12) recommending that H.B. No. 1839, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1839, entitled: "A BILL FOR AN ACT RELATING TO WATER SERVICE CONSUMPTION DATA," passed Second Reading and was referred to the

Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 474-12) recommending that H.B. No. 2384, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2384, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2384, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Riviere and Thielen voting no, and with Representatives M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 475-12) recommending that H.B. No. 2419, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2419, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

Representative C. Lee 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 H.B. No. 2419, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance, with Representatives Riviere and Thielen voting no, and with Representatives M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 476-12) recommending that H.B. No. 2682, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 477-12) recommending that H.B. No. 2871, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2871, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I am in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 478-12) recommending that H.B. No. 2872, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2872, HD 2, 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 strong support. This is about aerospace and all about our future."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2872, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 479-12) recommending that H.B. No. 2690, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2690, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 480-12) recommending that H.B. No. 2326, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2326, pass Second Reading and 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 Ching 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 H.B. No. 2326, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 481-12) recommending that H.B. No. 2249, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDFILLS," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 482-12) recommending that H.B. No. 2485, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2485, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Coffman and Cabanilla, for the Committee on Energy & Environmental Protection and the Committee on Housing presented a report (Stand. Com. Rep. No. 483-12) recommending that H.B. No. 2799, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2799, 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 M. Lee and Souki being excused.

Representatives Mizuno and Cabanilla, for the Committee on Human Services and the Committee on Housing presented a report (Stand. Com. Rep. No. 484-12) recommending that H.B. No. 2280, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2280, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"In support, Mr. Speaker. I just wanted to share with the Members that it's very clear in the bill that it's to protect victims of domestic violence from having their tenancy terminated. But nothing in the bill precludes the landlord from terminating any lease agreement for any other legal reason. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 485-12) recommending that H.B. No. 2063, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2063, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 486-12) recommending that H.B. No. 2239, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 487-12) recommending that H.B. No. 2272, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2272, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives M. Lee and Souki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 488-12) recommending that H.B. No. 2518, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 489-

12) recommending that H.B. No. 2712, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2712, entitled: "A BILL FOR AN ACT RELATING TO STATE EQUIPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 490-12) recommending that H.B. No. 2200, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 491-12) recommending that H.B. No. 2534, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2534, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 492-12) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 493-12) recommending that H.B. No. 1988, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1988, 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, thank you. In strong support, and just a few brief comments. Over the past three years, an effort led by this Chamber including yourself, Mr. Speaker, has encouraged our neighbors, the working residents in the State of Hawaii, to apply for the federal Earned Income Tax Credit. I'd like to point out to the Members that the Office of Hawaiian Affairs who is supporting this bill notes that Hawaii workers, Hawaii residents, working families here fail to claim an estimated \$31 to \$41 million in the federal Earned Income Tax Credit annually. This measure I think, highlights the importance of the Earned Income Tax Credit at the federal level, and suggests possibly looking at a State earned income tax credit. But really I think the impulse behind this is very important. I am in strong support, Mr. Speaker. Thank you."

Representative Mizuno 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 Committee was adopted and H.B. No. 1988, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 494-12) recommending that H.B. No. 2290, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 495-12) recommending that H.B. No. 2533, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2533, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF AGGRAVATED CIRCUMSTANCES IN THE CHILD PROTECTIVE ACT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 496-12) recommending that H.B. No. 2578, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 497-12) recommending that H.B. No. 2676, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2676, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Mizuno's written remarks are as follows:

"I support HB 2676 as this measure is intended to provide many essential positions under the Department of Human Services which were eliminated during the reduction-in-force in 2008 through 2010. This measure is targeted at bringing back such positions needed to assist Hawaii's most needy with medical assistance, financial assistance, employment training, SNAP benefits, child protective services, those with drug addiction, homeless, and those suffering from a mental illness."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 498-12) recommending that H.B. No. 239, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 499-12) recommending that H.B. No. 2472, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2472, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 500-12) recommending that H.B. No. 2292, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 501-12) recommending that H.B. No. 2415, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 502-12) recommending that H.B. No. 2685, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 503-12) recommending that H.B. No. 2050, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2050, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 504-12) recommending that H.B. No. 2535, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2535, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," passed Second

Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 505-12) recommending that H.B. No. 2138, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2138, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of H.B. 2138-Relating to Medicaid, which establishes the Health Insurance Waste, Fraud, and Abuse Task Force to detect fraud and abuse before payments of illegitimate claims are made under the Medicaid managed care, Medicaid, and children's health insurance programs. It requires the task force to report to the 2013 Legislature.

"This measure will surely reign in wasteful and often fraudulent spending, as well as address ineffective "pay and chase" models that cost our State excessive amounts of money. Not only will this measure gain efficiency in relation to Medicaid, it will also yield accountability.

"Overall, the measure offers the following benefits:

- Cost savings and subsequent gained efficiency;
- Getting rid of waste; and
- Provide better accountability.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 506-12) recommending that H.B. No. 2131, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 507-12) recommending that H.B. No. 2517, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2517, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 508-12) recommending that H.B. No. 2317, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2317, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just in strong support. Thank you, Mr. Speaker. Agricultural tourism is very profitable and something that we can really look forward to in the coming years. Thank you."

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

"Thank you, Mr. Speaker. I rise with reservations. Mr. Speaker this measure is just and well intended as it allows the counties to exercise their home rule authority determining what's appropriate as far as use of agricultural land, and it is a great tool for our farmers, for bona fide farmers to allow themselves to subsidize their farming operation with another source of income.

"My only reservation is that on the Island of Kauai, they have taken the appropriate steps by enacting ordinances to stop the proliferation of vacation rentals on ag-lands, and it was because of the abuse that was happening. My only reservation is based on that, and other than that, the bill seems to be well intended. Thank you."

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

"With reservations, please. As the Representative for the largest agricultural lands on this Island, and as an area that is overwhelmed by illegal vacation rentals, I see a terrible confluence of action here, where we have illegal vacation rentals taking over fake farms. So we have fake farms, and illegal vacation rentals all coming to a head on the North Shore. So with that, I want to express my reservation, and suggest that should this bill move forward and if it is very desirable for the Neighbor Islands, that maybe there be a limitation that it maybe applies to counties with less than 500,000 people."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TOURISM," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives M. Lee and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 509-12) recommending that H.B. No. 2424, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2424, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDING PERMITS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives M. Lee and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 510-12) recommending that H.B. No. 2832, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2832, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATION," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 511-12) recommending that H.B. No. 2345, as

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

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2345, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 512-12) recommending that H.B. No. 1680, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1680, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 H.B. No. 1680, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 513-12) recommending that H.B. No. 2447, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 514-12) recommending that H.B. No. 2569, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2569, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 515-12) recommending that H.B. No. 1736, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1736, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 516-12) recommending that H.B. No. 2409, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 517-12) recommending that H.B. No. 2496, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2496, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 518-12) recommending that H.B. No. 2258, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 519-12) recommending that H.B. No. 2257, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 520-12) recommending that H.B. No. 1810, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1810, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 521-12) recommending that H.B. No. 1168, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1168, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives M. Lee and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 522-12) recommending that H.B. No. 2688, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives M. Lee and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 523-12)

recommending that H.B. No. 2417, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2417, 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. I'm rising to speak against this bill, and I would like to explain why. Mr. Speaker, House Bill 2417 is going to limit the availability of the Hawaii Renewable Energy Technologies Income Tax Credit to one credit per property for both residential and commercial. The credit has helped a substantial number of families and businesses to afford the high upfront investment in solar. Without this credit, per system, families and businesses won't be able to afford photovoltaic.

"I'd really like to call this the 'photovoltaic for millionaires only' bill. Because, what it does is it places photovoltaic out of reach of the regular family in our islands. When we had a credit that was \$5,000 per system, then the photovoltaic systems became more reasonable, and homeowners could afford to buy them. They still would not recoup or be able to be on the plus side of their expenditure for maybe 6 or 7 years, and they would have to pay the full up-front amount for the photovoltaic system. That made it quite expensive. It's very much going to damage our solar, and industries in Hawaii. And it can set back our efforts to achieve the 70% clean energy by 2030.

"The Sierra Club, for example, testified on this bill that, as we all know, Hawaii depends on oil, imported oil, for nearly 90% of its energy needs. And of course this dependence results in the outflow of money out of the State. Not circulating within the State. It just leaves and goes to foreign countries to pay to bring in that polluting oil. Also, the Solar Energy Industries Association submitted testimony at the hearing and they stated that the tax credits pertaining to each system have created hundreds, if not thousands of jobs for Hawaii's workers. Now these are from electricians, panel installers, sales, marketing professionals, to engineers and accountants. If House Bill 2417 is passed, those jobs are going to be lost, and our solar and photovoltaic industry is going to just plummet and disappear.

"The change envisioned by HB No. 2417 is way too abrupt, and it's going to disrupt the market to a significant degree. According to the State of Hawaii Energy Resource Coordinator's Annual Report by the Department of Business, Economic Development and Tourism, it states, 'By 2010, 4,336 renewable energy systems were installed statewide with a total capacity of 28.7 megawatts.'

"Now go back to 2005, before we had this credit. Only 30 renewable energy systems with a total capacity of 166 kilowatts were installed in 2005. But you fast forward with the credit, to 2010. We have 2,188 systems installed statewide with a capacity of 12.3 megawatts, and that's in 2010 alone.

"What has happened for Hawaii is that we have been ranked second in the nation in installed photovoltaic capacity by 2010 by the Interstate Renewable Energy Council. The tax credits are a very key amount, a very key factor to these photovoltaic systems where you're going to find your homeowner is not going to make that stretch and probably borrow the money to be able to pay for the photovoltaic system if there's only a single tax credit for that tax map key.

"Up till now the companies have worked with the Department of Taxation, and the Department of Taxation said if you need one, two or possibly three systems for that house to achieve your objective of providing the energy for that home, that dwelling, then you get a tax credit per system."

Representative Ward rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"The Department of Taxation and the industry, the photovoltaic industry have been working together on this. No one's pulling a scam. Or if there's one or two scammers, we don't overreact by killing the entire industry."

"Mr. Speaker, in addition to calling this bill, 'photovoltaic for millionaires only,' I'd like to call it the 'Hawaiian Electric windfall bill,' and I really believe what this is doing is stopping our average homeowners from putting in photovoltaic systems. And Hawaiian Electric will cheer all the way to the bank, because it then forces those homeowners to pay the unseemly high utility bills that they now have to pay, because those homeowners won't be able to put in photovoltaic systems."

"We know Hawaiian Electric doesn't like photovoltaic systems and the homeowner being able to go virtually off grid and have an \$18 a month bill. So I don't see why we should pander to Hawaiian Electric, and its desire to have profits for its shareholders. And I don't see why we should hurt the average homeowner and leave photovoltaic as an elitist technology available for millionaires. I firmly, firmly, firmly oppose this bill. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. I'd like to first commend the Chair of the Environmental Protection Committee because actually what this bill does is, it levels the playing field. In fact, it gives the middle-income homeowner a chance to put in photovoltaic. The truth of the matter is currently, the way the tax credit is structured, it encourages only the rich people to get PV. It encourages those people who can afford to put a \$50 thousand system in because they'll maximize the tax credit at 35%, and get over 15-grand, or whatever it is. \$17,500."

"I talked with the Majority Leader last year because we struggled with this, because right now this tax credit is costing our State a lot of money. And the truth is, in order for the solar industry to prosper and to continue for many years, we're going to have to make this change."

"I'll speak personally about this, because I put PV in, for those of you who recall my speech last year, and I did it the way the tax system was structured. I put in a small system, a one-system system as it relates to the Tax Code in 2009. I spent about \$15 thousand and took a 35% tax credit. Then I put in another small system in 2010 the way the Tax Code recommends. And I put in my final PV system in 2011. That's what people are supposed to do."

"Now middle-income families are receiving quotes from PV companies saying that they have to spend \$50 or \$60 thousand. Most of my constituents look at that and say they can't afford it. What this bill will do is it'll downsize those types of estimates for middle-income families, and instead of looking at a \$60 thousand system which many people can't afford, they'll look at a \$15 thousand system and the cost to the State as far as the tax credit is concerned, is \$5 thousand."

"So I think the Representative from Kailua needs to look at it from that perspective, because if we can't make this change, we're going to lose this tax credit. It's costing us too much. What we need to do is we need to encourage these companies out there to downsize their systems so that it's fair and it focuses on the middle-income families. That's how we're going to do it."

"So I agree with her that we need to make PV affordable, and the best way to do it right now is on-bill financing as the Minority Leader has said numerous times. That's the best way to do it. If we can't do that, the very least we can do is to encourage the middle-income families to consider this tax credit and to encourage the industry to refocus their efforts on the middle-income families and not focus their efforts on the millionaires. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Yes, thank you. Mr. Speaker, just in response. What the former speaker did is what is now going to be prevented. He put in one system one year, and got the tax credit. Put in the second system the next year and got the tax credit. Put in the third system the next year and got the tax credit, per

system. And from now on, we're not going to allow other homeowners to be able to do the same thing. Unfortunately, photovoltaic is expensive. The people that want to put it in have to borrow a significant amount to pay for this system upfront."

"When we limit them to a single \$5,000 tax credit per tax map key as this bill does, we're saying to your average homeowner, 'Forget it.' And then there's no point in putting in a single system of photovoltaic because you don't get the impact or the effect in trying to reduce your utility bills. It just isn't a technologically sound way to use photovoltaic for a residence."

"So I don't think we should sit and say, 'Some of us got in, in time, and we got the tax credit, but we're not going to let anyone else have it.' And to heck with the solar industry, Mr. Speaker. Because this industry, I don't think, is going to be able to survive. That means more well-paid people without jobs. We don't need to do this. We were beginning to become a national leader in something that was good, for a change. And now this just cuts the rug out from under it."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm just going to be voting with reservations. I recognize both the comments from the speakers from Kailua and Pearl City. I do have some concerns myself, and I look forward to seeing that bill in the Finance Committee. Thank you."

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

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

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

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

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

"Ho'omalu 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"Yes, Mr. Speaker. In strong support. Just a few brief comments. First of all, the genesis for this bill came from the industry itself. They came to us and said that there's a lot of abuse out there. We've had many meetings with them and many talks. I've got a lot of notes here in detail. I'm just going to give you a couple quick highlights."

"The photovoltaic industry has seen a 70% reduction in PV panel costs over the last 3 years. The cost for a small residential site, they are giving about \$6 per watt. What's happened on the commercial side is that a PV system costs around \$4 per watt. The bill needs to recognize the differences in those areas and really make adjustments so we can control the subsidization."

"Again, we're going to work with the solar industry. In meetings they tell us they understand the problem and in no way are we going to hurt the industry. Thank you, Mr. Speaker."

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

"With reservations. I'm going to be very brief because this is what this whole Floor is about. This is the marketplace of ideas. This is where debate is really, really healthy.

"I think like many people, we're conflicted. We want to incentivize getting off of fossil fuel by getting people on solar and PV. But you look at the record, even with these incentives for solar for the last 30 years, we basically have 25% with water heaters. If you look at the renewable energy, we've got 2% of our energy coming out, even though we're the second in the country, we get 2% of our energy off of PV.

"So the Representative of Kailua is correct. If we disincentivize, and granted, it was people with a few bucks who did this. But take away that layer, I don't think people are patient or smart enough to do something over a 3-year period.

"So Mr. Speaker, I think there's a halfway house, there's a meeting place somewhere between wiping it out, and then disincentivizing it. And let's face it. It's not going to cost us cheap to do what we need to do. Israel, who has 90% solar energy on every roof for heat, gave a lot of incentives. So those who think we're going to just zero it out and we're still going to have the solar energy and get off of solar energy, I think they're fooling themselves. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives M. Lee and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 524-12) recommending that H.B. No. 2455, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives M. Lee and Souki being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives M. Lee and Souki were excused.)

THIRD READING

H.B. No. 2436, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Third Reading by a vote of 48 ayes, with Representatives M. Lee and Souki being excused.

At 12:55 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2436, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 30) and concurrent resolution (H.C.R. No. 49) were referred to Printing and further action was deferred:

H.R. No. 30, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES A CONSTITUTIONAL AMENDMENT TO REVERSE CITIZEN UNITED VS. FEDERAL ELECTION COMMISSION," was jointly offered by Representatives Belatti, Brower, Hanohano, Keith-Agaran, Luke, Morikawa, Nakashima, Rhoads, Takai, Takumi, Wooley and Yamane.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES A CONSTITUTIONAL AMENDMENT TO REVERSE CITIZEN UNITED VS. FEDERAL ELECTION COMMISSION," was jointly offered by Representatives Belatti, Brower, Hanohano, Keith-Agaran, Luke, Morikawa, Nakashima, Rhoads, Takai, Takumi, Wooley and Yamane.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Nishimoto introduced his cousin, Mr. Ian Kobayashi.

ANNOUNCEMENTS

Representative Riviere: "If I may, at the appropriate time, I would like to request a moment of silence. Yesterday, there was a tragedy on the North Shore, by Waimea Bay. You may have heard about it.

"There's a very, very unfortunate shooting, and I know the people that were involved in that. I know the people that were affected by that. The families are coming in from the mainland, and there are now two children that are orphans. The whole thing is just awful, and if we could take a moment, that would be great, to think about these folks."

At this time, the Members of the House of Representatives stood for a moment of silence for the victims of yesterdays shooting tragedy on the North Shore of Oahu.

COMMITTEE REASSIGNMENTS

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
2613	Committee on Transportation, then to the Committee on Finance
2806, HD1	Committee on Hawaiian Affairs, then to the Committee on Finance
2874	Committee on Finance

ADJOURNMENT

At 12:57 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 17, 2012. (Representatives M. Lee and Souki were excused.)

TWENTY-FIRST DAY

Friday, February 17, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by former Representative Lynn Finnegan, Executive Director of the Hawaii Charter Schools Network, after which the Roll was called showing all Members present with the exception of Representatives Herkes and M. Lee, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Nineteenth and Twentieth Days was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 22 through 25) were received and announced by the Clerk:

Sen. Com. No. 22, transmitting S.B. No. 2709, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," which passed Third Reading in the Senate on February 16, 2012.

Sen. Com. No. 23, transmitting S.B. No. 2821, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," which passed Third Reading in the Senate on February 16, 2012.

Sen. Com. No. 24, transmitting S.B. No. 2828, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL," which passed Third Reading in the Senate on February 16, 2012.

Sen. Com. No. 25, transmitting S.B. No. 2988, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on February 16, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Herkes, M. Lee and Souki were excused.)

S.B. No. 2709
S.B. No. 2821
S.B. No. 2828
S.B. No. 2988

INTRODUCTIONS

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

Representative Cullen introduced his friend and constituent, Mr. Cory Chun.

Representative Ching introduced Mr. Don Weisman of the American Heart Association.

Representative Takumi introduced a delegation of trade labor union members from Japan, as well as members of the ILWU.

ORDER OF THE DAY

At this time, the Chair announced:

"Members, please turn to page 21 of your Order of the Day. We will be moving Standing Committee Report Nos. 609-12 and 611-12 to the end of the calendar, after the Third Reading."

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Herkes, M. Lee and Souki were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 455-12) recommending that H.B. No. 1764, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1764, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," passed Third Reading by a vote of 48 ayes, with Representatives Herkes and M. Lee being excused.

At 12:15 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1764, HD 1

REPORTS OF STANDING COMMITTEES

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 525-12) recommending that H.B. No. 2865, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2865, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in strong support. Thank you, Mr. Speaker. I also rise in strong gratitude, in gratitude to the Chair of Health, the Members of the Committee, and the Members of this House. I think that we'll understand how important this measure is and that we take action immediately, because our people cannot wait. The recent closure of two hospitals here in our State begs the question of why on many different levels. One of those levels is that Mr. Speaker, our people, our local people, they're not in the best of health, a lot of them. And one of the things that are afflicting the people of Hawaii is diabetes.

"Not all diabetes, but much of diabetes is preventable. And the fact is that our local people are most at risk because they have a much higher prevalence of it, than do Caucasians. Japanese, Filipino, Chinese, and all Native Hawaiians we know are very susceptible to this disease that is largely preventable. Currently diabetes is costing the State of Hawaii, per year, over \$1 billion. So this is not just the heart and tragedy of when we see it. Because just go down to Kahala Mall or any of your malls, our people as amputees, our people are unhealthy. On another level is this is a source of a lot of draining on our budget, our economy. One in two children born after 2000 will be affected by diabetes, so says the American Diabetes Association, and Hawaii has a much higher prevalence of end stage renal disease, as our Chair of Human Services has pointed out in the past, than the national average.

"Right now, the way our State has been somewhat approaching it, is that we do have some things going on, but we have it often under the umbrella of chronic disease in general. And what this bill, and it was originally a diabetes czar bill, but it's good still. It's a task force that will start to shed light and focus on this thing that's killing our people. It has not really been in the public eye. I submit Mr. Speaker; it's not even a PSA, to educate our people. That number one, it's a silent disease like a snake. So by the time you get your first symptom, you've had it in your system for almost maybe 10 years. Number two, it's preventable, and a lot of it has to do with things we do on a regular basis. And number three, our people are dying at an astronomical rate. It's an epidemic. It needs our attention.

"What I wanted to mention besides the fact that dialysis, if you ever have a chance to visit, I urge all my colleagues to visit a dialysis center. 70,000 a year, 3 times a week. But the most important thing is to me our people, maybe we need to start looking at what we can do on an everyday basis. I know that we have been studying this disease. I'm sure there's tons of data, and I applaud the efforts of the ADA. I applaud the efforts of all these organizations, the DOH. The question becomes, the provocative question, the question I would like to ask is, if every educated person, I can take anyone down Bishop Street, or I can take anyone anywhere. If all people know that to increase, to help their health, they should eat right and exercise, my question is then, why aren't they? This is the provocative question. If we all know already ..."

Representative Say rose to yield his time, and the Chair "so ordered."

Representative Ching continued, stating:

"Thank you, Mr. Speaker. Thank you, very much. My question is, what can we do on a regular basis to improve the health of our people? What is it that we are doing that might be different from those that don't get diabetes? What is it that we have to change on a regular basis to help our people? Because I think those are the questions that I would like to see addressed in this task force.

"I come from the district Mr. Speaker, I'm very proud of plate lunch, or *saimin*, of spam *musubi*. And I have to admit, I love my spam *musubi*. I love my spam *musubi*. I've been to the spam museum. I love my plate lunch. I'm not advocating that we say, 'Oh, no more.' But what I am saying is, balance.

"You know, Chinese medicine is based on a concept of *ying* and *yang*, balance. So for those of you who think this is not congruent with chocolate, no it's about balance. Because our elders had balance. Our elders ate spam *musubi*, just not every day. They invented it, but they don't eat it every day. And they plant the mango tree in the back yard. They take care of the plants. And most important, they're gentle with the people. So maybe these are things that we have to learn from our elders. When we're gentle, take care, lower incidents, because the World War II generation has much less of it than their children. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIABETES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representatives Yamane and Nishimoto, for the Committee on Health and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 526-12) recommending that H.B. No. 2368, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2368, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 527-12) recommending that H.B. No.

2468, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS TO THE STATE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 528-12) recommending that H.B. No. 2602, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2602, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 529-12) recommending that H.B. No. 1749, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1749, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 530-12) recommending that H.B. No. 2841, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 531-12) recommending that H.B. No. 1962, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1962, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 532-12) recommending that H.B. No. 2601, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2601, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 533-12) recommending that H.B. No. 626, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 626, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT," passed Second Reading and

was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 534-12) recommending that H.B. No. 1765, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1765, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 535-12) recommending that H.B. No. 2181, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 536-12) recommending that H.B. No. 2401, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2401, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 537-12) recommending that H.B. No. 2404, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 538-12) recommending that H.B. No. 2442, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2442, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 539-12) recommending that H.B. No. 2454, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA

CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 540-12) recommending that H.B. No. 2773, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2773, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 541-12) recommending that H.B. No. 2639, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 542-12) recommending that H.B. No. 2735, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2735, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 543-12) recommending that H.B. No. 2859, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2859, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

"Ho'omalu 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2859, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representatives Rhoads and Souki, for the Committee on Labor & Public Employment and the Committee on Transportation presented a report (Stand. Com. Rep. No. 544-12) recommending that H.B. No. 2254, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRETAX

TRANSPORTATION BENEFIT," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 545-12) recommending that H.B. No. 2571, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 546-12) recommending that H.B. No. 2494, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 547-12) recommending that H.B. No. 2495, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 548-12) recommending that H.B. No. 2487, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2487, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 549-12) recommending that H.B. No. 1884, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 550-12) recommending that H.B. No. 1751, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and

was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 551-12) recommending that H.B. No. 2493, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 552-12) recommending that H.B. No. 1811, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1811, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 553-12) recommending that H.B. No. 2547, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2547, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 554-12) recommending that H.B. No. 1905, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1905, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 555-12) recommending that H.B. No. 2553, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 556-12) recommending that H.B. No. 2793, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2793, 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, could you please cast a vote with serious reservations on this measure for me, Relating to the Board of Land and Natural Resources."

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

"Ho'omalu 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"Mr. Speaker, please also note my serious reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2793, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 557-12) recommending that H.B. No. 2169, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 558-12) recommending that H.B. No. 2498, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2498, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 559-12) recommending that H.B. No. 2563, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 560-12) recommending that H.B. No. 2570, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2570, 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:

"Thank you, Mr. Speaker. With reservations, and please let me explain why. Thank you. I have no problem with licensing dietitians. I think that they want to have this done, and it's probably time to do that.

"I do have problems with page 8 of the bill and its section 6. What it states specifically on line 11 is, 'Except as specifically provided in this chapter, no person shall engage in dietetic practice.' That's the problem. It's the drafting problem. Dietetic practice could be defined to be what nutritionists do, and this in some way could harm what they are trying to do. I know that there was an amendment made in Committee, but it's in another section. It's trying to say, 'Wait a minute. We don't mean to say what we're saying in section 6.' Well I think the best way is for that language to be cleaned up as it goes to Finance, and I would encourage the Finance Committee to look at that. Thank you."

Representative Ching 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 an aye vote with reservations for him, and the Chair "so ordered."

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

"Ho'omalu 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2570, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF DIETITIANS," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 561-12) recommending that H.B. No. 2665, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2665, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STROKE TREATMENT," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 562-12) recommending that H.B. No. 1741, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1741, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 563-12) recommending that H.B. No. 1295, HD 1, as amended in HD 2, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1295, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 564-

12) recommending that H.B. No. 2025, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 565-12) recommending that H.B. No. 2318, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2318, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"May I have a ruling on a potential conflict? I'm an owner of a veteran owned business," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2318, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 566-12) recommending that H.B. No. 2402, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2402, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECREATIONAL ACTIVITIES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 567-12) recommending that H.B. No. 2408, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 568-12) recommending that H.B. No. 2659, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 569-12) recommending that H.B. No. 2869, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2869, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In support. My support though is to note to the Members that, and my apologies to them. There is a drafting error in the bill. Section 1 was accidentally bumped. That was not the intention of the Committee. So we'd like to just publicly note that, and ask the Committee on Finance, if they are willing to hear the measure, if they can help us correct that oversight. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2869, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 570-12) recommending that H.B. No. 2145, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2145, 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. I'm rising to cast a no vote and if I may explain why. Thank you. Mr. Speaker, this bill, relating to economic development, expresses the State policy and intent to complete or facilitate the completion of a list of special economic development projects by December 31 the year 2023.

"If you look at page 2 of the bill, one of those special projects that it would become our State policy to complete is the interisland cable, and I think that there have been some concerns expressed about that Interisland Cable System; the cost of it, and whether it's actually necessary. It is buried within this bill.

"Another section, on page 3, there are some in this Body that do not believe that the Fixed Rail System is the best way to go for the Island of Oahu. On page 3, line 10, that becomes another project that becomes our policy as legislators to complete this Fixed Rail System. So those are two of the problems that I see within the bill, and those are driving my no vote. Thank you."

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

"Reservations and a brief comment. I share the concerns of the Representative from Kailua and also I noticed that it recommends that we're going to support a 650 foot tower in Kakaako. I think there's a lot of room yet for 400 foot towers before we go in to these ultra skyscrapers, so I'm opposed to that project in particular. But I will vote with reservations for this one. Thank you."

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

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

"Kako'o 'ole. Makemake au ka ha'i 'ōlelo no ko'u hoa mai Kailua mai i loko ka Puke Hale Maka'āinana e like me ko'u mana'o."

Representative Hanohano provided the following translation:

In opposition. I'd like to have the words of my colleague from Kailua as if they were my own entered into the House Journal.

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

"Mr. Speaker, I vote with reservations. The Representative from Kailua expressed my sentiments and I'd like to have her words incorporated as my own," and the Chair "so ordered." (By reference only.)

Representative Fontaine 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 opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition, and may I make a few remarks? Mr. Speaker, this bill is a representation of a number of bills that are seeking to move forward that are very disturbing. The identification of specific projects as the Representative of Kailua identified, are projects of such large scale and of such specific nature that it's not appropriate for these types of projects to be identified in Chapter 226, Hawaii Revised Statutes, which speaks very broadly to the planning processes of the State. While this bill has been changed and amended so it does not say that these things will be mandated, the very fact that these are identified, some of them very good projects that I happen to agree with, does not make it appropriate in this Chapter.

"I would also echo the comments from the Representative from Kailua that there are questions, serious questions about some of these projects. Questions that we know, projects that we know, that will be the matter for a referendum of sort in the coming election. I find it highly inappropriate that this bill is moving forward and I urge my colleagues to vote no. Thank you, Mr. Speaker."

Representative Wooley 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 H.B. No. 2145, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Hanohano and Thielen voting no, and with Representatives Herkes and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 571-12) recommending that H.B. No. 2582, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2582, HD 2, entitled: "A BILL FOR AN ACT RELATING TO APPEALS TO THE APPELLATE BOARD," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 572-12) recommending that H.B. No. 1689, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1689, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 573-12) recommending that H.B. No. 1800, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1800, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 574-12) recommending that H.B. No. 2574, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2574, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 575-12) recommending that H.B. No. 2011, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2011, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2011, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC HOSPITALIZATION," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 576-12) recommending that H.B. No. 2700, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2700, 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 Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 577-12) recommending that H.B. No. 2193, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2193, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 578-12) recommending that H.B. No. 835, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 835, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I wish to speak with very strong reservations on this measure. When you have a constitutional amendment of this sort here, in case of emergency, you cannot move that money. As an illustration, in 1978, we provided a constitutional amendment that when there are two

successive years where you have a five percent increase in revenue, we must return the money to the taxpayers. I voted against that measure because back then I felt it would hurt those programs that needed help, whether it was human services, health or etc. We have attempted in the past to repeal the constitutional amendment, and the measure failed, I believe a couple of times. So what has happened is that we have to, by law, insert a million dollars in repayments to the people of the State of Hawaii. That's \$1 per person which does nothing, but in effect it hurts the budget. That \$1 million could be going to serve some more appropriate project in health or human services and etc.

"Now this here will do the same thing. I believe it amounts to almost 30% of the revenue that has been set aside to assist in the liability of the retirement program. And yes, that's a noble request. However, when you make a constitutional amendment, you make it in cement, and it'll be impossible to change in the future should you want to change that. And we all know right now there are many programs throughout the State that are running at about 45%, when they should be running at 100% or 80%. Something like this will hamper that, however the good intentions. So this message is intended for the Finance Committee, and I do hope that they will consider the statement that I have made as they go along with their decision making. Thank you."

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

"Thank you, Mr. Speaker. In support with reservations. This is the same serious reservation as the previous speaker. I would like his words entered into the Journal as if they were my own. However, I would like a few additional comments.

"The unfunded liability issue is a huge issue. Make no mistake about it, Mr. Speaker. We have to address this. It is coming. Otherwise, the people today aren't going to be able to get the benefits that they're working so hard to put in. But at the same time the previous speaker is correct. When you do a Con Am amendment, it is set in stone. And history shows during fluid circumstances, we need to have the flexibility, and that's what concerns me so much about the measure. I believe the cause is noble. But I think it ties our hands. Look what we learned from the appointed school board Con Am. Thank you, very much."

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

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

"Ho'omalu 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

Representative Johanson 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 Johanson written remarks are as follows:

"I rise in support with reservations on HB 835 relating to the disposition of excess revenues. The unfunded liabilities for the pension system and other post-employment benefits for State employees continue to be problems that our State government must address. I honor the intent of this bill and am willing to consider this measure before us because I understand the gravity of the situation our State faces if substantial changes are not made to address these unfunded liabilities.

"However, I do not know if this particular mechanism is the best way to accomplish funding these liabilities. I am not sure that a constitutional amendment proposed in this bill to use excess general fund revenues to pay down the liabilities is necessary to accomplish the outcome that the State of Hawaii must achieve.

"Moreover, I have reservations about using excess tax revenue as the primary means to pay down the debt; in principle this excess tax revenue belongs to the taxpayers of Hawaii, which is why I believe the Constitution was originally framed in this manner. I have some concerns regarding both the mechanism in this bill, as well as some of the general taxation principles underpinning it. For those reasons, I am voting with reservations on HB 835."

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

"Thank you, Mr. Speaker. Also with reservations. I don't think we should earmark in the Constitution."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of H.B. 835 HD1, which proposes a constitutional amendment to Article VII, Section 6 of the State Constitution to authorize the Legislature to deposit excess general fund revenues into a fund to fund pension benefits and other post-employment benefits for State employees.

"This bill provides protection to State employees to receive full pension benefits and post-employment benefits they have rightfully earned, as well as lowers the risk of unfunded liabilities. According to the testimony provided by Mr. Wesley K. Machida, Administrator of the Employers' Retirement System, "As of June 30, 2010 the ERS had an unfunded actuarial accrued liability (UAAL) OF \$7.1 billion."

"As the bill currently stands un-amended, excess Employee Retirement System investment earnings are transferred back to the State without allowing a set allocated amount to remedy unexpected market volatility that effect pension funds. I support that this bill addresses the issues of unfunded liability; however this bill should be explored further as we do not yet know the impact of this bill if provisions were implemented. Thank you."

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

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

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

"Mr. Speaker, in support. Members should note that this only applies if they general fund growth is more than 7%. So I think the flexibility issue probably would be extremely unlikely to come into play, because if the county were growing that fast, we're in pretty good shape.

"Desperate times call for desperate measures. The amount of money that we owe for the Employees Retirement System and the health trust fund, is approximately \$20 billion over the next 30 years. In years where we have money, and we're growing that fast, that's the time to save money, and that's why that particular number was chosen, but I don't think we can. The problem is what would happen otherwise is we'd be giving a tax refund. While the tax money of course is taxpayers' money, the debts are taxpayers' debts as well, and we have to deal with those, too. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 835, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF EXCESS REVENUES," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 579-12) recommending that H.B. No. 1967, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1967, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 580-12) recommending that H.B. No. 2590, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2590, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCE VIOLATIONS," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 581-12) recommending that H.B. No. 2179, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2179, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 582-12) recommending that H.B. No. 2751, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2751, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising with reservations, on this Relating to Offenses Against Public Administration. Thank you. The bill, when I read what it says, I realized it's in the Constitution. But to enact this into law seems to me to be bordering on infringing on freedom of speech.

"The language I'm talking about is, any person who isn't a member of the legislature who recklessly engages in contemptuous behavior committed in the presence of either house, which would interrupt or impair the respect due to such proceedings. It seems to me the language is too broad. And I believe that there are laws on the books that would really govern any behavior that would put people at risk. But we've all been here at the Capitol when there have been very heated issues. And when people come to express their opinions, and that's the way it should be, this is the people's House, and we should be able to handle being the recipients of the free speech that is expressed to us as decision makers. I'm afraid this somewhat crosses the line, and it's just not that necessary to do. Thank you."

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

"Thank you, Mr. Speaker. With strong reservations. While I appreciate and especially respect the individuals who testified in support of this proposed draft, my concern, and it is noted in the Committee Report, is that this not only violates the principles of free speech as enunciated by the Representative from Kailua, but also seriously violates separation of powers by making us, the House or the Senate both the enforcer and enactor of the laws, and the implementer of potential fines and penalties.

As this moves forward, I hope that obvious defect is fixed, but there are still other serious reservations with this measure. Thank you, Mr. Speaker."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you. Just note my reservations. I do, again, appreciate the concerns of the House Sergeant-at-Arms who does have the responsibility for enforcing what happens here at the House and protecting us and the process. But I do have concerns and quite frankly, if we're allowed to be belligerent and contemptuous here on the Floor, without penalty, then the public should be allowed to as well."

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

"Thank you, Mr. Speaker. In strong support. I'd just like to say that we all appreciate the work that the Sergeants do on both sides. This is just a matter of clarifying some of the things that haven't been clarified in the past. Thank you, Mr. Speaker."

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

"Ho'omalu 'olelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"Just a point of clarification. I just wanted to clarify that we are not allowed to be belligerent, and the Speaker does according to our House Rules, we allow the Speaker to remove one of us from the Floor, and we have to comply with that. In fact, my colleague on my left has been asked to be removed from the Floor in the past, and he had to be removed. I was just making a point of clarification, and I'm in strong support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and M. Lee being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 583-12) recommending that H.B. No. 2175, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and M. Lee being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 584-12) recommending that H.B. No. 1611, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1611, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 585-12) recommending that H.B. No. 280, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 586-12) recommending that H.B. No. 1943, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1943, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"As this brown tree snake bill slithers through the legislative process, I am excited for the early detection on the radar. House Bill 1943, House Draft 1 would fund the plant quarantine detector dog program. I have been a strong proponent for many years. These dogs and their handlers will help keep Hawaii safe from invasive species such as the brown tree snake, which has devastated Guam and currently causes over \$4 million in damage to its electrical systems. These types of power outages could be extremely devastating to our local businesses as they fight their way out of this quagmire economy.

"If this bill passes, the program will take some time to get up and running. We can speed up the protection of our State by encouraging the Department of Agriculture to contract with private dog handlers, who have dogs who are already trained and ready to go into the field to protect our State from invasive species.

"Whether the Department uses a private contractor or hires civil servants to fill these positions, this program needs to be activated so Hawaii will be protected from an invasion of critters. We can then continue to enjoy the beauty that is Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1943, 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 Herkes and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 587-12) recommending that H.B. No. 1947, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1947, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Reservations on the Relating to Agriculture measure. I believe it could hurt the small farmers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1947, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 588-12) recommending that H.B. No. 2151, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes and M. Lee being excused.

At 12:51 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 589-12) recommending that H.B. No. 2670, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and M. Lee being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 590-12) recommending that H.B. No. 2611, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2611, HD 1, be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like a no vote, and I'd like to explain. The Department of Transportation is asking for an exemption from Chapter 343 for certain actions. The Department can and should go to the Environmental Council and go through the process for getting the exemptions under their rules. That can happen. The Environmental Council is up and operating, and the DOT should not come to us to ask us to enact legislation to take care of what that Department can and should do on its own, with the Environmental Council. There's a process for what they want to have accomplished, and it's not here in this Body. Thank you."

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

"With reservations and brief comments. The testimony was, and on questioning, the Department of Transportation already has the authority to exempt or move beyond without environmental reviews for minor projects. The point of the law is that they actually have to make a decision. If they're going to study the interface of a driveway, for example, onto the road, they're already looking at the project. So they just have to consider if there's likely or potential impacts. If there are no likely impacts, they can move on without a full environmental review. So the testimony was that it's not necessary.

"There were comments made by the Office of Environmental Quality Control that, to that effect, that it's not necessary. But if the Members feel it is necessary to go forward, then certain amendments were put in to clarify. Thankfully the Chair of EEP has put that in. So the bill at this point is not necessarily bad in its current form, but it's not really necessary. Thank you."

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

Representative Belatti 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 H.B. No. 2611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was referred to the Committee on Judiciary, with Representative Thielen voting no, and with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 591-12) recommending that H.B. No. 2669, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2669, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 592-12) recommending that H.B. No. 2121, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2121, 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. Another no vote on behalf of the environment. Mr. Speaker, I don't see why we would want to prohibit State and county agencies from entering into an energy agreement or a contract to install a renewable energy system with a private provider. I just am not quite sure what is going on, but I know the bill does authorize the issuance of general obligation bonds for renewable energy systems for State facilities, but it impacts or impedes any power purchase between government agencies and the private sector. I would think we would want to encourage all sorts of different methods for getting our State to our renewable energy goal by the year 2030. Thank you."

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

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

Representative Thielen rose to respond, stating:

"Mr. Speaker, my second time, I know. But I would encourage the Members to look at the testimony that was overwhelmingly in opposition to House Bill 2121, Standing Committee Report No. 592. Take a look at what the opponents to this measure are saying, and it comes both from county governments, as well as environmental groups. Thank you."

Representative Pine rose to respond, stating:

"I'm sorry. Can I make additional comments on why I'm voting no? Right now, I'm working with different schools in my community, very old schools whose energy costs are very, very high. We're looking at various ways to be creative that would save the school money, as well as upgrade old schools that can't take on anymore electricity, for example Campbell High School in Ewa Beach. Their system is so old that they can't run a microwave and a fan at the same time in one of their buildings. So since it's too expensive to upgrade their electrical system there, it would be cheaper to use renewable energy to get the energy from those sources. So I hope if this moves forward that we can exclude some of those schools from being included in this bill. Thank you."

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you. Just note my reservations, please. And I'd like to note that according to the Committee Report, nobody testified in support."

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

"In support, Mr. Speaker. Yes, I want to help clarify an issue here that's going on. As the previous speaker talked about, yes there was no positive support for this bill. The reason for that is that none of these agencies realize that the State is providing 24.5% of refundable tax credits for these projects. So moving this bill on to Finance, we want to really analyze what is the real cost of these projects, and is there really a return on the investment. I know that the DOE testified they need \$130 million. Well if the State kicks in another 24.5%, we're in excess of an addition \$30 million for these projects. It may make more sense to finance these things out of the capital improvement project. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2121, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Pine and Thielen voting no, and with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 593-12) recommending that H.B. No. 2848, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2848, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 594-12) recommending that H.B. No. 2820, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2820, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 595-12) recommending that H.B.

No. 2672, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2672, 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 with reservations, stating:

"Mr. Speaker, with reservations on HB No. 2672. My concern is that I'm not sure whether this unites us or divides us, particularly when the issue of the Hawaiian Nation goes to the federal government, and how they may be perceiving this. How we see it I think, is going to be different. But how they may see this thing may be entirely different. So if we're going the long run for Hawaiian sovereignty, I think we have to have a bit of circumspection as we pass this along. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2672, entitled: "A BILL FOR AN ACT RELATING TO THE OVERTHROW OF THE HAWAIIAN KINGDOM," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Cabanilla and Mizuno, for the Committee on Housing and the Committee on Human Services presented a report (Stand. Com. Rep. No. 596-12) recommending that H.B. No. 1735, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1735, 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:

"Yes, Mr. Speaker. I'd like to note my reservations, please. As it is currently written, I can't support this. Thank you."

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"In support. Thank you, Mr. Speaker. I just wanted to make a clarification. This is to have a Hawaii Interagency Council on Homelessness. I just wanted to share with the Members, the Department of Labor, the Department of Human Services, the Department of Health, they all supported this measure.

"We need to do this because we need to have better coordination as we deal with homelessness. Right now we've got the county, the State, the federal government, nonprofits, they're a bunch of silos, Mr. Speaker. Unless we unite, we're not going to address homelessness. We need a short term plan, and a long term plan, and this bill gets it out. Thank you, Mr. Speaker."

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

"Mr. Speaker, in favor. I would like to mention that there is a federal legislation called the Federal Interagency Council on Homelessness, and

this could be a measure for us to get federal funding for our homeless population. Thank you, Mr. Speaker."

Representative Jordan rose to respond, stating:

"Thank you, Mr. Speaker. May I respond? Maybe I should be a little more clear. My reservations are not with the establishment with the Interagency Council on Homelessness. I sit as a backup representative on that current Council. My reservations happen to be with requesting the task force to look at safe havens, which the Council currently does not support. That's my reservation. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 597-12) recommending that H.B. No. 2575, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2575, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I will address House Bill 2575 with reservations. I note on page 10 that we are going to raise the fees for amusement rides, and as far as I know, we only have one amusement ride company on this island. This seems to be very onerous. So the additional fees will be assessed at the rate of \$300 per day for up to 2 hours, and up to \$600 dollars per day for more than 2 hours. Fees for overtime hours shall be \$600 per day for up to 2 hours, and \$1,200 per day for more than 2 hours. So we will closely examine this in the next Committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2575, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 598-12) recommending that H.B. No. 2144, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Awana, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 599-12) recommending that H.B. No. 2608, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2608, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 600-12) recommending that H.B. No. 2642, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2642, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 601-12) recommending that H.B. No. 2358, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2358, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Belatti 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 H.B. No. 2358, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUILDING CODE," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 602-12) recommending that H.B. No. 2313, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2313, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Yes, Mr. Speaker. My reservation is that the language is kind of broad. This provides for a felony, and again we have too many felonies. Our jail is overfilled. It could be possibly a lesser situation where a felony is not warranted. So I think we should relook at this measure. Thank you, very much."

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

"I have the same sentiments, Mr. Speaker. With reservations, and I would like the words of the gentleman from Maui to be recorded as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESISTING ARREST," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 603-12) recommending that H.B. No. 2599, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 604-12) recommending that H.B. No. 2113, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2113, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 605-12) recommending that H.B. No. 679, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 679, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 606-12) recommending that H.B. No. 1874, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO VOG," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 607-12) recommending that H.B. No. 2598, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE REPORTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 608-12) recommending that H.B. No. 116, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 116, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ENTERPRISE ZONES," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 609-12) recommending that H.B. No. 2306, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

By unanimous consent, action was deferred to the end of the calendar.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 610-12) recommending that H.B. No. 2152, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 611-12) recommending that H.B. No. 2260, HD 1, as amended in HD 2, be referred to the Committee on Economic Revitalization & Business.

By unanimous consent, action was deferred to the end of the calendar.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 612-12) recommending that H.B. No. 1758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 613-12) recommending that H.B. No. 1829, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1829, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

"Mr. Speaker, may I ask a ruling on a potential conflict? I am a sublessee for a property on Kalani Street, as the President of Kotake Shokai. I am also an officer of Tokyo Bento in Mapunapuna who is a sublessee even though I do not operate the business there. Thank you," and the Chair ruled, "no conflict."

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

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

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

"Ho'omalua 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 614-12) recommending that H.B. No. 2576, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2576, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives McKelvey and Nishimoto, for the Committee on Economic Revitalization & Business and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 615-12) recommending that H.B. No. 2873, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives McKelvey and Awana, for the Committee on Economic Revitalization & Business and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 616-12) recommending that H.B. No. 2240, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 617-12) recommending that H.B. No. 1722, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1722, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE POWERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 618-12) recommending that H.B. No. 1972, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1972, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 H.B. No. 1972, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 619-12) recommending that H.B. No. 2398, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2398, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Ho'omalū 'ōlelo, Ke ku nei au me ke kako'o a me ke kanalua hohonu loa.

"He pila hewa kēia. Aia i hea nā leo 'o nā po'e 'o Kona, mai Honokahau mai. 'A'ohe pono nā hana ana. 'O ku'u hoa luna maka'āinana, 'a'ohe lawa nā kukakuka ana ma kēia pila e pili ana ka wahi pana 'o Honokahau. E 'uwe ka 'āina a me nā po'e apau loa mai kona mai. He aha no no'i kō lāua 'ano? 'ōia no lāua e ho'okomo a me ke kākau no me kēia pila. Ina e lāua e kukakuka me nā kupa 'O ka 'āina, 'ōia no ka mea pono. He pila lapuwale! Ina e ho'oponopono nā mana'o i loko 'o kēia, 'ōia ka mea nui. E 'ōlelo hou ko'u mana'o, kako'o a me ke kanalua hohonu loa. E hele kākou me ka akahele i ka imi pono. Mahalo."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with deep reservations.

This is a wrongful bill. Where are the voices of the Kona people from Honokahau. This is not the right process. My colleagues didn't have enough discussion on this bill which concerns the special place of Honokahau. The land and the people of Kona are crying. What is wrong with my colleagues that introduced this bill if they had more discussion with the generational people of the land (Honokahau) that is the proper process. This is a worthless bill. If we make right the concern in the bill that is the greatest justice. Again I repeat my deepest reservation. We need to carefully seek the proper justice. Thank you.

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

Representative Belatti 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 H.B. No. 2398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 620-12) recommending that H.B. No. 2246, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2246, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

"Ho'omalū 'ōlelo, ke kū nei au me ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2246, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO HAIKU VALLEY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 621-12) recommending that H.B. No. 2103, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2103, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition. Mr. Speaker, I rise in opposition from two perspectives. The first, from the study that was done by the Federal Reserve of Boston. I'll just review that, because I've basically said this previously. And secondly, from the perspective from the Hawaii bankers, our own bankers and what they feel about them.

"First in review, is a reminder to this Body that this is not an FDIC bank that would be guaranteed by the feds, by the nation. This would be guaranteed by the taxpayers of Hawaii, if anything went wrong. Because the intent here is to buy basically toxic mortgages, and those people who have not been able to keep their house. The second reminder is that there's only one state bank in the whole nation and basically state banking is a third-world phenomenon. I think we had some discussion about China on the Floor in that regard. The other point was that even though the Bank of North Dakota began in 1919 at a capitalization start up cost of \$2 million. The extrapolation and the equivalent of that in today's dollars for Massachusetts was \$3.6 billion. Mr. Speaker, where are we going to have \$3.6 billion. Even if it's half of that, the cost for starting up is tremendous.

"The other reminder of the study, and again this is not me talking, the Federal Reserve Bank and their study center said that the governance model that is used in North Dakota, if we replicate that governance model. The commissioners are three, two of which, one is the Governor of the State of North Dakota, the second is the Attorney General. If we follow that, that puts Mr. Louie and Mr. Abercrombie front and center. And the other thing they said about governance was the budget of the Bank of North Dakota is actually funded by the legislature. That's us if we follow their model.

"The last point, Mr. Speaker, was that we tend to think that this would be a great shot in the arm because of the economy of North Dakota is one of the leading economies. It's like 3.3% unemployment. But the study went on to say that that's basically because of the oil extraction industry that has caused this to happen. So my sense is if we think this is a savior, we're, I think, going to be sadly mistaken. That's the first perspective, and that's basically a review.

"Now bringing our banker's perspective front and center through the testimony of the Hawaii Banker's Association. I'd like to recap a couple of the points that they make. And remember, this is First Hawaiian speaking. This is Bank of Hawaii speaking. These are all of those who represent our constituents basically, and who we are as a State, wanting to start out and put a state bank in place to compete with them. First of all as bankers, they would like to see a business plan. And I know the sister bill of this that came up yesterday was the, quote, 'task force,' but they say there's not really a plan to do this. There's an idea, and bankers like to have numbers and logic before they move on anything.

"But particularly bankers like to know how are you going to collateralize this? How are you going to actually fund it? So without a funding source, they're at a questioning position. How and when and where \$3 billion, or if even it is a billion dollars, even \$500 million to start this thing up. If we're going to buy thousands of toxic mortgages. They again report that this is State liability, and can the State with its bond rating now actually afford to extend credit out in such a way.

"I want to read, word for word the notion of a policy conflict which they mention in their testimony. They said that there could be a potential public policy conflict of the bank's mission. This is the Bank of the State of Hawaii. Of doing social good instead of running a sound bank for profit. The potential exists for politics to influence lending policies that lead to lower quality loans with increased likelihood of non-payment.

"Mr. Speaker, having worked in the third world with the United Nations for a number of years, I know for sure, state-owned banks are influenced by politics, real influence and this is a real possibility. We're voting on a bank and our elected officials are running the bank. Assuming that we follow that model, we are mixing dangerous, dangerous elements together.

"They also said tying up public funds incorrectly may be a problem. I want to read what they mean by this. It is a fundamental error to match short-term assets ..."

Representative Say rose to yield his time, and the Chair "so ordered."

Representative Ward continued, stating:

"Mr. Speaker, you are a gentleman and a scholar. Thank you, both Speakers. It is a fundamental error to match short-term assets, that is operating income, with long-term liabilities, for example thirty-year mortgages. Unlike a bank that has short-term and long-term assets, as well as short-term and long-term liabilities, a state bank will have short-term assets and thus buying long-term liabilities may not be in the best interest of the State. Generally speaking, these mortgages that are intended to be bought are long-term liabilities, Mr. Speaker.

"They also note unfair competition. What about the State Bank of Hawaii which would have tax-free status and not have to comply with costly federal regulations. That's really a leg up because federal regulations are getting more and more onerous, since the great recession.

"They brought up the question, will we be bailing out toxic lenders. I translate that into, will we be bailing out basically, Wall Street which was already bailed out. Helping subprime loans is very risky, Mr. Speaker. And let's face it, there have been a number of 'liar loans' where people made up their income in order to get this, or even some of the people taking the applications, made up the income, and the intent of this bank is to buy those loans. Mr. Speaker, that's very, very risky. If we're going to bail out the bail out, we have to be a pretty rich state to do that.

"Lastly, the bankers feel that the existing loan programs that are out there are sufficient to cover this. And because of the precarious economic position and the precarious State budget position, this is probably not the best thing to do.

"So in conclusion, Mr. Speaker, the bankers on the East Coast, the Federal Reserve did a study. The Massachusetts people looked at the study and said, 'Whoa, we're going to make a mistake if we do this,' and they backed off. The study's only fresh, from May 2011, so this is not ancient data. So if we are looking at reinventing the wheel, we then, if we can't trust the Boston bankers, look at our own bankers who are saying, 'Guys, this is probably not a good idea. It's probably not a good time for doing it. It's probably not a good time for using tax payers' money.'

"So Mr. Speaker, I say let's not reinvent the wheel. Let's be wise in what our colleagues have done and not have to go to the moon to prove it's there. Thank you."

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 2103, Relating to the Bank of the State of Hawaii, which would establish the Bank of the State of Hawaii. I am opposed to the bill both conceptually and

theoretically. The following paraphrases support my stance and are taken verbatim, respectively, from: Hawaii Bankers Association, Hawaii Credit Union League, State of Hawaii, Office of the Director, Department of Commerce and Consumer Affairs:

- Deserves a more thorough analysis and raises the questions: Can it be accomplished without risking the public's money? Can it be operated in a safe and sound manner?
- The State could be burdened with more costly bureaucracy, not to mention the initial banking infrastructure set up costs.
- There is an unknown funding source.
- The State would become liable for public deposits.
- There remains an inherent policy conflict; a state bank would make room for politics to influence lending policies.
- A State Bank would tie up public funds by turning them into loans.
- Bank would create unfair competition since it would enjoy a Hawaii tax-free status.
- Buying troubled loans would: a) Bail out toxic lenders, b) Provide defective mortgage titles, c) Make subprime mortgages.
- Funds being deposited would be uninsured by the State itself without the benefit of being insured by a separate entity like the national credit union administration (which insures all credit unions in Hawaii). This would be extremely precarious in the event that financial difficulty within the State and would place taxpayers at enormous risk.
- Chosen board members would require no experience whatsoever.
- Bank of North Dakota didn't profit for the first twenty-six years and that was in a far more suitable economic climate.
- The Bank of North Dakota is the only current state-operating bank, North Dakota is far different than Hawaii in almost every regard.
- A State Bank would significantly decrease capital reserves of existing banks and threaten their soundness.
- State's funds deposited in local banks are backed by bonds; it is unclear whether or not the State-owned bank would be backed by bonds.

"Significant statements such as those abovementioned should not be disregarded. Thank you."

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

"Yes, Mr. Speaker. Strong reservations, and wish I would have the remarks of the Representative from Hawaii Kai as my own," and the Chair "so ordered." (By reference only.)

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

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

"In opposition. I'll be brief. I often talk to people in the District, and I would encourage every Member in this Body to go out and ask people what they think about a State bank. The response is consistent and it's strong. Every time it's in opposition to this. I think people intuitively know this a bad idea. So, before this gets to a third vote, please ask folks and see what they say. Thank you."

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

"Mr. Speaker, I am in opposition to this bill. I note that the Attorney General, a federal program that will go into effect that brings \$71 million to address our mortgage problem here in Hawaii. It will help with many of our underwater mortgages. I'm hoping that this program will be beneficial to many of our homeowners. I think we should wait and see how this program will help before we go forward with this measure. Thank you."

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

Representative Johanson's written remarks are as follows:

"I rise in opposition to HB 2103 relating to a state-owned bank. I honor the intent of this measure and the goal of this Legislature to help those in our community who are threatened with foreclosure. With our State's ongoing fiscal situation, Hawaii residents continue to feel the burden of uncertainty regarding their jobs and their homes. I think it is our duty as legislators to pass legislation that will set our State on a path of fiscal solvency both in the short and long term.

"However, I have reservations as to whether or not the State of Hawaii is equipped to tackle a venture of this size and scope. The creation of a state-owned bank is an incredibly complex undertaking in relatively unknown territory for the State of Hawaii. Taxpayers should be assured the bank will possess the necessary expertise to properly operate. The State already struggles to balance and effectively govern its existing bureaucracies and I fear it may prove unwise to further burden a state government already stretched thin.

"I also believe the creation of a state-owned bank has the potential to create unintended negative consequences for our State's fragile economy and additional burdens on the people of Hawaii. This may be the case particularly if a state-owned bank lacks the necessary operational expertise and mechanisms to achieve its ultimate goal. For those reasons, I oppose this measure as currently drafted."

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

"Mr. Speaker, I rise in support. First of all I'd like to thank the Chair of the Consumer Protection Committee for moving this bill along, and to continue discussion on this very important matter. Just to clarify some comments that were made.

"First of all, understand that the Federal Reserve is a public/private partnership. Look at the composition of who sits on the Board of Directors of those institutions. Understand that they're not regulated by the Congress or the Senate. They are appointed by the President, and occasionally viewed by the money Committees in Congress when Mr. Ben Bernanke comes before them. But they really have total independent decision-making powers. The Federal Reserve is instrumental and central to the flow of money in our banking system. So understand that. It's not surprising that they would come out with an adverse opinion through the Boston Federal Reserve System.

"As far as the FDIC, much has been said about that, but I think people need to understand that the Federal Deposit Insurance Corporation does insure certain deposits, but only up to \$250 thousand per account. That's the limit. We certainly have more than \$250 thousand in assets and most of our liabilities, even today, are self insured. Again I think we need to remind ourselves that unlike my esteemed colleague who said that Bank of Hawaii and First Hawaiian represent our constituents, I think the truth is that we represent our constituents. I think that Bank of Hawaii and First Hawaiian Bank represent their shareholders, and that's well and good. That's their duty.

"A couple other points. As far as the Attorney General's recently announced settlement by 49 states with the five largest banks, and some \$26 billion. As of today, Mr. Speaker, I do not know the terms and conditions of the settlement. I know some general outlines of it, and in

speaking to some of the agencies and Deputy Attorneys General involved in the settlement discussions, they themselves have not seen the final terms and conditions of the settlement. So at this point in time, I do not know whether and how any of the settlement moneys will find its way to relieve our distressed homeowners.

"Furthermore, until such an order and judgment is approved by the Federal District Court, it is non-binding. It has no effect on the operations of the current practices going on with the robo-signing and other fraudulent acts taking place even today. So I believe the Chair in his wisdom wanted to have a vehicle to move forward until we can learn more about what's in the settlement. And equally important, what's not in the settlement, and when we might need to create an agency or have a government entity to pick up the slack, fill in the gap, and to make sure that our homeowners are protected. So again, I think we should move this bill forward. I ask Members to keep an open mind. Again, we work for the people of Hawaii who are our constituents, first and foremost. Thank you."

At this time the Chair stated:

"Members, we've had a lot of discussion. At this point the Chair will only allow for written comments. You will have another chance to comment in the Finance Committee. Representative Ward, would you like to submit your written comments?"

Representative Ward rose to respond, stating:

"Mr. Speaker. There have only been three people who have been speaking. Why written comments as a mandatory thing from the Speaker's podium. Please indulge me, just two minutes. One minute, if I may. Let's be fair. This is the market place of ideas. This is a big issue. This is a very important issue because it does taxpayers' issues with money. I don't want to be out of order, but I want to be able to speak for one minute.

"Thank you. First of all, the Federal Reserve is filled with economists. They're filled with bankers, people who have been around the block. I'm not saying we should worship them, but I think we should respect their opinion rather than throwing it out. Because as of a few months ago, Massachusetts was in the same trajectory as Hawaii. They looked at the data and said, 'Wow, those guys have done my homework. Why do we have to do this?'

"Secondly, I will not question the integrity of our banks, but I know one of the banks is the best in the nation, and if they're not looking out for the people of Hawaii, they would never get there. I think they probably feel a little bit sad that they're suspect in this toxic mortgage issue. The point is we're trying to put a round peg into a square hole. We need a mechanism to address this mortgage issue, not by creating a state bank and throwing the economy and the whole of federal and State funding into a tailspin. We have to be more rational. We need more economic and business thinking, not just the kneejerk; well we got a silver bullet from the bank of North Dakota.

"My point is, Mr. Speaker, let's be rational. Let's be objective. Let's look at the data, and then if the data says it, I'd be willing to concede to the Finance Chair if I'm wrong. Here's what the data says. But the data is so clear now, that this is not the best policy for the people of the State of Hawaii. Full stop. Thank you, sir."

Representative Pine 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 H.B. No. 2103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK OF THE STATE OF HAWAII," was referred to the Committee on Finance, with Representatives Ching, Fontaine, Johanson, Marumoto, Riviere, Thielen and Ward voting no, and with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 622-12)

recommending that H.B. No. 2504, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2504, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 623-12) recommending that H.B. No. 2524, HD 1, be referred jointly to the Committee on Finance and the Committee on Legislative Management.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2524, HD 1, be referred jointly to the Committee on Finance and the Committee on Legislative Management, seconded by Representative Evans.

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

"Mr. Speaker, I'm standing in reservation, with brief comments. I understand the intent of this Governor's bill regarding broadband and I commend my colleague, the Representative from Upcountry Maui, Ulupalakua and his endeavors. And I probably will yield the rest of my time for him to retort. But Mr. Speaker, this 170-page bill brings up some very questionable issues, and I just want to highlight it for some of the Members to be aware of what we are creating in this measure.

"Mr. Speaker, this measure will create what I would call a Telecommunications Czar in which cable, wireless and wired communications, would fall under this one Commissioner. This bill also allows the Commissioner, and is stated on page 17, 'The commissioner shall serve as a broadband information and application clearinghouse for the state and coordinate broadband related services and programs.'

"Mr. Speaker, this means one person will have this jurisdiction, as well as in this bill, we allow this one individual the ability to administer oaths, and serve subpoenas to witnesses and documentation. Mr. Speaker, this Commissioner will also be able to exercise, discharge or perform these duties and allow a designee of his choice or her choice to be allowed the same authority.

"Mr. Speaker, also this will allow the Commissioner to affect our PEG access. Mr. Speaker, the Commissioner may initiate and access organizations, educational institutions, or government agencies at anytime, at that person's request. They'll be also able to control, from my understanding of this bill, three cable stations, and can designate who and what is placed on it.

"Mr. Speaker, the other concern I have on this measure is that the Director of DCCA shall appoint the Executive Director of the Division of Consumer Advocacy, who shall be the consumer advocate in the hearing before the PUC.

"Mr. Speaker, I understand the intent of trying to move projects forward to the benefit of making Hawaii 100% broadband accessible, but Mr. Speaker, making a Telecommunications Czar with these far-reaching authorities do not only force companies to participate, but also could lose sight of where's the public input and the access to the people that we serve. Thank you, Mr. Speaker. I'll yield my time to the speaker from Ulupalakua."

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

"Thank you very much, Mr. Speaker. With reservations, and I'd like to adopt the comments from the Representative from Mililani. I also have concerns on this bill going forward, however it is important to note that this is a similar bill to what we did in 2010, which the Minority introduced

a bill, the House Majority introduced the bill, the Senate Majority introduced a similar bill, and the previous Administration introduced a bill.

"The purpose of this is to try and get one entity to have a focused approach on broadband, from an economic perspective. This measure currently gives too much authority to one person, and I also share those concerns. However, I think it is important that this measure move forward and that we continue down the road of looking for a certain agency maybe, or a mechanism that will accomplish these goals and look at it from an economic perspective first, if broadband is important for our infrastructural foundation going forward. And from a regulatory perspective, second, because that is also very, very important."

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

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

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I work in the hospitality division of the cable company in the State of Hawaii," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. I'd like to also note my reservations on this bill. I know that the next two Committees that it will be going to will be looking at it very closely. Thank you very much, Mr. Speaker."

Representative Fontaine 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 H.B. No. 2524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES," was referred jointly to the Committee on Finance and the Committee on Legislative Management, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 624-12) recommending that H.B. No. 2359, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2359, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 625-12) recommending that H.B. No. 1707, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1707, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

"Yes, Mr. Speaker. With reservations, only because I think that this is a county responsibility rather than a State responsibility. Thank you."

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

"Thank you, Mr. Speaker. With reservations. My concerns that were raised previously have still not been addressed. Thank you."

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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 Committees was adopted and H.B. No. 1707, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 626-12) recommending that H.B. No. 1875, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1875, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"With reservations. Thank you. I would like to note that Members may have read the newspaper in the last few days that the numbers of foreclosures has grown substantially in the last reporting period. There's a huge backlog, and it's getting worse. The Judiciary is getting bogged down. Our great intentions last year have not solved the problem. By nearly all accounts of people in the industry, it has impaired the process.

"This legislation attempts to ameliorate some of the problems, but I believe it makes it even worse. In particular, the 180 days after the foreclosure conclusion in which the whole process can be voided and overturned is just unbelievable. As I mentioned before, if zero lenders have used the system to date, there will continue to be zero use of this bill.

"The two areas that really need addressing are the Unfair and Deceptive Acts Practices. Rather than tampering and making ambiguous determinations as to what we mean, that will still be an impediment to use of the program. So what we need to do is we need to repeal flat out, the Unfair and Deceptive Acts Practices. It still exists, and can still be called during the appropriate time, but we need to repeal that from the Act that we passed last year. And we need to shorten the mediation process from six and a half months, to three months. So with those two provisions, we might actually get some use of this. But this measure just makes an ugly program, worse. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1875, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second

Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 627-12) recommending that H.B. No. 2162, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 628-12) recommending that H.B. No. 2099, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 629-12) recommending that H.B. No. 2584, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 630-12) recommending that H.B. No. 2514, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2514, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 631-12) recommending that H.B. No. 2226, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 632-12) recommending that H.B. No. 1797, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1797, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE," passed Second Reading and was referred to

the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 633-12) recommending that H.B. No. 1793, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1793, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 634-12) recommending that H.B. No. 1777, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1777, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 635-12) recommending that H.B. No. 2448, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 636-12) recommending that H.B. No. 1699, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1699, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, Mr. Speaker. With reservations. I believe that the lunch hour needs to be a little bit more flexible depending on the kind of operation you have. This bill does not provide that kind of flexibility that is needed. Thank you, very much."

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

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

"Mr. Speaker, in support. I represent a District where 40% of the population is born outside the country, not just outside of the State of Hawaii, but outside the country. Many of them don't speak English as a first language. Many of them don't speak English at all. Unfortunately there are still unscrupulous employers who take advantage of these facts and don't, among other things, don't give employees meal breaks.

"When I was growing up, my father owned a business. We had a small business with a maximum of maybe 10 or 11 employees. This bill would have had no affect whatsoever on our operations, because we gave meal breaks, like any good employer should. But unfortunately that's not always the case. And that's why I introduced the bill, and that's why I support it. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1699, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 637-12) recommending that H.B. No. 2789, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2789, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

"This is, I guess I'd call it the son of 'van cam,' and I'm voting no."

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

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

"Ho'omalū 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 638-12) recommending that H.B. No. 2868, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 639-12) recommending that H.B. No. 2174, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2174, 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 Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 640-12) recommending that H.B. No. 2600, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 641-12) recommending that H.B. No. 2798, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2798, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 642-12) recommending that H.B. No. 2235, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2235, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 643-12) recommending that H.B. No. 2790, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2790, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Ching 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 support of the measure, stating:

"Thank you, Mr. Speaker. In support. The only reason I stand in support of this measure is because number one, in other countries they use this

system. But more importantly, we're suffering a huge rash of pedestrian deaths and injuries, much farther than any other State. It comes down to lack of enforcement. People know that nobody's watching so they tend to break the law. They run the lights and somebody gets hurt and killed. I think that's something I hope my colleagues and the people will keep in mind as we move forward, because this is a problem. And as far as I'm concerned, if a camera saves a life of somebody who's breaking the law, that's maybe a good thing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2790, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 644-12) recommending that H.B. No. 2594, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2594, HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 645-12) recommending that H.B. No. 1672, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 646-12) recommending that H.B. No. 2486, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2486, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 647-12) recommending that H.B. No. 1995, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1995, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 648-12) recommending that H.B. No. 2589, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2589, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," was

referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 649-12) recommending that H.B. No. 2829, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 650-12) recommending that H.B. No. 2320, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2320, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 651-12) recommending that H.B. No. 2350, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2350, HD 2, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 652-12) recommending that H.B. No. 2515, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2515, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, with reservations on Committee Report No. 652. Particularly on the portion that raises the charge of second degree theft to \$750 dollars. The retail merchants came in and testified in strong opposition. Thank you."

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

"Thank you, Mr. Speaker. Reservations, for the same reasons."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2515, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Keith-Agaran and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 653-12) recommending that H.B. No. 2192, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2192, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representatives Wooley, Hanohano and Takumi, for the Committee on Culture & the Arts and the Committee on Hawaiian Affairs and the Committee on Education presented a report (Stand. Com. Rep. No. 654-12) recommending that H.B. No. 1557, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1557, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 655-12) recommending that H.B. No. 1556, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1556, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 656-12) recommending that H.B. No. 2297, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2297, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFORMING ARTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, M. Lee, Mizuno and Morikawa being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 657-12) recommending that H.B. No. 46, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 657-12 on H.B. No. 46, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 46, HD 2, were made available to the Members of the House.

At 1:49 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:51 o'clock p.m.

THIRD READING

H.B. No. 2662, HD 1:

By unanimous consent, action was deferred one legislative day.

At 1:52 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:53 o'clock p.m.

END OF CALENDAR

REPORTS OF STANDING COMMITTEES

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 609-12) recommending that H.B. No. 2306, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that notwithstanding the recommendations contained in Standing Committee Report No. 609-12, that H.B. No. 2306, HD 1, be recommitted to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and H.B. No. 2306, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 328J, HAWAII REVISED STATUTES," was recommitted to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, M. Lee, Morikawa and Saiki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 611-12) recommending that H.B. No. 2260, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that notwithstanding the recommendations contained in Standing Committee Report No. 611-12, that H.B. No. 2260, HD 2, be recommitted to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and H.B. No. 2260, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was recommitted to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, M. Lee, Morikawa and Saiki being excused.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R.**Nos.** **Referred to:**

28 Committee on Culture & the Arts

30 Committee on Judiciary

H.C.R.**No.** **Referred to:**

49 Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B.**Nos.** **Re-referred to:**

2302, Committee on Housing, then to the Committee on Finance
HD1

2808 Committee on Hawaiian Affairs, then to the Committee on
Finance

2875 Committee on Hawaiian Affairs, then to the Committee on
Finance

ADJOURNMENT

At 1:54 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Tuesday, February 21, 2012. (Representatives Herkes, Kawakami, M. Lee, Morikawa and Saiki were excused.)

TWENTY-SECOND DAY

Tuesday, February 21, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:14 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Jo Jordan, after which the Roll was called showing all Members present with the exception of Representatives M. Lee and McKelvey, who were excused.

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

The Speaker then welcomed and recognized the following honored and distinguished guests:

United States Senator Daniel K. Inouye, who was presented with lei by Representative Cindy Evans; and Mrs. Irene Hirano Inouye, who was presented with lei by Representative Pono Chong;

Governor Neil Abercrombie, who was presented with lei by Representative Karen L. Awana; and Dr. Nancie Caraway, who was presented with lei by Representative Kyle Yamashita;

Chief Justice Mark E. Recktenwald, who was presented with lei by Representative Linda Ichiyama; and

Council Member Tulsi Gabbard, who was presented with lei by Representative Marcus R. Oshiro.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 644) was received and announced by the Clerk:

Gov. Msg. No. 644, dated February 16, 2012, appointing Heather Giugni to the 33rd House District with a term expiring November 6, 2012.

The Speaker appointed the Sergeant-at-Arms to escort Ms. Heather H. Giugni and the Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, to the rostrum.

The Speaker then requested that the Chief Justice administer the Oath of Office.

OATH OF OFFICE

The Honorable Mark E. Recktenwald, Chief Justice of the State of Hawaii, addressed Ms. Giugni and administered the Oath of Office in accordance with the provisions of the Constitution of the State of Hawaii.

The Speaker then presented to the Members of the House the newest Member of the House, Representative Heather H. Giugni.

Vice Speaker Joey Manahan then presented Representative Giugni with lei on behalf of the Members of the House.

Representative Chong introduced Representative Giugni's guests, who were seated with her on the Floor of the House:

Ms. Kealoha Giugni, sister;
Ms. Beadie Dawson, aunt;
Ms. Kanani Donahue, aunt; and
Mr. George Lee and Mrs. Grace Lee, fill-in parents.

Representative Chong also recognized her many friends and family who were seated in the gallery.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:36 o'clock p.m.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 26) was received and announced by the Clerk:

Sen. Com. No. 26, transmitting S.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," which passed Third Reading in the Senate on February 17, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bill passed First Reading by title and further action was deferred: (Representatives Chang, Giugni, C. Lee, M. Lee, McKelvey, Saiki and Thielen were excused.)

S.B. No. 2909

INTRODUCTIONS

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

Representative Awana introduced Mr. James Dold of the Policy Counsel of the Polaris Project in Washington, DC.

Representative Hashem introduced his friend, Ms. Suzan Freeman. She was accompanied by Representative's Legislative Aide, Mr. Casey Nishimura.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 34) was announced by the Clerk and the following action taken:

H.R. No. 34, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING ROSE LEE FOR DEDICATED SERVICE TO HAWAII'S MILITARY COMMUNITY, AND THE PEOPLE OF THE STATE OF HAWAII," was jointly offered by Representatives Oshiro, Ichiyama and Takai.

Representative Oshiro moved that H.R. No. 34, be adopted, seconded by Representative Ichiyama.

Representative Oshiro commended the honoree, Mrs. Rose Lee of Rose Lee's Tailor Shop, for her many years of dedicated service in helping make our military personnel in uniform look their best, and congratulated her on her retirement.

Representative Oshiro also introduced her husband, Sergeant Major (retired) Henry Lee, who was seated with her on the Floor of the House.

Representative Ichiyama also thanked her Aunt Rose for all the seamstress work she did for her family, and introduced Mr. and Mrs. Lee's son-in-law, Mr. Paul Putzulu, who was seated in the gallery. He was accompanied by family friend, Mr. Wayne Iha.

Representative Takai thanked Mrs. Lee for the many years of tailoring work she provided for his military uniforms, and thanked them both for their support of our military community, including the making of the ribbons for the Hawaii Medal of Honor.

Representative Cabanilla also thanked Mrs. Lee for keeping her uniforms up to date, and commended her on being the 'encyclopedia of uniforms.'

Representative Ward thanked the honoree for her service to our military.

The motion was put to vote by the Chair and carried, and H.R. No. 34, was adopted, with Representatives Chang, M. Lee, McKelvey, Saiki and Thielen being excused.

At 12:51 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representative Chang, M. Lee, McKelvey, Saiki, Thielen and Tokioka were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 657-12) recommending that H.B. No. 46, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 46, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 46 ayes, with Representatives Chang, M. Lee, McKelvey, Saiki and Thielen being excused.

At 1:00 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 46, HD 2

H.B. No. 2662, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE," passed Third Reading by a vote of 46 ayes, with Representatives Chang, M. Lee, McKelvey, Saiki and Thielen being excused.

At 1:01 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2662, HD 1

REPORTS OF STANDING COMMITTEES

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 658-12) recommending that H.B. No. 2429, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, M. Lee, McKelvey, Saiki and Thielen being excused.

THIRD READING

H.B. No. 2455, HD 1:

Representative Chong moved that H.B. No. 2455, HD 1, pass Third Reading, seconded by Representative Evans.

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

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

Representative Pine's written remarks are as follows:

"Although this bill has been amended to address the concerns raised by the League of Women Voters, I am voting with reservations because this could put us on a slippery slope. I'm concerned that exceptions like these could lead to even more exceptions. I hope we proceed with caution to ensure the public's trust in us."

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

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

"Ho'omalu 'ōlelo, ke kū nei au ke kako'o me ke kanalua."

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and H.B. No. 2455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS," passed Third Reading by a vote of 46 ayes, with Representatives Chang, M. Lee, McKelvey, Saiki and Thielen being excused.

At 1:02 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2455, HD 1

SUPPLEMENTAL CALENDAR #1

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 35) was announced by the Clerk and the following action taken:

H.R. No. 35, entitled: "HOUSE RESOLUTION RELATING TO THE COMMITTEE ASSIGNMENTS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SIXTH LEGISLATURE," was offered by Representative Say.

Representative Chong moved that H.R. No. 35, be adopted, seconded by Representative Ward.

At 1:03 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:04 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.R. No. 35, was adopted, with Representatives Chang, M. Lee, McKelvey, Saiki and Thielen being excused.

ORDINARY CALENDAR

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 31 through 33) and concurrent resolutions (H.C.R. Nos. 50 through 54) were referred to Printing and further action was deferred:

H.R. No. 31, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO IMPLEMENT THE COLLABORATION OF COMMUNITY HOSPITALS WITH COMMUNITY HEALTH CENTERS, AND TO DEVELOP A PLAN TO INTEGRATE CERTAIN RURAL HOSPITALS WITH FEDERALLY-QUALIFIED HEALTH CENTERS," was offered by Representative Yamane.

H.R. No. 32, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FULLY IMPLEMENT THE SECTION 1115 WAIVER GRANTED TO HAWAII IN 1994 TO RAISE THE MEDICAID ELIGIBILITY TO UP TO THREE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL," was offered by Representative Yamane.

H.R. No. 33, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THOSE STATE AGENCIES WITH SALARY AND WAGE OVERPAYMENTS," was jointly offered by Representatives Takai, Belatti, Keith-Agaran, C. Lee, Luke, Nakashima, Nishimoto and Takumi.

H.C.R. No. 50, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN CHRISTIAN INSTITUTE," was jointly offered by Representatives Luke and Awana.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," was jointly offered by Representatives Luke and Awana.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO IMPLEMENT THE COLLABORATION OF COMMUNITY HOSPITALS WITH COMMUNITY HEALTH CENTERS, AND TO DEVELOP A PLAN TO INTEGRATE CERTAIN RURAL HOSPITALS WITH FEDERALLY-QUALIFIED HEALTH CENTERS," was offered by Representative Yamane.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FULLY IMPLEMENT THE SECTION 1115 WAIVER GRANTED TO HAWAII IN 1994 TO RAISE THE MEDICAID ELIGIBILITY TO UP TO THREE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL," was offered by Representative Yamane.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THOSE STATE AGENCIES WITH SALARY AND WAGE OVERPAYMENTS," was jointly offered by Representatives Takai, Belatti, Brower, Keith-Agaran, Luke, Nakashima, Nishimoto, Saiki and Takumi.

ANNOUNCEMENTS

Representative Wooley: "Thank you, Mr. Speaker. I'd just like to have us take a moment to recognize the Chair of International Affairs. I've been assured she's not running for President, but her birthday was yesterday, President's Day."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
31	Committee on Health, then to the Committee on Finance
32	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
50	Committee on International Affairs, then to the Committee on Finance
51	Committee on International Affairs, then to the Committee on Finance
52	Committee on Health, then to the Committee on Finance
53	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
2709	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2821	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2828	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Education, then to the Committee on Finance
2909	Committee on Public Safety & Military Affairs
2988	Committee on Finance

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
530	Committee on Finance
2133	Jointly to the Committee on Human Services and the Committee on Culture & the Arts
2238	Committee on Consumer Protection & Commerce
2260, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 1:05 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 22, 2012. (Representatives Chang, M. Lee, McKelvey, Saiki and Thielen were excused.)

TWENTY-THIRD DAY

Wednesday, February 22, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Bishop Eric Matsumoto of the Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Members present.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 27 through 31) were received and announced by the Clerk:

Sen. Com. No. 27, transmitting S.B. No. 2012, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 28, transmitting S.B. No. 2508, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 29, transmitting S.B. No. 2771, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR REIMBURSEMENT OF COSTS RELATED TO THE ASIA-PACIFIC ECONOMIC COOPERATION MEETINGS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 30, transmitting S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 31, transmitting S.B. No. 2818, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES," which passed Third Reading in the Senate on February 21, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Oshiro and Takai were excused.)

S.B. No. 2012, SD 1
S.B. No. 2508, SD 2
S.B. No. 2771, SD 1
S.B. No. 2808
S.B. No. 2818

INTRODUCTIONS

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

Representative Thielen introduced family friends who are students visiting from Washington State: Ms. Julia Lober, Ms. Caroline Lober, and Ms. Sarah Lober.

Representative Carroll introduced Mr. Robert Nakagawa of the Boy Scouts of America, Maui County Council; and Mr. David Earls.

Representative Belatti introduced the 2nd grade students and English as a Second Language students of Hawaiian Mission Academy.

Second Grade Students: Marley Cook, Josiah Del Prado, Yoshimune Hadley, Donald Jones, Nari Shin, Elijah Solidum, Jalyan Sybert and Christopher Uyema.

English as a Second Language Students: Shannon Anderson, Hina Ichikawa, Mui Kanazawa, Momoka Kobayashi and Ayano (Sylvia) Tanaka.

Teachers and Chaperones: Teachers, Mrs. Nel Rittenbach and Ms. Frances Oshita; and Chaperones, Mrs. Hiromi Goto Hadley, Ms. Epilihter Kado, Mr. Naoichi Kanazawa and Miss Nanko Kanazawa.

Representative Mizuno also recognized his friend, 2nd grade student, Eljia Solidum of the Hawaiian Mission Academy.

Representative Ching introduced her legislative staff, Office Manager Ms. Jessica Bursack, and Ms. Tiffany Au.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 37) was announced by the Clerk and the following action taken:

H.R. No. 37, entitled: "HOUSE RESOLUTION RECOGNIZING THE 2012 HONPA HONGWANJI MISSION OF HAWAII'S LIVING TREASURES," was jointly offered by Representatives Saiki, Cabanilla, Nishimoto, Wooley and Yamane.

Representative Saiki moved that H.R. No. 37, be adopted, seconded by Representative Yamane.

Representative Saiki commended the 2012 Honpa Hongwanji Mission of Hawaii's Living Treasures, and congratulated the honorees who were seated on the Floor of the House.

Representative Saiki then introduced Mr. Gordon Mark, self-taught ukulele virtuoso and composer of many Hawaiian and modern musical compositions, and former faculty member at the University of Hawaii and instructor at the Art Department.

Representative Yamane introduced Mrs. Barbara Kawakami, textile entrepreneur, author and local historian specializing in Japanese heritage, and immigration studies and clothing. She was accompanied by her daughter and son, Ms. Fay Toyama and Mr. Gary Kawakami; sponsors, Mr. Norman Hirohata-Goto and Dr. John Connor; and friends, Mr. and Mrs. Yoshitake, who were seated in the gallery.

Representative Cabanilla introduced Mr. Goro Arakawa, a Waipahu icon with a passion for Hawaiian history and culture, community leader, volunteer, business entrepreneur, visionary and founding member of the Waipahu Plantation Village.

Representative Wooley introduced Mrs. Lynnette Paglinawan, internationally recognized practitioner and teacher of the ancient Hawaiian practice of *ho'oponopono*. She was accompanied by her husband, Mr. Richard Paglinawan, who was seated in the gallery.

Representative Nishimoto introduced Dr. Ben Finney, anthropology professor at the University of Hawaii, co-founder of the Polynesian Voyaging Society and Hokule'a crewmember on its maiden voyage in 1976. He was accompanied by his wife, Mrs. Milla Finney, who was seated in the gallery.

Representative Ching congratulated the honorees for their strength, and for inspiring future generations and teaching them the importance of heritage.

Representative Oshiro offered his personal gratitude to the honorees and reflected on how each one had touched and shaped his life, and inspired and mentored him to be the person he is today.

Representative Ward applauded the honorees for making a difference in our community, particularly Mr. Arakawa for being a small business role model; and Dr. Finney for being on his PhD dissertation committee.

The motion was put to vote by the Chair and carried, and H.R. No. 37, was adopted.

At 12:34 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

SUSPENSION OF RULES

At this time, the Chair announced:

"Members, please note that HB No. 2133 has been re-referred solely to the Committees on Human Services, and Culture & the Arts per Committee Referral Sheet No. 35 which was delivered to your offices yesterday. The Committee on Finance waived its referral to this measure and therefore it is appropriate for the House to consider action for passage on Third Reading.

"We will take up four motions at this time to address passage on Third Reading on HB No. 2133."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.B. No. 2133. (Representative Chang was excused.)

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Manahan, seconded by Representative Evans and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 342-12, recommending referral to the Committee on Finance. (Representative Chang was excused.)

SUSPENSION OF RULES

On motion by Representative Manahan, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representative Chang was excused.)

UNFINISHED BUSINESS

H.B. No. 2133:

On motion by Representative Manahan, seconded by Representative Evans and carried, H.B. No. 2133, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

At 1:01 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2133

REPORTS OF STANDING COMMITTEES

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 659-12), recommending that H.C.R. No. 41, be referred to the Committee on Legislative Management.

On motion by Representative Manahan, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF THE PROFESSION OF MUSIC THERAPY," was referred to the Committee on Legislative Management, with Representative Chang being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 660-12) recommending that H.C.R. No. 18, be adopted.

On motion by Representative Manahan, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EFFORTS OF THE NATIONAL WOMEN'S HISTORY MUSEUM TO SECURE A PERMANENT HOME IN THE NATION'S CAPITAL," was adopted, with Representative Chang being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 36) and concurrent resolutions (H.C.R. Nos. 55 and 56) were referred to Printing and further action was deferred:

H.R. No. 36, entitled: "HOUSE RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was offered by Representative Yamane.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE UNIVERSITY CLINICAL, EDUCATION AND RESEARCH ASSOCIATES, INC.," was offered by Representative Yamane.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was offered by Representative Yamane.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker. On behalf of the Fellowship Luncheon and all faiths, and Representative Mizuno, and myself, all Members are invited to Room 437 for a bento lunch and fellowship. Thank you."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.

Referred to:

- | | |
|----|--|
| 33 | Committee on Legislative Management, then to the Committee on Finance |
| 36 | Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance |

H.C.R.**Nos.** **Referred to:**

- 54 Committee on Legislative Management, then to the
 Committee on Finance
- 55 Jointly to the Committee on Health and the Committee on
 Higher Education, then to the Committee on Legislative
 Management, then to the Committee on Finance
- 56 Jointly to the Committee on Health and the Committee on
 Public Safety & Military Affairs, then to the Committee on
 Finance

S.B.**Nos.** **Referred to:**

- 2012,
SD1 Committee on Finance
- 2508,
SD2 Committee on Judiciary
- 2771,
SD1 Committee on Public Safety & Military Affairs, then to the
 Committee on Finance
- 2808 Committee on Human Services, then to the Committee on
 Finance
- 2818 Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B.**Nos.** **Re-referred to:**

- 283 Committee on Finance
- 2748 Committee on Finance

ADJOURNMENT

At 1:03 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, March 01, 2012. (Representative Chang was excused.)

TWENTY-FOURTH DAY

Thursday, March 01, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Marine Sergeant Matt Koetting, former legislative intern for Representative Chris Lee, after which the Roll was called showing all Members present.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Days were approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 218 through 221) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 218, dated February 14, 2012, transmitting the Report Examining the Federal 2008 Farm Bill Amendment to the Richard B. Russell National School Lunch Act, prepared by the Department of Agriculture pursuant to H.C.R. No. 167 (2011).

Gov. Msg. No. 219, dated February 21, 2012, transmitting the Hawaii Exchange for Local Investment Report, prepared by the Department of Commerce and Consumer Affairs pursuant to S.C.R. No. 134, S.D. 1 (2011).

Gov. Msg. No. 220, dated February 21, 2012, transmitting the 2010 and 2011 Annual Report of the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 221, dated February 24, 2012, transmitting a report relating to locating land suitable to construct a motorsports center on the island of Oahu, prepared by the Hawaii Community Development Authority pursuant to H.C.R. No. 100, H.D. 2 (2011).

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 71, 72 and 75) were received by the Clerk and were placed on file:

Dept. Com. No. 71, dated February 10, 2012, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Quarterly Report on Expenditure of Funds from the Tobacco Settlement Agreement for University Revenue Undertakings FY2012, as required by Act 164, Section 23, SLH 2011

Dept. Com. No. 72, dated February 15, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Report on the Implementation of State Auditor's 2008 Recommendations, pursuant to Section 23-9, HRS.

Dept. Com. No. 75, dated February 21, 2012, from Bernice K.N. Mau, City Clerk, City and County of Honolulu, transmitting Resolution 12-45, urging the State Legislature to require prescriptions to acquire the drug pseudoephedrine, which was adopted by the Council of the City and County of Honolulu on Wednesday, February 15, 2012.

INTRODUCTIONS

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

Representative Marumoto introduced friends visiting from Pittsburg, Mrs. Nancy and Mr. Joseph Gorsha.

Representative Awana introduced Mr. Tezcan Inanlar, Chief Executive Officer of the Pacifica Institute.

Representative C. Lee recognized firefighters with the Honolulu Fire Department who are assisting with the CPR training in the Capitol Auditorium.

Representative C. Lee introduced Marine Sergeant Matt Koetting who gave today's invocation, and his wife, Mrs. Khali Koetting.

Representative Chong introduced Ms. Corina Eckl of the National Conference of State Legislatures in Denver.

Representative Rhoads introduced a friend and constituent, Mr. Harry Mattson with the AARP.

Representative Carroll introduced Mr. Herman Andaya, Chief of Staff, Office of Mayor Arakawa.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 51) was announced by the Clerk and the following action taken:

H.R. No. 51, entitled: "HOUSE RESOLUTION RECOGNIZING A DRAFT MEMORANDUM OF UNDERSTANDING AND COOPERATION BETWEEN THE STATE OF HAWAII AND THE LEAGUE OF CITIES OF THE PHILIPPINES," was jointly offered by Representatives Mizuno, Aquino, Awana, Brower, Cabanilla, Chong, Choy, Cullen, Hanohano, Har, Ito, Kawakami, Manahan, McKelvey, Morikawa, Nishimoto, Say, Souki and Tokioka.

Representative Mizuno moved that H.R. No. 51, be adopted, seconded by Representative Manahan.

Representative Mizuno introduced and welcomed honored guests seated on the Floor of the House:

Mayor Peter B. Carlisle, City and County of Honolulu;
Mayor Alan M. Arakawa, County of Maui;
Mayor Bernard P. Carvalho Jr., County of Kauai; and
Mayor Billy Kenoi, County of Hawaii.

Representative Mizuno also introduced Governor Neil Abercrombie, who was seated at the Rostrum.

Representative Mizuno then thanked the many staff members of the House of Representatives and League of Cities of the Philippines; as well as Mayor Hernani Braganza of Alaminos City, Philippines, and his staff for their efforts toward this Memorandum of Understanding and Cooperation.

Representative Manahan then noted the significance of this Memorandum in recognizing the political, social and economic ties between the State of Hawaii and the 122 cities of the League of Cities of the Philippines which will be formalized at a historic signing ceremony later this day at Washington Place.

Representatives Brower and Cabanilla introduced the Mayors representing the League of Cities of the Philippines who were seated on the Floor of the House:

Mayor Hernani A. Braganza, Alaminos City;
Mayor Paulino Salvador C. Leachon, Calapan City;
Mayor Benjamin Lim, Dagupan City;
Mayor Melecio Yap, Escalante City;
Mayor Michael Farinas, Laoag City;

Mayor Linda P. Gonzalez, Ligao City;
 Mayor Eric M. Saratan, MD, Talisay City Negros Occ.;
 Mayor Amelita Navarro, Santiago City;
 Mayor Melandres G. De Sagun, Trece Martires; and
 Mayor Amadeo Gregorio Perez, IV, Urdaneta City.

Representative Cabanilla also introduced Mayor Oscar Rodriguez of San Fernando City, Pampanga, President of the League of Cities of the Philippines, who was seated at the Rostrum.

Representative Awana introduced the many support staff involved with this Memorandum, as well as LCP Delegates and family members traveling from the Philippines:

Mr. Paul Cortes, Deputy Consul General, Philippine Consulate General of Hawaii;
 Mr. Herman Andaya, Chief of Staff, Office of Mayor Arakawa;
 Mr. Rod Antone, Communications Director, Office of Mayor Arakawa;
 Ms. Ann Chung, Director of Economic Development, Office of Mayor Carlisle;
 Ms. Jane Clement, COVO President, Congress of Visayan Organization;
 Ms. Mariata Estrata, President, Filipino Community Council;
 Mrs. Lim, wife of Mayor Lim;
 Ms. Rhoda Espino, Secretariat, League of Cities of the Philippines;
 Ms. De Sagun, LCP Delegate;
 Mr. Lemont Agricola, Consultant, Office of Mayor Braganza;
 Mr. Jeremy Nishimori, Executive Director, League of Cities of the Philippines;
 Mr. Ricky Farinas, LCP Delegate; and
 Mr. Roland Cabigas, Secretariat, League of Cities of the Philippines.

Representative Rhoads introduced members of the Filipino community in Hawaii:

Mr. Jake Manegdeg;
 Ms. Edna Alikpala;
 Ms. Jean Jeremiah; and
 Mr. Jun Colmenares.

Representative Pine, on behalf of the Minority Caucus, thanked the League of Cities of the Philippines for their continued relationship and partnership with the people of Hawaii.

Representative Herkes, as one born in the Philippines, expressed his honor in supporting this measure.

The motion was put to vote by the Chair and carried, and H.R. No. 51, was adopted, with Representative Saiki being excused.

At this time, the Chair invited the Governor to address the Chamber.

Governor Abercrombie's remarks are as follows:

"Thank you. Thank you very much, Mr. Speaker. I appreciate the brevity of that introduction. And I also appreciate, and I want all of you to know, that as I stand here before you, that you really can't teach old dogs new tricks. Apparently old dogs do their old tricks. I found myself, and thank you very much for not turning around and saying, 'What do you think you're doing?' When he said, 'All those in favor say 'aye'.' And I said, 'aye'.' Maybe it was a new trick. There was a lot of time when I said 'no' down here.

"But it does remind me what a pleasure and what an honor it is to be back in the House of Representatives, the People's House, and to be able to participate. This is indeed, for our friends from the Philippines and for the Mayors of all of the islands, an opportunity to share a few moments with one another as legislators. And I particularly have the privilege this evening in being able to welcome all of you to Washington Place.

"It's very appropriate that we meet at Washington Place, because the kings and queens of the Kingdom of Hawaii were well known throughout the world for their international outlook. The royalty of Hawaii traveled

the world over, engaged in conversations and interaction and indeed treaties with people the world over, most particularly in Asia and the Pacific. And so that legacy is made manifest in this Memorandum of Understanding today. Many here participated recently in the APEC activities here in Honolulu, in which we tried to establish in the minds of not only our friends and neighbors, our brothers and sisters in the Asia-Pacific area, our relationship with one another, but in fact announced it to the world.

"The President of the United States himself has indicated that this century will be the Century of the Pacific, and we like to posit ourselves here, for all of our friends, Mayors in the Philippines, posit ourselves as the anchor of the Asia-Pacific area. We no longer think of ourselves as a crossroads, or a pass through from East and West. We are in fact the anchor of the Asia-Pacific area, and we reach out to our brothers and sisters throughout the Asia-Pacific area. This is particularly pertinent today, as Hawaii's population reaches almost one in four with at least some portion of their ancestry from the Philippines.

"Hawaii, as has been noted by several of the previous speakers, is a place of diversity, and that diversity in fact defines us rather than divides us. And the Philippines now provides a foundation stone in that diversity that is unique not only in its contribution, but in the breadth and depth of what it will mean for us in the future. As has been noted, Filipinos have lived in Hawaii since 1906, and I don't know if Representative Pine's ancestors were among the 15 original laborers recruited to the Islands, but I can tell you right now, for those who don't know, that over 3,500 new Filipinos immigrate each year here over the past decade. And that I think is a symbol, in no uncertain terms, of what our diversity is all about.

"This Memorandum of Understanding will set up a working group. For those in the audience who may not be familiar with what this means today. It will be a working group representing both Hawaii and the Philippines as has been indicated. We will meet from time to time. We'll review the objectives of the Memorandum of Understanding which are: yes, exchange of business by citizens of both places. More regular visits by officials to both places. But in terms of business and in terms of culture, in terms of energy uses, urban land use, environmental questions. We intend to exchange not only views, but best practices that will benefit both sides on the Memorandum of Understanding.

"This is, in one respect, something that I do have a particular personal interest in, and I want to cite it. For some years, we struggled in the Congress of the United States to recognize the contribution of World War II Filipino Veterans. We managed to achieve that recognition and to put something behind it that indicated to those that had made those sacrifices in the Philippines that we not only remembered it, but that we recognized it in the most tangible way.

"So this League of Cities of the Philippines representation here today is very, very, important to us. We are very, very, grateful and extend our mahalo, our thank you, and a *mabuhay* and aloha to all the Mayors that are here today representing your brothers and sisters throughout the Philippines. Because the League of Cities is most appropriate in promoting exactly the things that this Memorandum envisions: trade, culture, tourism to be sure, and related activities between Filipino cities, the State of Hawaii and of course all the people of Hawaii.

"I look forward to meeting with you tonight at Washington Place. I look forward to the signature on the Memorandum of Understanding tonight, as representational of what the future of the relationship between Hawaii and the Philippines will be: one of progress, and one of friendship. Aloha. Mahalo. *Mabuhay*."

At this time, the Chair invited Mayor Oscar Rodriguez, President of the League of Cities of the Philippines, to address the Chamber.

Mayor Rodriguez's remarks are as follows:

"To the Honorable Governor of the State of Hawaii, Governor Neil Abercrombie; the Honorable Lieutenant Governor; Brian Schatz. To the Honorable Speaker of the House, Calvin K.Y. Say. To the Honorable

Members of the Filipino Caucus. To all of the Honorable Members of the House of Representatives of the Hawaii State Legislature, and to the Honorable City and County Mayors here: Mayor Peter Carlisle, Mayor Alan Arakawa, Mayor William Kenoi and Mayor Bernard Carvalho Jr., my warmest greetings and a pleasant day. I was once a member of the House of Representatives of the Congress of the Philippines for 14 years, and I therefore feel privileged to be in the middle of legislators like you.

"Not only that, I still remember the definition of the great President, our great President of the world, the late Franklin Delano Roosevelt when he defined what a true leader is, and I quote, 'A true leader is one who tries to bridge the chasm between humanity and better life.'

"After reading the history of Hawaii, after I've seen Hawaii in the few days of my stay here, and hearing from the stories of leaders here, I came to believe that I am in the midst of true leaders defined by Franklin Delano Roosevelt. I am, therefore, deeply honored by this opportunity to speak before this august Body. Representing the 122 members of the League of Cities of the Philippines, truly, this is a historic event, a first for our organization, at least of this magnitude.

"I remember that only a few months ago, yours truly along with our Secretary General, Mayor Nani Braganza, and our Deputy Secretary General for the National Capital Region, Mayor Del De Guzman, met with your colleagues, Representative John Mizuno and Representative Tom Brower, to explore the possibility of a Memorandum of Understanding and Cooperation between our two institutions.

"I still remember distinctly thinking that although we are still far from finalizing any agreement, we were all so seriously discussing possibilities of knowledge exchanges and joint workshops. These exchanges have in fact, already become a reality. Just yesterday, we were fully immersed in discussions with the senior personnel of your State government regarding your disaster preparedness initiatives which is a very, very, important component of governance today because of the present situation of the world, and climate change.

"This morning we were engaged in discussions that focused on your tourism practices. And we learned a lot because we know that Hawaii State depends on its tourism industry. On behalf of the members of the League of Cities of the Philippines, therefore, please allow me to express our most sincere, thank you.

"The idea of a more formal agreement for the future excites us. However, not simply because this may mean more opportunities for us to learn from you, equally so through our Memorandum of Understanding, we will seek and pursue all opportunities through which we can share our experiences which we hope will also be of benefit to you. The logic of pursuing such an agreement seems simple enough. The globalization, the IT revolution, practically make every one of us one big family, and therefore, we have to reach out with each other particularly with our friends and former countrymen here who have the Filipino blood in their veins. Why then should we reinvent the wheel or innovate, when there can be mechanisms that could allow us access to the best practices of our counterparts. Surely if we did so we would only have to fine tune the broad strokes of such best practices so that they would suit the particularities of our own context.

"With the complex demands on governments that we encounter, particularly in the delivery of basic services and economic development, efficiency is key. This Memorandum of Understanding and Cooperation can also underscore and highlight our distinct competitive advantages, which would lead to more rational synergies that would not only preserve our strengths, but also enhance opportunities for exchange.

"Last, but definitely not the least, this Memorandum of Understanding and Cooperation reflects our sincere commitment to serve effectively and responsibly the communities that we share, I am sure that it is known to all of us that we do not only share the Pacific Ocean, we also share a people.

"I understand there are many citizens here who are, in their deep recesses, carrying Filipino blood. I am equally sure that while we seek to walk joining hands, our governments in general, our efforts to this

partnership also seeks to serve in particular the people who trace their roots both in yours and in ours.

"Our initiatives have not gone by without notice. His Excellency, Benigno S. Aquino III, President of the Republic of the Philippines has sent a message, a copy of which we will give officially to the Office of the Speaker, and I am both honored and privileged to deliver this now to you, and I quote:

On behalf of the people of the Philippines, it is with great pleasure that I send my warmest greetings to Governor Neil Abercrombie, Lieutenant Governor Brian Shatz, Senate President Shan Tsutsui, Speaker Calvin Say of the Hawaii State Legislature, the honorable members of the Hawaii State Legislature, the Hawaii state and local government officials.

I am very pleased by this auspicious occasion, the Memorandum of Understanding and Cooperation between the State of Hawaii and the League of Cities of the Philippines. We are bound by ties of history and ancestry, Filipino-Hawaiians who consider both the Philippines and the islands of Hawaii as their home, are living exponents of this bond.

We are also united by shared ideals: of democracy and good governance. In the Philippines, we are seeking to mobilize our institutions to strengthen our democracy and restore the culture of transparency and accountability. We are mobilizing public officials who are solely focused on the public interest, who will defend the rule of law and not invoke it only where it serves the privileged few. Like you, our government remains steadfast on the path of progress and reform.

Through this partnership, ties of friendship will be pursued in a more comprehensive, strategic, and efficient manner in the areas of education, public health, disaster and climate resilience, juvenile justice, and social development. I am confident that Philippine cities have the capacity to widen this cooperation and have much to share with our partners in Hawaii. May this signing lead to broader relations between the Republic of the Philippines and the United States of America.

Mahalo Nui Loa. Maraming Salamat Po.

"Signed, Benigno S. Aquino, III. End of the President's message.

"Indeed, as we continue to engage in a partnership that we not only exchange knowledge, but also friendship. We will jointly find ways to ensure that we can be more successful in the fundamental challenge that we face – public service. Let us continue then, upwards in this path. Confident of the service we provide to each other, so that we can serve the people better.

"Our most sincere gratitude, therefore, to Governor Abercrombie, for giving your blessing to the Memorandum of Understanding and Cooperation. I believe I speak for our members of the LCP when I say that we look forward to future realizations of our partnership.

"Our heartfelt thanks to the House of Representatives of the State Legislature of Hawaii; particularly of course to our close friends now, Congressman Mizuno and Congressman Brower, among others. To the Filipino Caucus, particularly the others, Representative Rida Cabanilla, and Representative Joey Manahan. You did not only push for this partnership, you nurtured it. We can only hope to reflect your efforts as both Hawaii and Philippine citizens pursue this Memorandum.

"To Mayors Carlisle, Kenoi, Arakawa, and Carvalho Jr., your presence and support inspire us. We are hopeful and confident that once you look into the best practices of Philippine cities, as the partnership would showcase, you may also be similarly inspired.

"To the LCP delegation present here, and likewise to all its members, it is true that your support of our conversions have emboldened us to take steps like this. Thank you.

"Last, but definitely not least, to the Filipino community here in the State of Hawaii, our most heartfelt thank you. Because you are here, we

can never be far from home, while in Hawaii. Mahalo nui loa. Thank you, very much. *Maraming salamat po.* And from the far away land of the Philippines and the almost 100 million inhabitants therein, allow me to say, *mabuhay*. Thank you, very much."



MALACAÑAN PALACE
MANILA

MESSAGE

On behalf of the people of the Philippines, it is with great pleasure that I send my warmest greetings to Governor Neil Abercrombie, Lieutenant Governor Brian Shatz, Senate President Shan Tsutsui, Speaker Calvin Say of the Hawaii State Legislature, the honorable members of the Hawaii State Legislature, the Hawaii state and local government officials.

I am very pleased by this auspicious occasion, the Memorandum of Understanding and Cooperation between the State of Hawaii and the League of Cities of the Philippines. We are bound by ties of history and ancestry, Filipino-Hawaiians who consider both the Philippines and the islands of Hawaii as their home, are living exponents of this bond.

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Through this partnership, ties of friendship will be pursued in a more comprehensive, strategic, and efficient manner in the areas of education, public health, disaster and climate resilience, juvenile justice, and social development. I am confident that Philippine cities have the capacity to widen this cooperation and have much to share with our partners in Hawaii. May this signing lead to broader relations between the Republic of the Philippines and the United States of America.

MAHALO NUI LOA. MARAMING SALAMAT PO.


BENIGNO S. AQUINO III

MANILA
28 February 2012

The Chair then stated:

"Thank you Mayor Rodriguez for your excellent speech. At this time, the Chair will call a recess to allow Member to meet and congratulate the honorees."

At 12:56 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:04 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 661-12) recommending that H.B. No. 2497, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2497, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Saiki being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 662-12) recommending that H.B.

No. 2458, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO CONVERSIONS BY NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Saiki being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 663-12) recommending that H.B. No. 2769, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Saiki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 664-12) recommending that H.B. No. 1772, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1772, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Saiki being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Herkes and Saiki were excused.)

REPORTS OF STANDING COMMITTEES

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 665-12) recommending that H.B. No. 1965, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1965, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR PHARMACISTS," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 666-12) recommending that H.B. No. 1746, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1746, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I just would like to ask for a ruling on a possible conflict of interest. I serve on a board of directors of a condominium. I also own a condominium and live in a condominium. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

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 H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 667-12) recommending that H.B. No. 994, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 668-12) recommending that H.B. No. 2799, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2799, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 669-12) recommending that H.B. No. 1969, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1969, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. First may I have a ruling on a potential conflict? My son is the President-elect of BIA, Building Industry Association," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I wanted to read from the General Contractors Association testimony in opposition to the bill. And I'm with serious reservations on the measure. Thank you.

"The purpose of the bill is to shorten the time by which subcontractors and material men are to receive progress and final payments from contractors on government and private construction projects. That's a very meritorious purpose.

"I think that makes sense, but let me explain why the GCA, the General Contractors Association, is opposed. They say the bill is not necessary, because similar issues were addressed in 2006 when a number of us were here in this Body. Those are my words; not the GCA. Then GCA continues that when the legislature passed Act 291, the purpose of Act 291 was to accelerate a subcontractor's or material man's right to payment upon completion of the subcontract, or the furnishings of material, providing for prompt payment to a subcontractor or material man upon completion of those persons' work on government projects. And then Act 291 is codified.

"In 2006 when this was occurring, a difficult industry consensus was reached with the passage of that bill, and it applied appropriate provisions that balanced the need for prompt payment to lower-tier contractors and subcontractors. And then here comes the key language, Mr. Speaker. While safeguarding the control needed for the upper-tier contractors and subcontractors to ensure that work is done timely and properly by its lower-tier subcontractors.

"So we are removing that balance, Mr. Speaker, by passing this bill mandating that all levels get this payment right at the front. And we aren't

allowing a control needed for the contractor to ensure that the work is being done by the subs.

"So I think that this bill is actually not necessary, because the 2006 law is working. I would like to ask Members to reconsider their analysis of this bill after the Senate deals with it. And if it does come back, it may not. Thank you."

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

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

"Mr. Speaker, I'm standing in support. Mr. Speaker, in Act 291, Session Laws of Hawaii 2006, this Legislature tried to address the problem regarding delayed payments. However, Mr. Speaker, subcontractors and material men are still experiencing delays. Mr. Speaker, there are about 6,154 licensed subcontractors in Hawaii, and the bill was intended to make sure that these small mom and pop, small private businesses, get paid in a timely fashion.

"Mr. Speaker, in 2011 there was \$1.8 billion in private construction contracts in the State of Hawaii, which is about 76%. This includes projects with private small companies like the Waikoloa Hilton Hawaiian Village King Landing which was contracted to start last year. But it was 4 months, Mr. Speaker, before the subcontractors received their first payment. Another project on Maui took 1 year for them to receive payment for services rendered. The Disney Aulani project is finished, but subcontractors on that project have not yet received final payment as of today.

"Mr. Speaker, public projects like the John A. Burns School of Medicine, a project that was completed several years ago, many of their subcontractors are still awaiting final payment. Mr. Speaker, the goal of this bill was to prevent something happening like the issue with the Board of Water Supply construction. That construction, Mr. Speaker, was completed in 2002, however, final payment to some of the subcontractors didn't happen until 2009 – 7 years. During a time of recession, Mr. Speaker, we need to encourage and ensure that these people get paid for services rendered quickly so they can keep and stay solvent. Thank you, Mr. Speaker."

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

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

Representative Awana rose in support of the measure and asked that the remarks of Representative Yamane be entered into the Journal as her 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 Committee was adopted and H.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 670-12) recommending that H.B. No. 1928, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1928, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise with very, very, very strong reservations. Thank you, Mr. Speaker. Mr. Speaker this bill repeals section 291E-68 of the Hawaii Revised Statutes. In the past, it would repeal the

criminalization of refusing to submit to chemical testing after an arrest for drunk driving. Criminalization of refusal to submit to the chemical test in drunk driving cases was included in the Ignition Interlock Program, by the Ignition Interlock Task Force, which realized that the sanction for refusing the chemical test must always be greater than the sanctions for taking the test in order to encourage compliance with the request of the test.

"Drivers arrested for drunk driving are able to legally drive with an interlock device, and individuals who refuse the chemical test are also given the privilege of driving interlock equipped vehicles, albeit they are required to keep the device installed for a longer period. The ability of drivers who refuse the chemical test to maintain the driving privilege reduces the deterrent value of the longer license revocation period for this group. Therefore, the task force recommended criminalization of refusal to make the act of refusing the chemical test, subject to stronger penalties.

"Mr. Speaker, at least 15 other states have criminal sanctions for refusal, the basic reasons for criminalization are as follows:

"The National Highway Transportation Safety Administration, issued a recommendation that states should review their laws to ensure that refusal is a criminal offense, and that penalties are greater than those for conviction on a drunk driving offense.

"Number 2. The ability to refuse a chemical test is not a constitutional right, but a statutory right created under the implied consent law.

"Number 3. Probable cause for a DUI arrest must be present before a person is asked to take a chemical test.

"Number 4. Researchers have realized that many drivers refuse to take the test, in order to avoid or reduce the chance of facing criminal sanctions resulting from a conviction from DUI.

"Number 5. Individuals who refuse to take the chemical test are more likely to be repeat offenders, than those who take the test.

"Number 6. The lack of criminal penalties for chemical test refusal means the suspect, if not convicted of a DUI, will not be identified as having an alcohol-related offense and will be treated as a first offender by the court if arrested again. The threat of another license suspension for repeat offenders is an ineffective deterrent.

"Finally, the additional criminal charge for refusal does not overburden the courts and should not complicate DUI prosecutions. The refusal crime can be charged concurrently with DUI. Prosecutors may choose to dismiss the refusal crime upon a plea to DUI. Courts may choose to impose concurrent sentences on DUI and a refusal crime. The possibility of suffering refusal penalty even if found guilty of the DUI charge, already exists with the administrative sanctions.

"Members, and Mr. Speaker, I urge the Committee to look at the testimony of Mothers Against Drunk Driving who are in opposition to this measure, and I will be voting with very strong reservations. Thank you, Mr. Speaker."

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

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

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

Representative Thielen 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1928, entitled: "A BILL FOR AN ACT RELATING TO TESTING FOR INTOXICANTS," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

At 1:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1965
H.B. No. 1746, HD 1
H.B. No. 994, HD 1
H.B. No. 2799, HD 1
H.B. No. 1969, HD 1
H.B. No. 1928

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 671-12) recommending that H.B. No. 2852, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2852, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

Representative Hanohano 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 H.B. No. 2852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was placed on the calendar for Third Reading, with Representative Rhoads voting no, and with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 672-12) recommending that H.B. No. 1771, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1771, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 673-12) recommending that H.B. No. 1709, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 674-12) recommending that H.B. No. 1776, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1776, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 1776, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATION SERVICE PROVIDERS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 675-12) recommending that H.B. No. 2623, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 676-12) recommending that H.B. No. 1788, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1788, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 677-12) recommending that H.B. No. 2295, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CYBERBULLYING," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 678-12) recommending that H.B. No. 2241, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2241, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Ching 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 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 H.B. No. 2241, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANTIQUE GAMBLING DEVICES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 679-12) recommending that H.B. No. 2679, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL

CRUELTY," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 680-12) recommending that H.B. No. 2296, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2296, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 681-12) recommending that H.B. No. 1589, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1589, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, thank you. Mr. Speaker, I'm rising in strong support and would like to express my thank you to the Chair of Ag and members."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1589, HD 1, entitled: "A BILL FOR AN ACT DESIGNATING FEBRUARY AS HAWAIIAN GROWN CACAO MONTH," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 682-12) recommending that H.B. No. 2079, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2079, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I will submit my written remarks. But this may be going on Consent Calendar next time and I might not have the opportunity. So if I can just thank the Chair of Health. Thank you, Mr. Speaker.

"I rise in strong support, and I'd like to thank the Health Chair, the Vice Chair of Health, and the Committee Members. You know the Health Chair, sometimes you want to choke him. And sometimes you want to hug him. This is one of those times you want to hug him. And Mr. Speaker, may I be allowed to insert written comments into the Journal."

Representative Tokioka's written remarks are as follows:

"Mahalo, Mr. Speaker, for allowing me to submit written comments in support of House Bill 2079, which establishes and designates the bacterium, *Nesiotobacter exalbesceus* as the official State Microbe. At present the State of Hawaii and its individual islands recognize 31 official emblems in a diverse range; from tree to song, colors to flower and insect to almost anything in between, except for the microbe. According to the Associate Professor of the Department of Microbiology at the University of Hawaii at Manoa, Dr. Stuart P. Donachie who discovered *Nesiotobacter exalbesceus*, microbes are the most abundant organisms in Hawaii and on Earth. They create and sustain our environment.

"However, microbes are given a bad name. If you look up the definition of microbe in the dictionary it says: "a microscopic organism, especially one that transmits disease"(Encarta: English (North America)). The latter

half perpetuates the reason why microbes are viewed negatively. From a young age we remember being told to: "wash our hands to prevent the spread of germs" and "germs are bad". We neglect to remember that without many of these germs we wouldn't be able to build resistance and our overall quality of health would decline.

"*Nesiotobacter exalbasensis* is one of the good microbes. In pure culture it converts nitrate to nitrogen, and it may be involved in the nitrogen cycle in the environment. This species has been detected only once in Dr. Donachie's 500,000 sequences and 10,000+ cultures over 25 plus years of fieldwork. Everyday new discoveries are made in the field of microbiology. Through our STEM (Science, Technology, Engineering and Math) core program 7,000 students participated in the 54th Annual State Science and Engineering Fair 2011. STEM is helping to get our students enthusiastic about learning in the classroom. Establishing a State microbe will also assist in getting more students excited in the 5 W's (who, what, when, where and why) of everything that is microbe and everything that is science.

"For these reasons, Mr. Speaker, I support House Bill 2079."

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

"Mr. Speaker, I'm standing in support. And can I have the words of the Representative of Kauai inserted as my own, except for the part about I want to choke myself. Thank you," and the Chair "so ordered." (By reference only.)

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

"I'm sorry, Mr. Speaker. This is just infectious, this support. I have to stand, and I'd just like to adopt the words of the previous speakers as if they were my 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 Committee was adopted and H.B. No. 2079, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MICROBE," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 683-12) recommending that H.B. No. 2658, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2658, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 684-12) recommending that H.B. No. 2024, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2024, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 685-12) recommending that H.B. No. 2238, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2238, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Herkes being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 686-12) recommending that H.B. No. 2047, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2047, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I was hoping this bill would be recommitted and then reassigned to Committee so it could be amended before we send it to the Senate. I'm voting no, Mr. Speaker.

"I think the idea is good. We want to protect information. But the bill is so broad, that is just, except for the fact it excludes government, so it says all businesses, every business that maintains personal information. Well any business that gets a check from a consumer would be that kind of a business, so it's every business, but not government. And then it says that those businesses shall implement a comprehensive written policy. If it were aimed at government and larger businesses or businesses that really are relevant to having this kind of information, then I could understand it.

"But the real killer language is on page 2 of the bill. Every business, this is virtually every business in the State, covered by this section shall train all employees, all employees, in the implementation of the policy and procedure. It makes no sense Mr. Speaker, and that's why I was hoping it would be recommitted, redrafted and put to really apply to businesses and government. Definitely government, that are dealing with sensitive information. And only those employees that are really going to be handling that information should be trained. Not all employees.

"For once I agree with something Hawaiian Electric said when they came in to oppose the bill. They talked about the height of a pile of all of their employees, sheet by sheet by sheet, that they would have to train under this bill. It makes no sense, because the majority of those have never even seen the sensitive information. Thank you."

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

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

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, there's probably 20 to 30 thousand mom and pops in the State of Hawaii, most of which would be very sensitive to keeping their stuff private. But if it comes to where it's going to be a policy in a written and a formal statement, it looks as though it's going to infringe upon and cost time and money of which as we know the small business community is having a difficult time, to where survival is considered success. Many not making money. Many are going under.

"So I would suggest as we do with many programs, we have a means test. In this case, an employee test. If you don't have more than mom and pop, let's let them go aside so in the event that they're exposing one spouse to the other spouse, I think we can trust that we can eliminate those. But this is kind of too broad of a brush stroke, and I think as it goes further down, it can be much improved. Thank you."

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

"Thank you, Mr. Speaker. Unfortunately, I'm rising in opposition. I think that the subject matter is very, very, honorable, and very, very worthwhile. Information protection. But being in the Committee hearing and one after one after one, each business coming out and saying 'Please don't do this.'

"The bill would apply to all businesses maintaining the records. And every business covered by the bill must train all employees, signing a

form, acknowledging receipt of training. It places a huge cost burden on small businesses, but more importantly, makes them vulnerable to fines and penalties for violations that only in hindsight could have been prevented.

"The bill creates an unrealistic, unachievable standard, and they go on and on. So my fear is that in our good intentions to protect them, poor businesses are just going to be so vulnerable and so scared to have to make sure that each and every ... It just sends a message of anti-business to me, and I'm just hoping that there's an alternative way to achieve the same goal. Thank you, Mr. Speaker."

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

"I just want a ruling of a possible conflict, Mr. Speaker. I'm a small business owner," and the Chair ruled, "no conflict."

Representative Cabanilla continued to speak in support of the measure with reservations, stating:

"Thank you. And I would like to make a comment on the bill. With reservations. I do realize that there are a lot of businesses where it is like a revolving door. And my reservations is in the training where everyone has to be trained. If you are a business owner, wherein you have a lot of employees who are just low level or just temporary, that's a big expense item, Mr. Speaker."

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

"Mr. Speaker, I'm standing in support. I know, my heart and prayers go out to Representative Herkes. He's not feeling well and is under the weather, so I will stand and defend the bill, Mr. Speaker. I'm standing in support.

"Mr. Speaker, the intent of this bill was to try and address the growing problem of identity theft. Members, how big is this problem? On average, every 3 seconds somebody's identity gets stolen. The AARP reported about 400 thousand deceased individuals had bank accounts opened in their name. 400 thousand deceased people. So Mr. Speaker, the intent of this measure is to try to get a handle on making sure that information is handled in a private and confidential way to protect the consumer. All of us.

"We understand that there are concerns and the impact on business. However, Mr. Speaker, just within the last 3 to 4 years, there are stories that made the papers about how university students, government employees, individuals from the Sony Corporation, IBM and others, had their data attacked, breached and confidential information, sent out.

"So Mr. Speaker, we ask the Members to consider this measure as it moves forward to further the discussion. And we think that further education and knowledge by various employees should be considered as we move forward, especially with this crisis of identity theft. Thank you, Mr. Speaker."

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

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Just in responding to the Chair of Health's comments. It doesn't apply to the University students where the University releases information, inadvertently. It doesn't apply to government. It goes after small businesses.

"Supposing you owned a yard service operation and you did commercial work, and you did residential work. And maybe you employed 50 employees that are spread out doing this yard service work. Every one of those employees would have to be trained under this bill. Does that make sense? It just doesn't. Thank you."

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

"Thank you Mr. Speaker. I rise in support of this bill. I've been focused on this particular topic for a few years now, because I was, as many of us here were also victims of identity theft.

"As you know, the University of Hawaii, in the last few years, cites maybe five breaches of information. In fact they settled with the court recently and they have agreed to provide every single student, or former student, every victim of their breaches with identity theft protection for a few years.

"I do realize that this bill does not include State government, and I do hope that in the future we include State government. But I think this is truly a paradigm shift. And if people look at identity theft, like how we take a look at healthcare information, like how we take a look at EEO provisions, or sexual harassment provisions, that are required or mandated now in the workplace, you'll understand how important this training, and understanding of this type of breach and information protection is to not only the workplace, but to the entire community.

"So I would encourage our Members to take a little broader perspective of this particular measure, and I hope that in the future that we can include government as well. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PROTECTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Ching and Thielen voting no, and with Representative Herkes being excused.

THIRD READING

H.B. No. 2429, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," passed Third Reading by a vote of 50 ayes, with Representative Herkes being excused.

At 1:34 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2429, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 38 through 50) and concurrent resolutions (H.C.R. Nos. 57 through 71) were referred to Printing and further action was deferred:

H.R. No. 38, entitled: "HOUSE RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES MEETINGS," was jointly offered by Representatives Say, Awana, Brower, Chang, Ching, Har, Ito, Tokioka, Tsuji and Ward.

H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY TO ORDAIN AN ORDINANCE INCREASING PENALTIES FOR VEHICLE AND MOPED NOISE IN HOSPITAL ZONES," was jointly offered by Representatives Ching, Fontaine, Ward and Thielen.

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF EDUCATION TO INCORPORATE AMERICAN SIGN LANGUAGE INTO THE PUBLIC SCHOOL CURRICULUM AND ENCOURAGING SIGN LANGUAGE INSTRUCTORS TO ASSIST STUDENTS WITH LEARNING CHALLENGES IN THE CLASSROOM," was jointly offered by Representatives Ching, Fontaine, Pine, Thielen and Ward.

H.R. No. 41, entitled: "HOUSE RESOLUTION IN SUPPORT OF DECLARING THE SERPENT'S HEAD COWRY SHELL AS THE HAWAII STATE SEA SHELL," was jointly offered by Representatives M. Lee, Aquino, Cullen, Ichiyama and Rhoads.

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING THE DISABILITY AND COMMUNICATION ACCESS BOARD, IN CONSULTATION WITH THE HAWAII STATE ENERGY OFFICE, TO REPORT TO THE LEGISLATURE ON THE INTERPLAY OF RESERVED PARKING STALL REQUIREMENTS FOR DISABLED PERSONS AND ELECTRIC VEHICLES," was jointly offered by Representatives M. Lee, Yamashita, Aquino, Cullen and Johanson.

H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH ON THE CORRELATION BETWEEN CHILDREN WHO ARE LATE-BORN AND THE HIGH SCHOOL DROP OUT RATE," was jointly offered by Representatives Takumi and Belatti.

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," was jointly offered by Representatives Awana, Brower, Chang, Har, Ito, M. Lee, Mizuno, Rhoads, Souki, Tokioka and Tsuji.

H.R. No. 45, entitled: "HOUSE RESOLUTION SUPPORTING THE CONCEPT OF INFRASTRUCTURE INVESTMENT FUNDS," was jointly offered by Representatives McKelvey, Aquino, Awana, Cullen, Har, Ichiyama, Ito, Jordan, Manahan, Oshiro, Say, Souki and Tokioka.

H.R. No. 46, entitled: "HOUSE RESOLUTION URGING THE ENFORCEMENT OF AND SUPPORT FOR THE INTENT OF THE FEDERAL STARK LAW," was offered by Representative Say, by request.

H.R. No. 47, entitled: "HOUSE RESOLUTION OPPOSING THE INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012," was jointly offered by Representatives Rhoads, Keith-Agaran, C. Lee, Luke and Takumi.

H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY GUBERNATORIAL APPOINTMENTS TO BOARDS AND COMMISSIONS," was offered by Representative Wooley.

H.R. No. 49, entitled: "HOUSE RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE, NO LATER THAN DECEMBER 15, 2012, ON THE PROGRESS OF THE KOKE'E STATE PARK ADVISORY COUNCIL," was offered by Representative Morikawa.

H.R. No. 50, entitled: "HOUSE RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO INCLUDE IN THE SOCIAL STUDIES CURRICULUM THE POLITICAL, ECONOMIC, AND SOCIAL CONTRIBUTIONS OF PERSONS WITH DISABILITIES AND LESBIAN, GAY, BISEXUAL, AND TRANSGENDER INDIVIDUALS," was offered by Representative Takumi, by request.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE RESTRUCTURING AND REORGANIZATION OF THE HAWAII STATE FOUNDATION ON CULTURE AND THE ARTS," was offered by Representative Wooley.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY SCENARIOS IN THE INTEGRATED PLANNING PROCESS," was offered by Representative Coffman.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES MEETINGS," was jointly offered by Representatives Say, Awana, Brower, Chang, Ching, Har, Ito, Tokioka, Tsuji and Ward.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE ISSUES AND POSSIBLE COURSES OF ACTION REGARDING HOW TO FAIRLY AND EQUITABLY INCLUDE MILITARY PERSONNEL AND DEPENDENTS IN REAPPORTIONMENT CALCULATIONS," was jointly offered by Representatives Say, Aquino, and Keith-Agaran.

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF DECLARING THE SERPENT'S HEAD COWRY SHELL AS THE HAWAII STATE SEA SHELL," was jointly offered by Representatives M. Lee, Aquino, Cullen, Ichiyama and Rhoads.

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH ON THE CORRELATION BETWEEN CHILDREN WHO ARE LATE-BORN AND THE HIGH SCHOOL DROP OUT RATE," was jointly offered by Representatives Takumi and Belatti.

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," was jointly offered by Representatives Awana, Brower, Chang, Har, Ito, M. Lee, Mizuno, Rhoads, Souki, Tokioka and Tsuji.

H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CONCEPT OF INFRASTRUCTURE INVESTMENT FUNDS," was jointly offered by Representatives McKelvey, Aquino, Awana, Cullen, Har, Ichiyama, Ito, Jordan, Manahan, Oshiro, Say, Souki and Tokioka.

H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ENFORCEMENT OF AND SUPPORT FOR THE INTENT OF THE FEDERAL STARK LAW," was offered by Representative Say, by request.

H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COLLABORATION AMONG VARIOUS STATE AGENCIES TO IDENTIFY AND REMOVE BARRIERS RELATING TO WORKFORCE DATA SHARING AND NURSING PRACTICE IN THE STATE," was jointly offered by Representatives M. Lee, Cullen, Har, Hashem, Ichiyama, and C. Lee.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012," was jointly offered by Representatives Rhoads, Keith-Agaran, C. Lee, Luke and Takumi.

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO DETERMINE STATE COMPLIANCE WITH THE FEDERAL PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008 AND ENHANCE EXISTING STATE PARITY LAWS," was offered by Representative Yamane.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY GUBERNATORIAL APPOINTMENTS TO BOARDS AND COMMISSIONS," was offered by Representative Wooley.

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE, NO LATER THAN DECEMBER 15, 2012, ON THE PROGRESS OF THE KOKE'E STATE PARK ADVISORY COUNCIL," was offered by Representative Morikawa.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO INCLUDE IN THE SOCIAL STUDIES CURRICULUM THE POLITICAL, ECONOMIC, AND SOCIAL CONTRIBUTIONS OF PERSONS WITH DISABILITIES AND LESBIAN, GAY, BISEXUAL, AND TRANSGENDER INDIVIDUALS," was offered by Representative Takumi, by request.

ANNOUNCEMENTS

Representative M. Lee for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures today at 2:30 o'clock p.m. in Conference Room 308, with decision making to follow, and the Chair "so ordered."

HB No. 2493 HD 1, Relating to Collective Bargaining Cost Item;
HB No. 2494 HD 1, Relating to Collective Bargaining Cost Items;
HB No. 2495 HD 1, Relating to Collective Bargaining Cost Items;
HB No. 2257 HD 1, Relating to Professional and Vocational Licensing;
HB No. 2871 HD 1 Relating to the West Maui Ocean Recreation Management Area; and
HB No. 2881, HD 1, Relating to Green Waste.

Decision making only on the following measure previously heard on Monday February 27th:

HB No. 1758, HD 1.

Representative Ching: "Thank you, Mr. Speaker. I wanted to announce that today, March 1st, kicks off National Kidney Month. Chronic kidney disease develops when the kidneys lose their ability to remove their waste and maintain the fluid chemical balance in the body. More than 31 million adults in the US have it. Most are not aware of it, as there are no symptoms until the kidney disease reaches later stage.

"At HMC East and West had a lot, particularly at Liliha, we had a lot of people on dialysis. Anyone 18 and older can have diabetes and high blood pressure, but it can be prevented. It can be delayed through early detection and proper treatment. So March is kidney month, I would ask that everybody be aware of that. I think that they're coming down to the Capitol.

"And one more announcement, which is probably a little more uplifting. Over the weekend while we were in recess, I was so proud to realize that our own homegrown Kauai Hart Hemmings, the step-daughter of Senator Fred Hemmings who served in the Senate for many years, her film, *The Descendants* won the Oscar for best adapted screenplay, which is really nice, since she's after all, the author.

"She was here today at the Legislature, being honored by the Senate, by Senator Brickwood Galuteria, with her mother, Suzy Hemmings, a daughter of Hawaii. And of course, her step-dad, Senator Fred Hemmings. I think that it's a wonderful film, not just because of the economics it brings to our State, but if you haven't seen it already, I won't try to give away from the plot, but what I got out of the film is the essence of heritage, reminding us how special this place is, our paradise, and how fragile this place is, our paradise, and how in need of care and the stewardship is this place we call paradise, we call home. So if you haven't seen it, it's still playing in Kahala. But I think that that lots to be proud of, lots to be proud of. Thank you."

Representative C. Lee: "Thank you. Just very briefly. I just wanted to remind everybody, that this afternoon at 2:00 and at 3:30, the American Heart and Stroke Association in collaboration will be offering CPR training in the Auditorium. Again, that's at 2:00 and 3:30."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R. Nos.</u>	<u>Referred to:</u>
38	Jointly to the Committee on International Affairs and the Committee on Energy & Environmental Protection
39	Committee on Transportation, then to the Committee on Health
40	Committee on Education, then to the Committee on Finance
41	Committee on Water, Land, & Ocean Resources
42	Committee on Health, then to the Committee on Energy & Environmental Protection
43	Committee on Education, then to the Committee on Finance
44	Committee on Transportation
45	Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance
46	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
47	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

<u>H.C.R. Nos.</u>	<u>Referred to:</u>
57	Committee on Culture & the Arts, then to the Committee on Legislative Management, then to the Committee on Finance
58	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
59	Jointly to the Committee on International Affairs and the Committee on Energy & Environmental Protection
60	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, then to the Committee on Legislative Management
61	Committee on Water, Land, & Ocean Resources
62	Committee on Education, then to the Committee on Finance
63	Committee on Transportation
64	Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance
65	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
66	Jointly to the Committee on Health and the Committee on Higher Education, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
67	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

H.B.**No.****Re-referred to:**

1984 Committee on Hawaiian Affairs

ADJOURNMENT

At 1:39 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 02, 2012. (Representatives Chang and Herkes were excused.)

TWENTY-FIFTH DAY

Friday, March 02, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Marilyn B. Lee, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla, Ito and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Third and Twenty-Fourth Days was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 32 through 35) were received and announced by the Clerk:

Sen. Com. No. 32, transmitting S.B. No. 2316, entitled: "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS," which passed Third Reading in the Senate on March 1, 2012.

Sen. Com. No. 33, transmitting S.B. No. 2693, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL POLICY," which passed Third Reading in the Senate on March 1, 2012.

Sen. Com. No. 34, transmitting S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," which passed Third Reading in the Senate on March 1, 2012.

Sen. Com. No. 35, transmitting S.B. No. 3024, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," which passed Third Reading in the Senate on March 1, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Ito, Oshiro and Saiki were excused.)

S.B. No. 2316
S.B. No. 2693
S.B. No. 2772, SD 1
S.B. No. 3024, SD 1

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Riviere introduced the 3rd, 4th and 5th grade students of Trinity Lutheran School accompanied by their teachers and parents:

3rd grade teacher, Mrs. Liz Riviere; and parents, Ms. Linda Dolan, Ms. Joyce Hong, Ms. Sara Yago, Mr. Gary Larisey, Ms. Jennifer Kelling, Ms. Indira Brooks and Robin Dolan.

4th grade teacher, Ms. Jenny Kean; and parents, Ms. Sarah Graham, Ms. Laura Parker, Ms. Rachel Springer and Ms. Christina Tredway.

5th grade teacher, Ms. Heather Klemp; and parents, Ms. Lani Garson, Ms. Kathleen Rivet and Chris Hanzawa.

At 12:12 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

ORDER OF THE DAY

At this time, the Chair announced:

"Members, please note that HB. No. 1984 has been re-referred solely to the Committee on Hawaiian Affairs per Committee Referral Sheet No. 38 which was delivered to your offices yesterday. The Committee on Finance has waived its referral to this measure and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.B. No. 1984. (Representatives Herkes and Oshiro were excused)

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Chong, seconded by Representative Evans and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 8-12, recommending referral to the Committee on Finance. (Representative Oshiro was excused.)

SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representative Oshiro was excused.)

UNFINISHED BUSINESS

H.B. No. 1984:

Representative Chong moved that H.B. No. 1984, pass Third Reading, seconded by Representative Evans.

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

"Mahalo Ho'omalu 'ōlelo, Ke kū nei au me ke kako'o loa. Mahalo iā ka po'o no ke komike pu'u kala nō kēia pila maika'i. " E Ola Mau Ka 'Ōlelo Makuahine." Aloha pumehana. E ki'i i ka lei lanakila. Mahalo."

Representative Hanohano provided the following translation:

Thank you Mr. Speaker, I rise in strong support. Thank you to the Chair of Finance for this excellent bill. "Long Live the Hawaiian Language." Best Wishes. Strive for the winning lei. Thank you.

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

"Mr. Speaker, in support. What I was going to say was that this is the most appropriate time to speak in Hawaiian. I was going to yield the Floor to the person who just had the Floor, so what I'm saying is not relevant right now."

The motion was put to vote by the Chair and carried, and H.B. No. 1984, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Third Reading by a vote of 50 ayes, with Representative Oshiro being excused.

At 12:23 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1984

REPORTS OF STANDING COMMITTEES

Representatives Hanohano and Yamane, for the Committee on Hawaiian Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 687-12), recommending that H.C.R. No. 6, as amended in HD 1, be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 6, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006," was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, with Representative Oshiro being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 688-12), recommending that H.R. No. 23, be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 23, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TEACHER STANDARDS BOARD TO REVIEW RULES REGARDING LICENSING OF TEACHERS IN HAWAII WITH OUT-OF-STATE TEACHING LICENSES TO DETERMINE IF THERE ARE BARRIERS TO THOSE TEACHERS BEING LICENSED IN HAWAII," was referred to the Committee on Education, with Representative Oshiro being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 689-12), recommending that H.C.R. No. 43, be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TEACHER STANDARDS BOARD TO REVIEW RULES REGARDING LICENSING OF TEACHERS IN HAWAII WITH OUT-OF-STATE TEACHING LICENSES TO DETERMINE IF THERE ARE BARRIERS TO THOSE TEACHERS BEING LICENSED IN HAWAII," was referred to the Committee on Education, with Representative Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 690-12) recommending that H.B. No. 2809, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 690-12 on H.B. No. 2809, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2809, HD 1, were made available to the Members of the House.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 691-12) recommending that H.B. No. 2150, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 691-12 on H.B. No. 2150, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2150, HD 2, were made available to the Members of the House.

Representatives Keith-Agaran and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 692-12) recommending that H.B. No. 2298, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 692-12 on H.B. No. 2298, HD 2, was deferred and in accordance with Article III,

Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2298, HD 2, were made available to the Members of the House.

Representatives Keith-Agaran and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 693-12) recommending that H.B. No. 1295, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 693-12 on H.B. No. 1295, HD 3, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1295, HD 3, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 694-12) recommending that H.B. No. 1730, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 694-12 on H.B. No. 1730, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1730, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 695-12) recommending that H.B. No. 69, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 695-12 on H.B. No. 69, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 69, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 696-12) recommending that H.B. No. 2587, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 696-12 on H.B. No. 2587, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2587, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 697-12) recommending that H.B. No. 2617, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 697-12 on H.B. No. 2617, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2617, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 698-12) recommending that H.B. No. 2537, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 698-12 on H.B. No. 2537, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2537, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 699-12) recommending that H.B. No. 2232, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 699-12 on H.B. No. 2232, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2232, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 700-12) recommending that H.B. No. 2441, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 700-12 on H.B. No. 2441, HD 2, was deferred and in accordance with Article III,

Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2441, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 701-12) recommending that H.B. No. 2591, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 701-12 on H.B. No. 2591, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2591, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 702-12) recommending that H.B. No. 2276, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 702-12 on H.B. No. 2276, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2276, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 703-12) recommending that H.B. No. 2533, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 703-12 on H.B. No. 2533, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2533, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 704-12) recommending that H.B. No. 2228, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 704-12 on H.B. No. 2228, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2228, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 705-12) recommending that H.B. No. 2312, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 705-12 on H.B. No. 2312, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2312, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 706-12) recommending that H.B. No. 578, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 706-12 on H.B. No. 578, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 578, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 707-12) recommending that H.B. No. 2564, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 707-12 on H.B. No. 2564, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2564, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 708-12) recommending that H.B. No. 2113, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 708-12 on H.B. No. 2113, HD 1, was deferred and in accordance with Article III,

Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2113, HD 1, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 709-12) recommending that H.B. No. 518, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 709-12 on H.B. No. 518, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 518, HD 2, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 710-12) recommending that H.B. No. 1706, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 710-12 on H.B. No. 1706, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1706, HD 1, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 711-12) recommending that H.B. No. 2013, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 711-12 on H.B. No. 2013, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2013, HD 2, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 712-12) recommending that H.B. No. 1966, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 712-12 on H.B. No. 1966, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1966, HD 2, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 713-12) recommending that H.B. No. 425, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 713-12 on H.B. No. 425, HD 3, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 425, HD 3, were made available to the Members of the House.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 714-12) recommending that H.B. No. 2740, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 714-12 on H.B. No. 2740, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2740, HD 1, were made available to the Members of the House.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 715-12) recommending that H.B. No. 1838, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1838, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 716-12) recommending that H.B. No. 283, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 283, HD 1, pass Second Reading and be placed on the calendar for Third Reading, 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 H.B. No. 283, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 717-12) recommending that H.B. No. 1181, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 718-12) recommending that H.B. No. 1454, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1454, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"May I have a ruling on a potential conflict? I am a part owner of a gas station," and the Chair ruled, "no conflict."

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

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

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

Representative Marumoto 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 an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine 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 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 H.B. No. 1454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 719-12) recommending that H.B. No. 1980, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1980, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 720-12) recommending that H.B. No. 2605, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 721-12) recommending that H.B. No. 2606, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2606, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

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

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

"With reservations, Mr. Speaker. Mr. Speaker, I'm just wondering why we are imposing a \$20 fee for a tax clearance when it is \$10 for a copy of a birth certificate. It just doesn't seem to make sense. Thank you."

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

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

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

"Mr. Speaker, I have reservations and the same concerns expressed by the Representative from Kailua."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 722-12) recommending that H.B. No. 2874, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2874, HD 1, pass Second Reading and be

placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. With reservations. I have many concerns, but the most is that in the Committee Report it says that laptops means personal computing devices, and they are not personal computing devices. They are not the same. I think that that's a very, kind of gross overstatement. I would hope that if they measure goes forward, that the next Committees will look at the fact that personal tablets and devices which should be the wave of the future, which Auburn and other districts are using, are completely different from laptops. And I have other concerns too. Thank you."

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

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

"Yes, Mr. Speaker. I stand with strong reservations on this matter. If I may just make a few comments? I'm very concerned that we're taking money away from our public access channels, and this is a very important vehicle in the State of Hawaii for the community to be able to get their message out. When we start restricting fees and taking moneys away from these types of organizations, we're really putting a limit on free speech. I'd like us to consider other ways of funding the Governor's initiative. I'm all for what the Governor's trying to do in improving education in the State, but I just don't think we should be taking it away from PEGs. Thank you."

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict. In my other job, I work for Oceanic Time Warner Business Class. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

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

"I just want to note my reservations, and add a couple comments. I'm in full support of creating a broadband special fund, and in general in support of the free broadband for our citizens. My only concern especially for providing this type of service to our kids is most of the internet crimes occur in free broadband areas, and what I'm concerned is I hope when we're providing this to the children in the schools, we can somehow exclude those that may target younger children for criminal activity."

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

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

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of H.B. 2874-RELATING TO BROADBAND. This bill creates the broadband special fund to support funding public school broadband and laptop initiatives, and freezes appropriations of moneys derived from cable fees at the lesser of the 2011 appropriation of the amount that a recipient would otherwise receive in the current year. It requires excess moneys to be deposited into the broadband special fund.

"While I support broadband, the problem with this measure, as stated by the Department of Commerce and Consumer Affairs, is that this bill places a limit on the amount of funding that certain programs receive and inhibits their ability to access funds that support expansion of telecommunication infrastructures and broadband communications. Furthermore, this bill negatively impacts the State's ability to access federal funds and the bill does not clarify if the intention is to cap the amount of operating fees paid to Public, Educational, and Governmental access organizations and Public Broadcasting Service Hawaii. Thank you."

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

"Mr. Speaker, with reservations and a brief, brief comment. Mr. Speaker, my vision has always been to make 'Olelo into a C-SPAN so the people have access to all that we're doing, saying, decision making, etc. If at this early stage, because we're not even near being a C-SPAN that we're taking away money, even though it's a good cause, and the Representative from Maui, both Representatives from Maui speak very well as to why we should be concerned about that. But my concern is that in the long run of the big picture, everything that the public fears we're not doing, they, C-SPAN, and 'Olelo and Akaku and all these other ones, are going to open up government the way it should be. Thank you."

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

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

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

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, 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 Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. All this bill does is provide funding mechanisms, originally for laptop computers, but then we did broaden it to portable computer devices. That way we could give it more flexibility in what kind of device it can be used for. It has mechanisms to be able to get donations from the private sector, which I think is a laudable mission. And as far as the mechanism that others have been speaking of, all it does is they get to keep what they currently got in 2011, and everything above that, that's the for PEGs, PBS and DCCA. So everything that is given to them through the Cable Franchise Fee, above that, above the levels of 2011, will go towards this mission.

"It's only for 5 years. In the end, I'd like to see something move for this mission. If it will end up exactly as written today, I don't know. The Senate may change it and do something else with it. But I think broadband is important. We've already got the ARRA grant to connect all our schools with high speed internet, and there's going to be a lot of need for these types of devices. Thank you, very much."

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

"Mr. Speaker, I think I will vote no on this particular measure. I think it's just a money grab. I'm all for broadband access, and computers for kids. However, in order to fund programs, we are searching far and wide into special funds and diverting funds, raiding them, in order to fund special programs. And especially in the Department of Commerce and Consumer Affairs, that's a real target for scooping up money. So if there's too much money for PEG access stations, then we consider lowering the fee. I was looking at my bill the other day, and it's almost \$5. So I think we should step back and take a look at this, but definitely not divert it to other uses. Thank you."

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

"Thank you, Mr. Speaker. In support. I don't think the bill goes far enough. I think we need a complete audit of all the PEG access because I think the consumers need to know where that money is going."

Representative Saiki 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 H.B. No. 2874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Marumoto and Saiki voting no, and with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 723-12) recommending that H.B. No. 1705, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1705, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 724-12) recommending that H.B. No. 2328, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 725-12) recommending that H.B. No. 530, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 530, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you Mr. Speaker. I'm voting no, and am asking other Members to take a real hard look at this, before it comes to us for Third Reading. What this will do is give the Department of Land and Natural Resources and, more concerning, the Department of Transportation, the authority to exempt State projects from the requirements for special management areas and shoreline setbacks.

"The exemption is unusual, Mr. Speaker. Thirty years ago, or a little bit more, under a Democrat Majority, the Majority put in very strong environmental laws. Now we fast forward a number of decades forward, and under the same control, unfortunately, many of these environmental laws are being weakened, gutted or just ignored. I would like Members to please look at this seriously when you have your Caucus on Monday, and see whether or not this bill should be tabled. I hope it will be."

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

"I rise in opposition. In testimony in the Finance Committee, just the other day, the Office of Planning was very clear. They don't want this. This bill would move these decisions directly into them. There is the jeopardy of losing federal funding to the tune of at least a couple of million dollars. There's a federal Coastal Zone Management Program that we have to

follow in order to qualify for the federal funds which I believe in testimony relates to somewhere around 23 jobs one way or another.

"This bill would allow two new positions in the Office of Planning. So the idea of this bill is to expedite decision making. I would argue that besides the very dangerous precedent of altering the rules radically, it'll have the exact opposite effect, and bog down the Office of Planning, who's not ready to take it, and who are presently working on a program that they wish to continue to develop and present for the next legislative Session. So we're rushing to dismantle our environmental protections and this is one example that is another bad idea. A no vote, please."

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

"Yes, Mr. Speaker and Members. I wish to speak in favor of this measure. It has been mentioned by the Representative across me from Kailua, that years ago the Democrats came up with these environmental laws that we have. And yes, it did come up and they did provide the language for the laws. However, Mr. Speaker and Members, the interpretation of the laws these last few years, the past ten years or so, has stretched the intent where the cost of construction, because of the time lag, has doubled and tripled. An ordinary project, once it gets to the EIS level, and then needs to go on, it can take a minimum of between five and ten years before completion. The price and the land, every day the cost goes up.

"I remember a project years back where the project was supposed to be \$350 million and it ended up being about \$1.3 billion, because of the continual interpretation of the environmental laws. So Members, yes we should not void the law by itself. But for special projects it may be necessary. We really need to go back and look at these laws again and if they need to be improved, they should be improved. We cannot afford the continual time lags and costs that the State is burdened with because of the laws that we have. So we need to revisit these laws again. Thank you very much, Mr. Speaker."

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

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

"Yes, thank you Mr. Speaker. My second time, I know. Mr. Speaker, may I have a ruling on a potential conflict? My son is the President-elect of the Building Industry Association, and they testified in favor of the bill," and the Chair ruled, "no conflict."

Representative Thielen continued, stating:

"Thank you, Mr. Speaker. And I disagree with the Building Industry Association's testimony. Mr. Speaker, responding to Speaker Emeritus' comments, the interpretation of the law may be inconvenient to the Department of Transportation, but the interpretation of environmental laws is what is to protect our islands and our environment. It may be inconvenient. It may be more time consuming and it may be that the Department of Transportation needs to do a better job in recognizing how they can comply with the environmental laws, as well as move ahead projects. But inconvenience is no reason to gut what has been on the books for over 30 years. It was a Democrat legacy that's being eroded by a present day Democrat Majority, and I find that unfortunate. Thank you."

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

"In opposition, and I'll reserve my comments for Third Reading."

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

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

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

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

"Reservations with the words of the Representatives from Kailua and the North Shore, minus the part about the son."

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

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

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

"Mr. Speaker, I would like a no vote, and also I'd like to note that this bill does require particular scrutiny because it bypassed the Committee on Energy and Environmental Protection through the referral process, as a single referral to the Finance Committee."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Hanohano, Riviere, Saiki and Thielen voting no, and with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 726-12) recommending that H.B. No. 2347, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2347, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 727-12) recommending that H.B. No. 304, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 304, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

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

"Mr. Speaker, I have reservations on this matter and am looking forward to finding out more about it from the Members of Finance. My concern is if there's an interstate pooling of bond allocations that are made possible in the bill, this could subject the State to some difficulties if other states run into difficulties. So I'm just not real clear. I'm looking forward to talking to the Chair of Finance to get a little bit of further information about it. Thank you."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her 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 Committee was adopted and H.B. No. 304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second

Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 728-12) recommending that H.B. No. 1033, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1033, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I'm not in support of this bill, but I'm going to go with reservations at this moment."

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

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

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

"With reservations. I think these are high-risk loans and more worthy of venture capital investment. Thank you."

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

"Mr. Speaker, a no vote please. A couple of comments in that regard. The reason why is, too many risks, too high of a cost, and management who doesn't have the experience to run this. I have nothing against the AFL-CIO or Governor Abercrombie, but they're going to be the leadership of the bank, and their backgrounds or experience doesn't lend itself to take taxpayers money in, as our colleague said, a venture capitalist mode."

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

"Thank you, Mr. Speaker. With reservations and just a few short comments. It's just curious that in this Committee Report that first the measure was gutted and a proposed draft was circulated. Then that proposed draft which was testified upon was deleted in entirety, and its contents. So I just want to take a closer look at this and make sure my reservations are made clear."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 1033 – Relating to Public Finance. This bill establishes the Clean Economy Bank of the State of Hawaii to, among other things: Enable the State to leverage aligned resources and collective influence to build a national clean economy that creates jobs, reduces carbon emissions, and ensures the nation's energy security; Support clean economic development within the State and other participating entities; and Lessen the burden on the State and other participating entities to finance qualified renewable energy and other related purposes.

"This bill pursues a path that I find irresponsible, bureaucratic and costly to the State. I agree with words from the Hawaii Bankers Association, "Forming a state-owned bank is a complex and potentially costly process and deserves thorough analysis to determine whether there is truly a legitimate unfulfilled need. Legislators must ask if it can be accomplished without risking the public's money and if it can be operated in a safe and sound manner. Without proper vetting and consideration, the state could

be burdened with more costly bureaucracy, not to mention the cost to set up the initial banking infrastructure."

"The underpinnings of this bill would conceivably breed unfair competition and policy conflict. Until the State can show proof of operating a for-profit business, this bill should not even be considered. H.B. 1033 lacks reasonable, intuitive support and would require an unknown amount of State money to implement. I would be astonished if something so imprudent could make its way into law in such a fragile economic environment. Thank you."

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

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

Representative Pine 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 H.B. No. 1033, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Ching and Ward voting no, and with Representatives Oshiro and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 729-12) recommending that H.B. No. 42, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 42, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. A no vote, please. Thank you, Mr. Speaker. This measure makes permanent the prohibition against urinating or defecating in public within the Chinatown, Downtown, Honolulu areas. I don't support that type of activity, but I find that the difficulty for people including sometimes our tourists, the difficulty is finding a public restroom. I know there is one in the Police Department. There are certainly some people that would feel uncomfortable about going in there to request to use that restroom. There may be a few others around. Some of them wouldn't be as accessible for the population if they were in a restaurant or in Macy's or in some other store.

"So we're putting a restriction on people in a specific area. I don't know about the people that are bordering, whose districts are right surrounding that area, but those people might feel a little uncomfortable about this bill, too. I don't think this bill makes sense Mr. Speaker, unless we had the county really doing aggressive construction to make restrooms available in a very densely populated area, and very intensely visited. So I'm sorry to see this bill move forward. Thank you."

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

"Thank you, Mr. Speaker. My reservation on this bill is not because I'm in total opposition of it. My reservation is that we should tackle the issue of having restrooms in shopping centers. There are smaller shopping centers like in Ewa Beach and Waipahu wherein if you happen to be there, you don't have anywhere to relieve yourself. So I believe that one of the things that we should implement in this House is to have some sort of resolution for all these private shopping centers, that there should be public restrooms. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 42, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading and was

placed on the calendar for Third Reading, with Representative Thielen voting no, and with Representatives Oshiro and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 730-12) recommending that H.B. No. 2686, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Oshiro and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 731-12) recommending that H.B. No. 1791, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1791, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," passed Third Reading by a vote of 50 ayes, with Representative Wooley being excused.

At 12:50 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1791

THIRD READING

H.B. No. 2497:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2497, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Third Reading by a vote of 51 ayes.

H.B. No. 2458:

Representative Chong moved that H.B. No. 2458, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I'm requesting a ruling on potential conflict. I work for a non-profit organization. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO CONVERSIONS BY NONPROFIT CORPORATIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 2769:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Third Reading by a vote of 51 ayes.

At 12:51 o'clock p.m., Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m.

H.B. No. 1772:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1772, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY," passed Third Reading by a vote of 51 ayes.

At 12:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2497
H.B. No. 2458
H.B. No. 2769
H.B. No. 1772

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 52) and concurrent resolutions (H.C.R. Nos. 72 through 74) were referred to Printing and further action was deferred:

H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE PREVALENCE, IF ANY, OF UNNECESSARY PAYMENTS MADE FROM THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND TO INSURERS FOR HEALTH BENEFITS PLAN PREMIUMS OF DECEASED INDIVIDUALS, AND AN ANALYSIS OF POSSIBLE SOLUTIONS, STATUTORY OR OTHERWISE, THAT MAY ELIMINATE OR SIGNIFICANTLY REDUCE SUCH PAYMENTS," was jointly offered by Representatives Fontaine, Riviere, Ward and Johanson.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING SINGLE-FAMILY RESIDENCE BUILDERS TO CONSIDER CERTAIN FACTORS THAT WILL FACILITATE INSTALLATION OF PHOTOVOLTAIC SYSTEMS WHEN CONSTRUCTING AND DEVELOPING SINGLE-FAMILY RESIDENCES," was offered by Representative Coffman.

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE PREVALENCE, IF ANY, OF UNNECESSARY PAYMENTS MADE FROM THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND TO INSURERS FOR HEALTH BENEFITS PLAN PREMIUMS OF DECEASED INDIVIDUALS, AND AN ANALYSIS OF POSSIBLE SOLUTIONS, STATUTORY OR OTHERWISE, THAT MAY ELIMINATE OR SIGNIFICANTLY REDUCE SUCH PAYMENTS," was jointly offered by Representatives Fontaine, Riviere, Ward and Johanson.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO WORK COOPERATIVELY WITH THE HAWAII STATE PUBLIC LIBRARY SYSTEM TO TRANSFER THE PAHALA PUBLIC AND SCHOOL LIBRARY TO THE DEPARTMENT OF EDUCATION TO BE OPERATED AS A SCHOOL LIBRARY FOR KAU HIGH SCHOOL AND TO ALLOW CONTINUED PUBLIC ACCESS TO THE LIBRARY," was offered by Representative Herkes.

ANNOUNCEMENTS

Representative Choy: "Mr. Speaker, tonight's the night. And for those that are married with children, you know the significance of that remark. But tonight is Arts at the Capitol and first of all, I thank every single one of you. We have 53 offices participating in Arts at the Capitol tonight including the Governor and Lieutenant Governor's Office. We're going to have 29 artists, and there'll be music by three youth symphony groups. We'll have some pretty famous artists walking around the Capitol tonight.

"Also Mr. Speaker, as you know we had a Finance Art Contest. Outside Room 308, we will have displayed those particular art pieces. Right now I know the good Representative from Kahala has the lead in that art contest, but we're all looking forward to seeing all the particular entries. Thank you very much, and have a good Arts at the Capitol tonight."

Representative Belatti: "Thank you, Mr. Speaker. I just want to echo the welcome to Arts at the Capitol. I also want to thank the hard working staff members of the Representative from Manoa, the Representative from Big Island, and also the Senator from Manoa and my staff as well who have

worked hard to create this statewide event for the people who will be coming tonight. Thank you, Mr. Speaker."

Representative Ching: "Thank you, Mr. Speaker. Along those lines of culture and art, I just wanted to wish every woman in this Chamber a happy Girl's Day over the weekend. That is what's on your desk. *Hinamatsuri*. Sorry gentlemen, it's not till May when it's your Boy's Day. But you do have the opportunity to take your lady or ladies to lunch. I just wanted to let you know that we would have had *mochi*, but Nisshodo was out, and had been out for days. Take care."

Representative Ichiyama: "Thank you very much, Mr. Speaker. I just wanted to wish a very, very happy birthday to one of our colleagues, the Representative from Aina Haina. Thank you."

Representative C. Lee: "Happy birthday to the Representative from Aina Haina, first of all. And secondly, there's another birthday boy in the House and I did want to note, and I cannot believe this. He's actually 45 years old and tomorrow he's going to make 46. That's the Representative from Waikiki."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R.

Nos.

Referred to:

- 48 Committee on Legislative Management, then to the Committee on Finance
- 49 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 50 Committee on Education, then to the Committee on Finance

H.C.R.

Nos.

Referred to:

- 68 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 69 Committee on Legislative Management, then to the Committee on Finance
- 70 Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 71 Committee on Education, then to the Committee on Finance

OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Standing Committee Reports and House Bills transmitted thereby, seconded by Representative Pine and carried.

RECESS

At 12:56 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, March 06, 2012.

SUPPLEMENTAL CALENDAR #1

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 732-12 through 960-12), were received by the Clerk prior to 12:00 o'clock midnight this legislative day, in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies were made available to the Members of the House, and the following action was taken:

Stand. Com. Rep. No. 732-12 (CPC) and H.B. No. 1925, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 733-12 (CPC) and H.B. No. 1964, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 734-12 (CPC) and H.B. No. 2272, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 735-12 (CPC/JUD) and H.B. No. 1957, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 736-12 (FIN) and H.B. No. 2226, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 737-12 (FIN) and H.B. No. 2258, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 738-12 (FIN) and H.B. No. 2410, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 739-12 (FIN) and H.B. No. 2600, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 740-12 (FIN) and H.B. No. 2601, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 741-12 (FIN) and H.B. No. 2639, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 742-12 (FIN) and H.B. No. 2642, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 743-12 (FIN) and H.B. No. 2681, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 744-12 (FIN) and H.B. No. 2798, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 745-12 (FIN) and H.B. No. 2848, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 746-12 (FIN) and H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO VOG," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 747-12 (FIN) and H.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 748-12 (FIN) and H.B. No. 2599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 749-12 (FIN) and H.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE REPORTS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 750-12 (FIN) and H.B. No. 2100, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 751-12 (FIN) and H.B. No. 2093, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL EDUCATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 752-12 (FIN) and H.B. No. 1942, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 753-12 (FIN) and H.B. No. 1943, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 754-12 (FIN) and H.B. No. 1947, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 755-12 (FIN) and H.B. No. 280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 756-12 (FIN) and H.B. No. 2244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 757-12 (FIN) and H.B. No. 2004, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 758-12 (FIN) and H.B. No. 2614, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 759-12 (FIN) and H.B. No. 2626, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 760-12 (FIN) and H.B. No. 2684, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE

ZIPPER LANE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 761-12 (FIN) and H.B. No. 2154, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 762-12 (FIN) and H.B. No. 2380, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 763-12 (FIN) and H.B. No. 2608, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 764-12 (FIN) and H.B. No. 2789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 765-12 (FIN) and H.B. No. 2790, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 766-12 (FIN) and H.B. No. 2602, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 767-12 (FIN) and H.B. No. 1754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 768-12 (FIN) and H.B. No. 1756, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 769-12 (FIN) and H.B. No. 1777, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 770-12 (FIN) and H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 771-12 (FIN) and H.B. No. 2174, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 772-12 (FIN) and H.B. No. 2251, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 773-12 (FIN) and H.B. No. 1755, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 774-12 (FIN) and H.B. No. 2401, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 775-12 (FIN) and H.B. No. 2454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 776-12 (FIN) and H.B. No. 2007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 777-12 (FIN) and H.B. No. 2046, entitled: "A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 778-12 (FIN) and H.B. No. 2127, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 779-12 (FIN) and H.B. No. 2513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 780-12 (FIN) and H.B. No. 2816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 781-12 (FIN) and H.B. No. 1683, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUNIOR KINDERGARTEN," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 782-12 (FIN) and H.B. No. 2106, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FUNDS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 783-12 (FIN) and H.B. No. 2527, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 784-12 (FIN) and H.B. No. 2143, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 785-12 (FIN) and H.B. No. 755, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 786-12 (FIN) and H.B. No. 1398, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 787-12 (FIN) and H.B. No. 2302, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 788-12 (FIN) and H.B. No. 2248, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 789-12 (FIN) and H.B. No. 2819, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 790-12 (FIN) and H.B. No. 1972, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 791-12 (FIN) and H.B. No. 2339, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 792-12 (FIN) and H.B. No. 2481, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 793-12 (FIN) and H.B. No. 2345, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 794-12 (FIN) and H.B. No. 1952, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BONE MARROW TRANSPLANTS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 795-12 (FIN) and H.B. No. 1953, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 796-12 (FIN) and H.B. No. 2097, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 797-12 (JUD) and H.B. No. 2175, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 798-12 (JUD) and H.B. No. 2313, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RESISTING ARREST," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 799-12 (JUD) and H.B. No. 1666, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 800-12 (JUD) and H.B. No. 2736, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 801-12 (JUD) and H.B. No. 2609, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 802-12 (JUD) and H.B. No. 2309, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 803-12 (JUD) and H.B. No. 2776, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 804-12 (FIN) and H.B. No. 2314, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 805-12 (FIN) and H.B. No. 2078, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 806-12 (FIN) and H.B. No. 2183, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 807-12 (FIN) and H.B. No. 1765, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 808-12 (FIN) and H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 809-12 (FIN) and H.B. No. 2099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 810-12 (FIN) and H.B. No. 2254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRETAX TRANSPORTATION BENEFIT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 811-12 (FIN) and H.B. No. 2491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 812-12 (FIN) and H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 813-12 (FIN) and H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 814-12 (FIN) and H.B. No. 2439, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 815-12 (FIN) and H.B. No. 2575, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 816-12 (FIN) and H.B. No. 2576, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 817-12 (FIN) and H.B. No. 2655, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 818-12 (FIN) and H.B. No. 2766, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 819-12 (FIN) and H.B. No. 1708, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 820-12 (FIN) and H.B. No. 1967, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 821-12 (FIN) and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 822-12 (FIN) and H.B. No. 2227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 823-12 (FIN) and H.B. No. 2368, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 824-12 (FIN) and H.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS FEES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 825-12 (FIN) and H.B. No. 2567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 826-12 (FIN) and H.B. No. 609, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 827-12 (FIN) and H.B. No. 1723, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 828-12 (FIN) and H.B. No. 2274, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 829-12 (FIN) and H.B. No. 2664, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 830-12 (FIN) and H.B. No. 2568, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 831-12 (FIN) and H.B. No. 2122, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 832-12 (FIN) and H.B. No. 2319, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 833-12 (FIN) and H.B. No. 2266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 834-12 (FIN) and H.B. No. 2268, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 835-12 (FIN) and H.B. No. 2325, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO

BROADBAND," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 836-12 (FIN) and H.B. No. 1511, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 837-12 (FIN) and H.B. No. 1768, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 838-12 (FIN) and H.B. No. 2265, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 839-12 (FIN) and H.B. No. 2324, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 840-12 (FIN) and H.B. No. 2411, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 841-12 (FIN) and H.B. No. 2869, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 842-12 (FIN) and H.B. No. 2872, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 843-12 (FIN) and H.B. No. 2873, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 844-12 (FIN) and H.B. No. 2018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 845-12 (FIN) and H.B. No. 2375, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 846-12 (FIN) and H.B. No. 1879, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 847-12 (FIN) and H.B. No. 2162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 848-12 (FIN) and H.B. No. 2242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 849-12 (FIN) and H.B. No. 2359, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 850-12 (FIN) and H.B. No. 2508, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 851-12 (FIN) and H.B. No. 2526, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 852-12 (FIN) and H.B. No. 1875, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 853-12 (FIN) and H.B. No. 2452, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 854-12 (FIN) and H.B. No. 626, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 855-12 (FIN) and H.B. No. 1611, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 856-12 (FIN) and H.B. No. 1672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 857-12 (FIN) and H.B. No. 1695, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 858-12 (FIN) and H.B. No. 2404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 859-12 (FIN) and H.B. No. 2476, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 860-12 (FIN) and H.B. No. 2574, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 861-12 (FIN) and H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 862-12 (FIN) and H.B. No. 2338, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CREATIVE MEDIA INDUSTRY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 863-12 (FIN) and H.B. No. 2482, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 864-12 (FIN) and H.B. No. 2883, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 865-12 (FIN) and H.B. No. 2250, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 866-12 (FIN) and H.B. No. 2595, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 867-12 (FIN) and H.B. No. 2793, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF LAND AND NATURAL RESOURCES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 868-12 (FIN) and H.B. No. 2820, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 869-12 (FIN) and H.B. No. 2871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 870-12 (FIN) and H.B. No. 2594, HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 871-12 (FIN) and H.B. No. 2589, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 872-12 (FIN) and H.B. No. 2682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 873-12 (FIN) and H.B. No. 2398, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 874-12 (FIN) and H.B. No. 1724, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 875-12 (FIN) and H.B. No. 2540, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 876-12 (FIN) and H.B. No. 2685, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 877-12 (FIN) and H.B. No. 1689, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 878-12 (FIN) and H.B. No. 1905, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 879-12 (FIN) and H.B. No. 2290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 880-12 (FIN) and H.B. No. 2448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 881-12 (FIN) and H.B. No. 2547, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 882-12 (FIN) and H.B. No. 1698, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 883-12 (FIN) and H.B. No. 2493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 884-12 (FIN) and H.B. No. 2495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 885-12 (FIN) and H.B. No. 2487, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 886-12 (FIN) and H.B. No. 2573, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIP," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 887-12 (FIN) and H.B. No. 2584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 888-12 (FIN) and H.B. No. 2483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 889-12 (FIN) and H.B. No. 2656, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 890-12 (FIN) and H.B. No. 2690, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 891-12 (FIN) and H.B. No. 2145, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 892-12 (FIN) and H.B. No. 2246, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAIKU VALLEY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 893-12 (FIN) and H.B. No. 2881, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENWAYS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 894-12 (FIN) and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 895-12 (FIN) and H.B. No. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CLEARCOM, INC., IN THE DEVELOPMENT OF BROADBAND INFRASTRUCTURE IN HAWAII," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 896-12 (FIN) and H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 897-12 (FIN) and H.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 898-12 (FIN) and H.B. No. 2529, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 899-12 (FIN) and H.B. No. 2806, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 900-12 (FIN) and H.B. No. 2153, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOLL ROADS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 901-12 (FIN) and H.B. No. 2800, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 902-12 (FIN) and H.B. No. 2485, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 903-12 (FIN) and H.B. No. 2613, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 904-12 (FIN) and H.B. No. 2179, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 905-12 (FIN) and H.B. No. 1726, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 906-12 (FIN) and H.B. No. 2121, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 907-12 (FIN) and H.B. No. 2262, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 908-12 (FIN) and H.B. No. 2326, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 909-12 (FIN) and H.B. No. 2417, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 910-12 (FIN/LMG) and H.B. No. 2524, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE

REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 911-12 (JUD) and H.B. No. 2030, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 912-12 (JUD) and H.B. No. 1753, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 913-12 (JUD) and H.B. No. 2628, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 914-12 (JUD) and H.B. No. 2593, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 915-12 (JUD) and H.B. No. 1926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 916-12 (JUD) and H.B. No. 679, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 917-12 (JUD) and H.B. No. 2611, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 918-12 (JUD) and H.B. No. 2760, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 919-12 (FIN) and H.B. No. 2875, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 920-12 (FIN) and H.B. No. 1694, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 921-12 (FIN) and H.B. No. 2169, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 922-12 (FIN) and H.B. No. 1671, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 923-12 (FIN) and H.B. No. 1840, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED BANK," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 924-12 (FIN) and H.B. No. 2103, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BANK OF THE STATE OF HAWAII," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 925-12 (FIN) and H.B. No. 1974, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 926-12 (FIN) and H.B. No. 2257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 927-12 (FIN) and H.B. No. 1968, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 928-12 (FIN) and H.B. No. 2514, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 929-12 (FIN) and H.B. No. 2515, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 930-12 (FIN) and H.B. No. 2415, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 931-12 (FIN) and H.B. No. 2273, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 932-12 (FIN) and H.B. No. 2275, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 933-12 (FIN) and H.B. No. 2374, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 934-12 (FIN) and H.B. No. 2320, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 935-12 (FIN) and H.B. No. 2453, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 936-12 (FIN) and H.B. No. 2358, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE BUILDING CODE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 937-12 (FIN) and H.B. No. 2553, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 938-12 (FIN) and H.B. No. 2519, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 939-12 (FIN) and H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 940-12 (FIN) and H.B. No. 2334, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE HAWAII ISLAND COMMUNITY DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 941-12 (FIN) and H.B. No. 2249, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDFILLS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 942-12 (FIN) and H.B. No. 1941, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL INSPECTION FACILITIES AND RELATED INFRASTRUCTURE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 943-12 (FIN) and H.B. No. 2668, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 944-12 (FIN) and H.B. No. 2703, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD SELF-SUFFICIENCY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 945-12 (FIN) and H.B. No. 2502, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 946-12 (FIN) and H.B. No. 2019, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 947-12 (FIN) and H.B. No. 2644, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 948-12 (FIN) and H.B. No. 2501, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 949-12 (FIN) and H.B. No. 1848, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 950-12 (FIN) and H.B. No. 2773, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 951-12 (FIN) and H.B. No. 2152, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 952-12 (FIN) and H.B. No. 2661, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 953-12 (FIN) and H.B. No. 2264, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 954-12 (FIN) and H.B. No. 2494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 955-12 (FIN) and H.B. No. 1744, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 956-12 (FIN) and H.B. No. 2361, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEBT COLLECTION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 957-12 (FIN) and H.B. No. 2569, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 958-12 (JUD) and H.B. No. 1829, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASES," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 959-12 (JUD) and H.B. No. 2751, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," were placed on the calendar for Third Reading on March 6, 2012.

Stand. Com. Rep. No. 960-12 (JUD) and H.B. No. 2277, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES," were placed on the calendar for Third Reading on March 6, 2012.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, March 06, 2012.

TWENTY-SIXTH DAY

Tuesday, March 06, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 9:04 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Mr. Blayne Higa of Pacific Buddhist Academy, and former Office Manager for Representative Luke, after which the Roll was called showing all Members present with the exception of Representative Cabanilla, who was excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 222) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 222, dated March 2, 2012, transmitting the FY 2011 Annual Report of the Department of Human Services, pursuant to Section 346-5, HRS.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 36) was received and announced by the Clerk:

Sen. Com. No. 36, transmitting S.C.R. No. 52, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING GROVE FARM COMPANY, INC. TO PLACE AN IMMEDIATE STAY OF EVICTION AND ENGAGE IN MEANINGFUL FORMAL DISCUSSIONS WITH THE TENANTS OF THE KOLOA PLANTATION CAMP REGARDING FUTURE PLANS FOR THE PLANTATION PROPERTY AND THE DEVELOPMENT OF ALTERNATIVE SOLUTIONS," which was adopted by the Senate on March 2, 2012.

ORDER OF THE DAY**SUSPENSION OF RULES**

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Cabanilla and Marumoto were excused.)

CONSENT CALENDAR

At this time, the Chair announced:

"Members, there will be no discussion as these are items that are agreed to by this Body for placement on the Consent Calendar. All items from pages 1 through 20."

UNFINISHED BUSINESS

At 9:09 o'clock a.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:11 o'clock a.m.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 691-12) recommending that H.B. No. 2150, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2150, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 696-12) recommending that H.B. No. 2587, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 698-12) recommending that H.B. No. 2537, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2537, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 700-12) recommending that H.B. No. 2441, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2441, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 701-12) recommending that H.B. No. 2591, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2591, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 703-12) recommending that H.B. No. 2533, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2533, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF AGGRAVATED CIRCUMSTANCES IN THE CHILD PROTECTIVE ACT," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 705-12) recommending that H.B. No. 2312, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2312, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 707-12) recommending that H.B. No. 2564, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2564, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER

MEDICAL ASSISTANCE SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 708-12) recommending that H.B. No. 2113, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2113, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 711-12) recommending that H.B. No. 2013, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2013, HD 2, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 714-12) recommending that H.B. No. 2740, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2740, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Nakashima's written remarks in support of the measure are as follows:

"This bill will extend the reduction of State highway taxes for this fuel used to generate electricity in my district on Hawaii Island. The Hamakua Energy Partners took over the generation of electricity on the site of the former Hamakua Sugar Co. after the plantation closed and provided a number of badly needed jobs for this depressed area. The tax, while nominal, is borne totally by this private entity for the benefit of the State Highway Fund. I have never understood the nexus that exists between this fuel tax and energy generation, as naphtha is not commercially available as a surface transportation fuel; at least not on the Big Island."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2740, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 732-12) recommending that H.B. No. 1925, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1925, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support H.B. 1925 HD1 which will require County Liquor Commissions to treat Hawaii craft distilled products the same as wine produced in Hawaii. Hawaii is becoming known for not only fine local wines—using local agricultural products—but also for its locally-brewed beers and liquors, including rums, vodkas and other liquors. This measure supports a niche in our local economy by allowing craft distillers to sell their products directly to visitors at their manufacturing sites or a tasting site for private use and consumption. As in the case of wineries, distilleries are an additional place where visitors can view and sample Hawaii products.

"This bill will stimulate sales for local, independent entrepreneurs, as well as stimulate Hawaii's local economy. It will encourage and strengthen niche local manufacturing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1925, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 733-12) recommending that H.B. No. 1964, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1964, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 739-12) recommending that H.B. No. 2600, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2600, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 740-12) recommending that H.B. No. 2601, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2601, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 741-12) recommending that H.B. No. 2639, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2639, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Honorable Speaker, I support this measure that recognizes the quality of military training and experience and which assists Hawaii-based military personnel to earn academic credits through the University of Hawaii. This bill facilitates the UH college equivalency program giving full measure to the professional experience gained by servicemen and servicewomen while serving in the United States Armed Forces.

"As our military personnel return home from deployment and separate from military service, many will face the challenge of securing gainful employment. As the G.I. Bill provided opportunities through education for earlier generations, utilizing their military educational benefits and pursuing higher education remains one of the best ways to transition into civilian life and employment. This measure would save time and money for the service member trying to complete their education.

"This measure requires the University of Hawaii to develop an associated learning assessment to determine college level learning gained during military experience.

"This measure is the right thing to do for those who serve so selflessly to defend our nation."

Representative Johanson's written remarks in support of the measure are as follows:

"I rise in support of HB 2639. I believe it is important that Hawaii ensure a continuum of opportunity for our returning armed service members. The State of Hawaii has an opportunity to facilitate the transition back into civilian life for these brave men and women by making educational opportunities more accessible and available. This bill accomplishes that end by recognizing the professional knowledge, expertise and skills gained while on active duty. It does not make sense to make individuals repeat duplicative academic courses where the individual's professional abilities already surpass the academic quotient of learning. I am in strong support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 742-12) recommending that H.B. No. 2642, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2642, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 746-12) recommending that H.B. No. 1874, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO VOG," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 747-12) recommending that H.B. No. 2409, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 750-12) recommending that H.B. No. 2100, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2100, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"Mr. Speaker, I am in support of HB 2100 which would appropriate monies for statewide bee hive research. UH-Hilo continues to lead the way for such research. The work done by Dr. Lorna Tsutsumi of the College of Agriculture, Farming, Natural Resource Management is noteworthy and has garnered support from renowned chef Alan Wong.

"Honey bees are responsible for crop pollination and their health and well-being are especially important if we truly want to reduce our dependency on imported food. Unfortunately, there are several major pests threatening honey bees in Hawaii. The small hive beetle arrived in the State in 2010 and has been detected on four islands. Its presence compounds the challenges for beekeepers, who are already dealing with the *Varroa* mite since 2007. This bill is a tool to alleviate these obstacles."

Representative Awana's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in strong support. This measure supports the agriculture industry in providing necessary funding to ensure the safety of

a tiny, but very necessary insect which is crucial to the balance of our food cycle, the bee. In years past, the varroa mite hit our Hawaii bee population creating serious concern among the farming community. No bees, leads to no pollination. No pollination means no new plants, no livestock, and no food. I applaud the University of Hawaii at Hilo as they continue to be diligent in ensuring a healthy *Anthophila* population which in turn helps the rest of Hawaii. Again, I am in strong support and I ask that the other Members of the Legislature support this measure. Thank you, Mr. Speaker."

Representative Pine's written remarks in support of the measure are as follows:

"I strongly support HB 2100 HD2, which would appropriate general funds to the University of Hawaii for beehive research statewide.

"I first want to thank Chef Alan Wong and his staff for bringing attention to this important subject. Chef Wong recognizes the importance of honeybees, which prompted him to partner with UHH in heightening awareness about the plight of bees, their decreasing populations and what can be done to help them flourish.

"With his "Adopt a Beehive with Alan Wong" initiative, the famous chef supports the work at UHH by encouraging donations to the UH Foundation. All proceeds support bee hive "adoptions" at the campus farm, and contributors receive reports on their adopted bee hives, along with honey and other products.

"Albert Einstein predicted, "If the bee disappeared off the surface of the globe then man would only have four years of life left. No more bees, no more pollination, no more plants, no more animals, no more man." Many of us do not realize that bees pollinate and make possible a wide range of vegetables, fruits and flowers and make much of our local agriculture industry possible.

"Hawaii is a world leader in producing queen bees, and this bill would strengthen that industry. In addition to being a significant economic driver, this industry promotes the health and proliferation of bees, which pollinate many agricultural crops throughout Hawaii.

"HB 2100 HD2 would help protect bee colonies from harmful pests, such as small hive beetles and Varroa mites, and thereby increase food security for Hawaii residents. The bill would further research and educational activities at the University of Hawaii Hilo campus. At the university's 110-acre apiary in Panaewa, students receive hands-on training on how to cultivate bees at this outdoor laboratory with 25 hives.

"UHH also maintains a one-acre bee-friendly educational garden featuring a variety of plants that reflect the history of beekeeping in our Islands.

"Clearly, Hawaii's honey bee industry deserves State funding to continue its vital work. For all the above reasons, I strongly support HB 2100 HD2, Relating to Bees."

Representative Nakashima's written remarks in support of the measure are as follows:

"This bill will provide an appropriation to the University of Hawaii for statewide bee hive research. This is critical to the agricultural industry as so many agricultural products are solely dependent on bees as their source of pollination which is necessary to ensure the maturity of many crops. The bee industry is in jeopardy as the result of the unintended introduction of the varroa mite that affects the development and abilities of the bees to complete this very important task."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2100, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 751-12) recommending that H.B. No. 2093, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2093, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Nakashima's written remarks in support of the measure are as follows:

"Mr. Speaker, this is a critical piece in our return to food sustainability as we have fallen far behind in our drive to develop new farmers to work the fields that we are so concerned about protecting. The rejuvenation of the Future Farmers of America program in our schools is critical to the future survival of agriculture in Hawaii as this program will not only provide us with farmers, but with the necessary participants and leaders in a strong and vibrant agricultural sector. This is just one piece of a comprehensive vision that would include the processing and marketing of island grown products that will help to ensure that agriculture is not only sustainable but also profitable for farm families throughout the State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2093, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 752-12) recommending that H.B. No. 1942, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1942, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"Mr. Speaker, I am in support of this measure which would allow the State HDOA to build an electronic manifest program. It notifies inspectors of the types of commodities being imported into the State prior to a plane's arrival. This is an advantage that would greatly help to combat invasive species from further establishing a foothold in Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1942, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 753-12) recommending that H.B. No. 1943, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1943, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"Mr. Speaker, I am in support of this measure which proposes to create a detection and prevention program within the State Department of Agriculture (HDOA).

"The Hawaii Detector Dog Program (HDDP), which began in November 1989, was unfortunately shutdown at the end of June 2009. This bill would provide a general fund appropriation to match a federal grant to fund plant quarantine detector dogs. Testimony was given that the re-establishment of HDOA's detector dog program is one of the ten most important actions that must be taken to protect Hawaii. Guam's build-up and Asia's increased importance in trade and military matters means that we are increasingly vulnerable to invasion by brown tree snake and other pest species. Since there is no 100% inspection of cargo and conveyances that

are bound for Hawaii, we must take responsibility for protecting our shores and the HDDP is an effective way of doing so."

Representative Awana's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in support. In the past, positions within the Department of Agriculture have been cut because of budget challenges. It only takes one invasive species to create havoc to our environment. We have learned this lesson from the mongoose, snake, rat, wasps, and the list goes on. This measure will provide necessary funding needed to help fund positions to increase protection against invasive species. This measure is not only important to the Department of Agriculture, but also even more important to the people of Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1943, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 755-12) recommending that H.B. No. 280, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 280, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Coffman's written remarks in opposition to the measure are as follows:

"I cannot support HB280—a bill to repeal requirements by the Department of Agriculture to inspect and certify Hawaiian green bean coffee.

"The current laws and rules regarding the inspection of Hawaiian grown coffee were the result of the Kona Kai coffee scandal of 1996, when it was discovered that a mainland-based company was selling coffee not grown in Hawaii and labeling it as Kona Coffee.

"Our coffee inspection and certification program worked fine until the Lingle Administration decimated the program by cutting the number of inspectors within the Department of Agriculture in 2009.

"I have reviewed the hearing testimony for HB280 and I want to share the following concerns:

- The Department of Agriculture testified in support of the bill, reminding us of the counterfeit scandal and associated fraud. However, with only one full-time inspector for Kona, they realize that their lack of inspectors is causing the problem of shipping delays which results in cash flow problems for coffee sellers.
- This year's coffee crop is almost completely harvested. The Department of Agriculture is on record that they will be hiring more inspectors by the end of this month. Why would we repeal a law that protects one of our unique Hawaiian products when we are in the process of solving the problem?
- The Department of Agriculture has established HAR 4-143-10 which authorizes and establishes a process for self-certification, making the repeal of the Department of Agriculture's inspection and certification unnecessary. It is called the Coffee Quality Verification Program (CQVP). Once a dry miller reaches a level III status in the CQVP program, that business entity is only required to have an audit/inspection every 30 days.
- Other testimony, while in support, expressed the need to have strong penalties for individuals that violate the self-certification program. The bill does not address any additional penalties for violators and accordingly the bill is not truly supported by these individuals.

- This is the worst time to repeal our inspection and certification laws. The coffee berry borer beetle is creating a lot of sub-standard coffee that cannot be labeled as Kona Coffee. While I am not accusing anyone of planning to market this inferior product, I don't think that we should provide that temptation by repealing our laws.
- Kona coffee is only as good as its reputation. All of Hawaii loses if we again taint that product's reputation.

"Because HB280 will be effective upon approval and may not be subject to a Conference discussion, I will be voting No on the measure."

Representative Tsuji's written remarks in support of the measure are as follows:

"Mr. Speaker, I am in support of this bill which seeks to repeal the requirement that all Hawaii-grown green coffee beans shall be inspected and certified by the Department of Agriculture (HDOA).

"Having had discussions with various coffee industry members, HDOA officials feel that a voluntary certification program, and mandatory compliance to grading standards and origin documentation under proposed changes to the Hawaii Administrative Rules, will provide sufficient protection for Hawaii's coffee industry. While this will make certification voluntary, this measure would not trump the current quarantines in place that are meant to prevent the spread of coffee berry borer or other potential invasive pests or diseases."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Coffman and Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 756-12) recommending that H.B. No. 2244, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2244, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"Mr. Speaker, I support this bill which would create a licensure process to allow private inspectors in other states to conduct inspections of items intended for import to Hawaii.

"This provision would give the Department of Agriculture a means to evaluate items at mainland points of origin before they arrive into our State. This type of pre-entry program is especially important for high risk commodities, such as Christmas trees and leafy greens."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2244, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 758-12) recommending that H.B. No. 2614, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2614, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 760-12) recommending that H.B. No. 2684, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2684, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 762-12) recommending that H.B. No. 2380, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2380, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 766-12) recommending that H.B. No. 2602, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2602, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 769-12) recommending that H.B. No. 1777, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1777, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support HB 1777 HD 1 which provides the authority for judges in all criminal cases, to order the production of records by persons or entities (including financial institutions, internet service providers, and communication service providers), located outside the State of Hawaii. Basically, this bill creates a jurisdictional "long-arm statute" for criminal proceedings, which is similar to the existing "long-arm statute" utilized in civil proceedings, for discovery and legal processes.

"This bill—included in a package of bills aimed at updating our penal statutes to deal with the growing sophistication of cyber-based and digital crimes—is patterned after similar statutes that have been recently enacted in Washington State, Minnesota, California, and Florida. This bill does not change the legal standards required to effectuate criminal process, but does ensure equality, efficiency, fairness and reciprocity of Hawaii's processes with those of other states."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1777, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 770-12) recommending that H.B. No. 1892, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 771-12) recommending that H.B. No. 2174, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2174, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I rise in support of HB2174 HD 1, a measure that ensures additional transparency in Hawaii's campaign spending laws, especially in light of changes in federal campaign spending court decisions. The bill focuses on increasing the public's right to know who the financial backers are for all candidates. The bill would also facilitate public inspection and searching of the Campaign Spending Commission's database.

"This measure requires that every report to be filed by an individual or entity must be certified as complete and accurate by that individual or entity and provides additional disclosure requirements for noncandidate committee reports. This bill addresses loopholes that may allow third party expenditures to skirt the importance of disclosures at the end of a campaign. This bill requires that any expenditure paid for, that will be rendered during the last three days of an election period, must also be included in a late expenditures report and mandates late reports from entities that make contributions or independent expenditures in an aggregate amount of more than \$500 within fourteen through four calendar days prior to any election. It also provides certain requirements for advertisements and subjects any person who files a defective report to monitoring and penalties.

"This bill addresses the critical and timely issue of independent expenditures in campaigns. It creates a searchable database for campaign spending data, improves the reporting by noncandidate committees (PACs and SuperPACs), adds late expenditure reports, and improves disclosure for campaign advertisements. In response to *Citizens United v. Federal Election Commission*, 558 U.S. ___, 130 S.Ct. 876 (2010), this bill will improve Hawaii's campaign disclosure law and help it move toward greater transparency."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2174, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 775-12) recommending that H.B. No. 2454, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 777-12) recommending that H.B. No. 2046, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2046, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Honorable Speaker, I support HB 2046 which establishes an Adult and Community Education Program Special Fund with separate accounts for each school. Adult Community Schools serve an integral function of the Department of Education in my community by providing adult basic education, Competency Based High School Diploma Program, general educational development (GED), English as a Second Language, and citizenship. My community has an ever increasing number of immigrant families with children and young adults in need of the services provided by the Adult Community Schools. This bill provides that adult and community education program will be funded through legislative appropriations supplemented by student fees.

"Although H.R.S. §302A-432 establishes a program of adult and community education which is regulated by the Department of Education, the program is constantly fighting for its basic existence. The passage of this bill establishing a special fund is vital to the program."

Representative Aquino's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I rise in support of SCR 777, HB 2046. Mr. Speaker, this measure seeks to fund our adult and community educational programs in our areas. This especially hits the Waipahu and Leeward Oahu areas where the Waipahu Community School for Adults serves hundreds of students per year. Many people—young and old and from all walks of life utilize the services provided at this institution and the several others throughout our State. This bill ensures that there will be a funding stream to help sustain needed services in our communities. Thank you."

Representative Johanson's written remarks in support of the measure are as follows:

"I rise in support of HB 2046. Adult and Community Schools, such as the Moanalua/Aiea Community School, play a critical role in our communities by providing opportunities for those who may not necessarily find the traditional K – 12 educational route ideal. These institutions provide a means for students with varying needs and interests to broaden their base of knowledge or pursue their high school degrees by enrolling in a GED Program. This measure would establish a stable funding base to ensure these schools and their programs continue to serve our communities. This measure ensures the entire spectrum of educational opportunities and a holistic educational continuum."

Representative Ichiyama's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I rise in support. This bill proposes to establish the Adult and Community Education Program Special Fund, which will provide financial support for the adult and community education program through legislative appropriations and supplemented by student fees. In an increasingly competitive economy, having an education is critical to securing a quality high-paying job. Adult educational programs provide a way for those outside the traditional age range of public school students to gain basic educational skills, complete a high school education and actively contribute to society.

"Adult and community education programs serve thousands of Hawaii residents. The community schools had 9,055 students enrolled in academic programs statewide during the 2010-11 school year. Impressively, 2,035 of these students received a diploma by the end of school year. Through adult education, thousands of community members continue their studies in an effort to better their quality of life. Our support for adult education is essential to keep education accessible to all and will help to put people back to work. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2046, entitled: "A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 778-12) recommending that H.B. No. 2127, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2127, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 779-12) recommending that H.B. No. 2513, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 788-12) recommending that H.B. No. 2248, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2248, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 792-12) recommending that H.B. No. 2481, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 796-12) recommending that H.B. No. 2097, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2097, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 800-12) recommending that H.B. No. 2736, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2736, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support this measure which extends drug-free zones to public housing.

"This bill expands the protections that we provide for our neighborhood schools and parks, to include State and federal public housing projects and complexes.

"This measure addresses the harsh, but indisputable reality of crystal methamphetamine and its disastrous effects upon our community and individuals within it. This measure is not about targeting a particular demographic, it's about strengthening our enforcement efforts to protect those most vulnerable in our community.

"This Legislature has made it consistently clear that if you go to our schools or enjoy our parks, we will do everything we can to keep you safe. We should similarly extend this protection to those living in our housing. Public housing should be safe for our residents and their families who live there."

Representative Johanson's written remarks in support of the measure are as follows:

"I rise in strong support of HB 2736. Public and low income housing should provide a safe and stable environment for those in need and provide opportunities to return to a path of self sufficiency. This is difficult to

achieve in an environment where individuals fear for their safety. Children are particularly vulnerable when drugs and drug-dealing become a daily aspect of their lives; simple activities such as playing outside become dangerous because of the specter of drugs. Our current laws protect children in schools and parks; they should also be protected in their home environments. I believe this bill promotes a safe, healthy environment in public and low-income housing and ensures an environment of opportunity and a path to self-sufficiency. I am in strong support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 801-12) recommending that H.B. No. 2609, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2609, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 803-12) recommending that H.B. No. 2776, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2776, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 804-12) recommending that H.B. No. 2314, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2314, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 805-12) recommending that H.B. No. 2078, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2078, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 807-12) recommending that H.B. No. 1765, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1765, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 808-12) recommending that H.B. No. 1858, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 810-12) recommending that H.B. No. 2254, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRETAX TRANSPORTATION BENEFIT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 811-12) recommending that H.B. No. 2491, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 812-12) recommending that H.B. No. 2492, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 813-12) recommending that H.B. No. 2578, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 814-12) recommending that H.B. No. 2439, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 816-12) recommending that H.B. No. 2576, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2576, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 819-12) recommending that H.B. No. 1708, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1708, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 821-12) recommending that H.B. No. 2023, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 823-12) recommending that H.B. No. 2368, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2368, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"I am in support of this measure that establishes a medical residency program at the University of Hawaii at Hilo.

"Hawaii County continues to experience a severe shortage of physicians, and this medical residency program is a strategy to attract physicians to the communities where their skills are needed most, specifically the medically needy and underserved rural populations.

"I serve on the Hilo Medical Center Foundation Board of Trustees. The mission of the Foundation is "to support the Hilo Medical Center with projects that benefit the greater community." Funding of the Hilo Medical Residency Program is critically needed now to ensure that it is sustained through its accreditation process, which will take almost two years.

"Hawaii Island's rural communities need more doctors and the Hilo Medical Residence Program and this Bill would help to alleviate the current physician and nursing shortage."

Representative Nakashima's written remarks in support of the measure are as follows:

"The Hilo Family Residency program sponsored by the Hilo Medical Center in cooperation with the University of Hawai'i, John A. Burns School of Medicine is a critical first step in our goal to provide a sufficient number of doctors to care for Hawaii residents and our aging *kupuna* in the islands. Studies show that medical school graduates often stay to practice in the region that they have completed their residency programs. As residents, they become familiar with their surroundings, develop networks, and become members of their community. As members of the community, these doctors begin to grow roots. Until we increase the opportunity for those roots to be grown here in the islands, we will continue to graduate medical students from our University who will be forced to leave the islands to complete their training elsewhere. The Hilo pilot should serve as a model and eventually a budget line item that will demonstrate the State's commitment to provide for the health care needs of our citizens."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2368, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 829-12) recommending that H.B. No. 2664, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2664, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support H.B. 2664, HD1 which would establish a public-private partnership in a county with a population between one hundred thousand and one hundred seventy thousand to develop an integrated system to deliver health care across the spectrum of care and particularly to address the current challenge in acute care. This

measure supports and recognizes the interconnections in our public and private continuum of care.

"Currently, hospitals do not have the capacity to care for Hawaii's citizens in need of acute, and post-acute care. They have long wait-lists for acute care, and must usher out those in need of post-acute care prematurely in order to free up beds. Entering into public-private partnerships is a cost-effective way to expand our hospitals' capabilities and to better use existing services and programs in our community. It will provide for healthcare infrastructure that is stable in the long term. This bill fosters synergy and opportunities for growth for both healthcare organizations in a partnership. It ensures that hospital partnerships will have the resources to provide more patients with needed services, including the critically ill. This pilot opportunity will move us forward, better able as a community to face the expected healthcare crisis we face with a growing and aging population in the future."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2664, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 830-12) recommending that H.B. No. 2568, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2568, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 834-12) recommending that H.B. No. 2268, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2268, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 846-12) recommending that H.B. No. 1879, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1879, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 847-12) recommending that H.B. No. 2162, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 848-12) recommending that H.B. No. 2242, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2242, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Awana's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in strong support. This measure is necessary for the sustainability of agriculture in Hawaii. This measure requires continuing education for veterinarians and in doing so, improving the quality of care

for Hawaii's livestock. Veterinarians are in short supply and this measure will ensure that those who are here are kept abreast of the advances in technology and alternatives that may help these doctors. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 850-12) recommending that H.B. No. 2508, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2508, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 854-12) recommending that H.B. No. 626, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 626, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 855-12) recommending that H.B. No. 1611, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1611, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I stand in support of HB1611, HD2, a measure that increases the effectiveness and efficiency of State and county boards, while encouraging transparency. Maui County Council members, as well as the City and County of Honolulu's Department of Planning and Permitting, cited the need to remove unnecessary barriers that prevent key community leaders from participating in planning in their communities. They wanted to change the law to clarify that public officials would be able to attend public gatherings, community events, and professional association conferences.

"This bill allows board members to attend public gathering and community events, so long as the board is not exercising a function relative to that matter, and permits attendance at professional-association conferences and professional-development seminars, so long as the board members file a public report. Additionally, this bill allows attendance by board members, so long as the board members do not engage in ex parte communications at a public gathering or community event.

"The Sunshine Law was intended to ensure that official decision making is made in the public eye with proper and timely notice to the community. It should not be a tool that allows public officials to duck their responsibility to respond to community questions about important issues. This proposal is a balanced approach that allows a community to get answers from their public officials at public gatherings and community events."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1611, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 856-12) recommending that H.B. No. 1672, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1672, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support this common sense, fairness measure which authorizes monetary awards for individuals providing information for Department of Taxation administrative or judicial actions for tax violations. Under this proposal, whistleblowers can receive awards of 15% to 30% of the amount collected based on contribution of the individual's information, as determined by Tax Director.

"This new whistleblower program is modeled on existing provisions of federal law. Based on federal experience, these bounties will improve the collection of sums owed to the State and reduce the burden on honest taxpayers by making sure that everyone pays their fair share."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Souki voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 857-12) recommending that H.B. No. 1695, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1695, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support this common sense bill which prohibits the Department of Taxation from unfairly and artificially stacking the different penalties available under State tax laws on the same violation. This "anti-penalty-stacking" measure prevents penalties for substantial understatements or misstatements and for erroneous claims for refund or credit from being added to tax underpayments on which the Department of Taxation has already imposed certain other penalties. This practice artificially increases the amounts supposedly owed by a taxpayer on a violation and can prevent efficient and timely resolution of such violations.

"This measure conforms Hawaii's treatment of penalties to federal law by prohibiting the imposition of penalties for under-withholding on top of penalties for a disallowed deduction or other claim that would have reduced tax. Under this measure, a tax official would not be allowed to disallow an item, impose a penalty for that violation and then "stack" on top of that penalty an additional penalty for failing to withhold enough for the newly determined tax liability. The existing penalties for different violations are fair so there is no ground for imposing a second penalty for the same miscalculation simply because a higher amount provides more leverage against the taxpayer. For reasons of fairness and consistency with federal tax policy, this measure should become law."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1695, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 858-12) recommending that H.B. No. 2404, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2404, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support this measure which brings another aspect of Hawaii government into the reality and efficiency of the digital age. This proposal allows any board as defined under section 92-2, Hawaii Revised Statutes, electronically post meeting minutes on its website, or if it does not have a website, on the official internet website of the State of Hawaii or the official website of the appropriate county. Hard copies will still be available upon request.

"The measure will increase transparency and public participation. The internet cannot be ignored and indeed may be the most cost effective way to disseminate information to the public. This bill will make every board's business just a mouse click away for a large portion of the State's population."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 860-12) recommending that H.B. No. 2574, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2574, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 861-12) recommending that H.B. No. 2841, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2841, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support H.B. 2841 which enacts the Uniform Interstate Depositions and Discovery Act. This law recognizes that in the modern age, our country and our legal proceedings are closer and more interconnected than in the past when distance, time zones and costs made interstate business and travel rarer. Americans and American commerce move much more rapidly to and from different states due to improvements in communications and travel. This bill creates an efficient and cost-effective process for litigants to depose out of state individuals, and obtain discoverable materials that are found out of state. It also sets clear rules in event of these situations. Uniform procedures are now necessary as the amount of litigation involving individuals and documents which are located outside of the state has increased. This bill is a much needed asset to Hawaii citizens seeking justice through our judicial system, and will improve the State in terms of its ability to dispense justice."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 864-12) recommending that H.B. No. 2883, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2883, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Pine's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I rise in strong support on HB 2883 HD2, Relating to Makaha Valley, which requires the Department of Land and Natural Resources to conduct a flood study for the Valley.

"Makaha Valley's drainage system is in desperate need of repairs. Over the years, heavy rains have caused it to fail again and again.

"In November of 1996, a devastating landslide occurred. After six hours of heavy rain, two waterfalls of rocks and mud flooded the first floor of the Makaha Valley Towers and buried or swept away sixty cars. In February of 1997 more breaches were made. In December of 2008, another deluge caused severe flood damage and erosion of the Waialeale River Bridge, as well as homes and businesses in the area.

"Rather than wait with our fingers crossed for the next inevitable breach in the system, resulting in costly damage both to property and possibly loss of life, this study will give recommendations to control the storm drainage and reduce the recurring flooding, protecting residents and businesses in the area. Until then, Makaha Valley residents will be at the mercy of much needed protection by the Legislature. They deserve our help and support.

"For these reasons, I am in strong support of this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2883, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 866-12) recommending that H.B. No. 2595, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2595, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Nakashima's written remarks in support of the measure are as follows:

"Mr. Speaker, the Koloko Dam incident on Kauai led to increased inspection and new standards for dams in Hawaii. Many of these dams are really agricultural earthen reservoirs. They do not meet the same characteristic dangers that were present in the Koloko situation, and yet they are required to meet the same stringent standards that we apply to such dams as the Hoover. Mr. Speaker, in my opinion, we must not decommission these water sources that help to ensure crop success in times of low rainfall or drought. This bill will seek to provide land owners with these dams on their property to have a means of financing that would allow them to upgrade and maintain their dams as a critical piece of maintaining and growing agricultural production in Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2595, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 868-12) recommending that H.B. No. 2820, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2820, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Hanohano's written remarks in support of the measure are as follows:

"Kako'o loa. 'O kēia pila e pili ana nā loko i'a 'o ka pae 'āina 'O Hawai'i nei. Maika'i kēia pila no ka mea e ho'o pa'a nā kanawai no nā loko i'a. Mahalo ia ko'u mau hoa luna maka'āinana e kako'o kēia pila. Mahalo.

"Strong support. This bill is about the fishponds found in the State of Hawai'i. This is an excellent bill because it makes fishpond law permanent. Thank you to my colleagues who support this bill. Thank you."

Representative Nakashima's written remarks in support of the measure are as follows:

"In an attempt to address the concerns expressed by residents of Hawaii Island, and with the proliferation of open ocean aquaculture ventures off of our coasts, I made inquiries with opponents for suggestions on how we would address their concerns. At the time, the only option presented was that perhaps we could encourage the use of native Hawaiian fishponds as an alternative to the open sea cages. Based on this suggestion, I proposed HB 2092, part of which has been incorporated into this legislation that would allow for an expedited process for the leasing State lands to expedite the reconstruction of these native Hawaiian fishponds as a viable aquaculture resource."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2820, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 869-12) recommending that H.B. No. 2871, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 870-12) recommending that H.B. No. 2594, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2594, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"This measure instructs that a constitutional amendment question be placed on the ballot asking/specifying that the proceeds from the sale of the special purpose revenue bonds will be used to assist dam and reservoir owners to make their facilities compliant with current safety standards.

"Dams and reservoirs provide many public benefits as a potential resource for agriculture, water supply, and flood control. These facilities enable the storage of water to better weather periods of drought, which continue to plague areas of the State. They are absolutely integral to our ability to continue to keep agriculture activity in the State. Financial incentives - such as this Bill would provide - to improve their facilities increase the likelihood that more of these facilities will be kept in continued operation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2594, HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 871-12) recommending that H.B. No. 2589, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2589, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 874-12) recommending that H.B. No. 1724, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1724, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. At this time, I rise in strong support of this measure. This measure would reduce the delay in getting waitlisted patients discharged from acute care and into long-term care.

"It would allow the Department of Human Services to make a preliminary, presumptive determination that a waitlisted patient who applied for Medicaid assistance is eligible for coverage.

"We need to address the fact that at any given time in our State, there are about 150 patients in acute care settings who are medically ready to be discharged, but cannot be, due to various barriers.

"One of those barriers is the delay in Medicaid eligibility determinations.

"According to a report to the legislature by the Healthcare Association of Hawaii, the Medicaid eligibility and re-eligibility application process can take several months, and in some cases even more than a year.

"This is a costly delay that not only depletes the financial resources of the acute care hospital, but also adversely impacts the patient's quality of life.

"In contrast, the presumptive eligibility approach will maximize the use of resources that are currently in short supply. Taking action based on a patient's presumptive eligibility will free up precious bed space in acute care facilities for others in need.

"For these reasons, this measure is worthy and deserves your consideration and support. Thank you, Mr. Speaker, for the opportunity to express my strong support to this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1724, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 876-12) recommending that H.B. No. 2685, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2685, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 878-12) recommending that H.B. No. 1905, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1905,

HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 881-12) recommending that H.B. No. 2547, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2547, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 882-12) recommending that H.B. No. 1698, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1698, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 883-12) recommending that H.B. No. 2493, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 884-12) recommending that H.B. No. 2495, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 885-12) recommending that H.B. No. 2487, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 886-12) recommending that H.B. No. 2573, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIP," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 887-12) recommending that H.B. No. 2584, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 888-12) recommending that H.B. No. 2483, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 893-12) recommending that H.B. No. 2881, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2881, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENWAYS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 896-12) recommending that H.B. No. 2181, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 897-12) recommending that H.B. No. 2808, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2808, pass Third Reading, seconded by Representative Evans.

Representative Hanohano's written remarks in support of the measure are as follows:

"Kako'o loa. 'O kēia pila e pili ana ka 'āina ho'opulapula 'O Kikala-Keokea no na po'e ilihune no ka lua'i pele. 'O kēia pila e kokua ana na po'e e loa'a ka pa'a 'āina mai ke ke'ena waiwai. Mahalo iā ko'u mau hoa luna maka'āinana e kako'o kēia pila. Aloha pumehana.

"Strong support. This bill pertains to the Kikala-Keokea homesteads for the lava flow victims. This bill helps those with homestead leases from Department of Land and Natural Resources. Thank you to my colleagues who support this bill. Warm love."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 904-12) recommending that H.B. No. 2179, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2179, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 907-12) recommending that H.B. No. 2262, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2262, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 911-12) recommending that H.B. No. 2030, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2030, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Awana's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in strong support. This measure takes a common sense approach at mandating drivers to move one lane over or slow down when an emergency vehicle is assisting a motorist. All other states have already implemented this or a similar measure. This bill is long overdue and to my dismay, lives have already been lost. As we all know, Officer Garret Davis was struck by a speeding vehicle a few months ago. I ask that the Members of this Body see the benefit of this measure. We cannot wait until another life is lost before action is taken. Thank you, Mr. Speaker."

Representative Aquino's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. In support of HSCR 911. Mr. Speaker, this bill is called the "Move Over" bill. What that means Mr. Speaker is that this measure would require drivers to vacate the lane closest to an emergency vehicle that would provide assistance to another vehicle or person when driving on a highway. This would provide the needed safety precaution to avoid injury and possible death of emergency responders who are doing their jobs. We need to protect our first emergency responders who in turn, put their lives on the line day in, day out. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2030, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 913-12) recommending that H.B. No. 2628, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2628, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 915-12) recommending that H.B. No. 1926, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 919-12) recommending that H.B. No. 2875, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2875, pass Third Reading, seconded by Representative Evans.

Representative Hanohano's written remarks in support of the measure are as follows:

"Kako'o loa. 'O kēia pila e pili ana ka 'ōlelo makuahine. E ola mau ka 'ōlelo makuahine. Mahalo iā ko'u mau hoa luna maka'āinana e kako'o kēia pila. Nā ka pomaika'i iā kākou.

"Strong support. This bill pertains to the Hawaiian Language. Long live the Hawaiian Language. Thank you to my colleagues who support this bill. Blessings to all of us."

Representative Awana's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in support. Hawaiian is a recognized language of our State. In the Department of Education, Hawaiian Immersion Programs exist. This measure requires assessments to be administered in the Hawaiian language. For too long, the challenge with the Hawaiian Immersion program has been the inability for proper translation. Assessments have been administered from a western perspective. It is my hope that this measure gives our host culture the recognition and dignity that they deserve by respecting the language and providing the network which is needed to keep their language alive. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2875, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 926-12) recommending that H.B. No. 2257, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2257, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Aquino's written remarks in support of the measure are as follows:

"Mr. Speaker, in strong support. This legislation is consistent with the ongoing efforts by the U.S. Department of Defense and First Lady, Mrs. Michelle Obama that encourages states and employers to provide employment opportunities for military spouses—many of whom are qualified to fill vacancies in the local workforce.

"Many occupations require a state license, often with state-specific conditions and processes which can cause lengthy delays for military spouses moving between states. Due to these delays and the expenses involved in re-licensure, many spouses decide not to practice in their professions. This is a financial and career choice issue for many military members and their spouses which impact their desire to stay in military service.

"According to the 2008 Defense Manpower Data Center Status of Force Survey of Active Duty Members, 68% of married service members reported their spouses' ability to maintain a career impacts their decisions to remain in the military by a large or moderate extent. The report also mentions that 77% of military spouses want or need to work. Military families relocate every two to three years on the average. This measure proposes to require licensing boards to allow applicants to demonstrate competency in lieu of work experience required and to permit DCCA to establish procedures to expedite the issuance of licenses, certifications or permits to military spouses. It would provide for these individuals to enter our workforce and continue their careers when moving to Hawaii. Thank you."

Representative Johanson's written remarks in support of the measure are as follows:

"I rise in support of HB 2257. I believe the measure before us has the ability to lessen the burden on military families relocating to Hawaii, easing the transition by allowing for more professional opportunities of the spouses of our armed service members. I fully support this measure and the opportunities it may create for our military families."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 927-12) recommending that H.B. No. 1968, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1968, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 931-12) recommending that H.B. No. 2273, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2273, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 933-12) recommending that H.B. No. 2374, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2374, pass Third Reading, seconded by Representative Evans.

Representative Aquino's written remarks in support of the measure are as follows:

"In support of HB 2374, HSCR 933. Mr. Speaker, this measure would transfer the Office of Language Access (OLA) from the Department of Labor and Industrial Relations to the Department of Health. The main purpose of OLA is to provide needed access to state programs and services by the many individuals who speak English as a second language. I believe this would enable OLA to perform its duties and responsibilities more effectively and efficiently for the targeted populations. It would also allow better collaboration between State entities to deliver services that are currently in high need. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2374, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 934-12) recommending that H.B. No. 2320, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2320, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 935-12) recommending that H.B. No. 2453, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2453, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Honorable Speaker, I support HB 2453 HD1 which consolidates in the Department of Transportation the State identification program with the driver license program. This measure moves Hawaii closer to making sure our residents will be able to travel freely and do business without interruption by ensuring that Hawaii Drivers Licenses and Hawaii State IDs comply with new Federal requirements for official government identification. This bill would consolidate the two functions which are currently being issued by two different State agencies. The Department of the Attorney General would no longer be responsible for the issuance of

non-driver license identification cards. Henceforth, the counties which currently issue driver licenses would assume this function which will ease access to valid government IDs easier for our residents.

"The federal government enacted REAL ID Act 2005 which mandated the kinds of documentation required and procedures to be followed in issuing driver licenses and non-driver identification cards. The deadline for the implementation of the REAL ID Act is January 15, 2013. Failure to comply will result in Hawaii's people not being recognized by federal agencies and other states, thus preventing individuals to travel and to do business with the federal government and other states. HB 2453 HD1 will make sure all data collected and stored for both Drivers Licenses and for State Identification cards are managed by one State department.

"Act 35, Session Laws of Hawaii 2011, mandated the Department of the Attorney General to work with the Director of Transportation and the appropriate county agencies, to allow county employees to issue certificates of identification at the same locations where driver licenses are issued. Coordination amongst the two programs is critical as the REAL ID Act must be implemented on a timely basis so that Hawaii's citizen can continue to travel and do business without interruption."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 939-12) recommending that H.B. No. 2539, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 940-12) recommending that H.B. No. 2334, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2334, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Hanohano's written remarks in support of the measure are as follows:

"Kako'o loa. 'O kēia pila e kokua ana ka Hui Ho'omōhala Wahi Noho Like O Ka Po'e mai ka Moku 'O Keawe no kona kukulu hale no nā kupuna. Mahalo iā ko'u mau hoa luna maka'āinana e kako'o kēia pila. Nā ka maluhia kā kākou.

"Strong support. This bill assists the Hawai'i Island Community Development Corporation in building a senior housing project. Thank you to my colleagues who support this bill. Peace to all of us."

Representative Nakashima's written remarks in support of the measure are as follows:

"The Hawaii Island Community Development Corp. is seeking a special purpose revenue bond to build a new facility to house the Hawaii Island Adult Day Care program. This program, the largest of its kind in the State, is currently housed in the old and partially condemned Hilo Hospital Facility. This is a proactive measure by the Board of Directors of the Hawaii Island Adult Care program who realize that they are just an earthquake away from becoming homeless and possibly months away from being able to reopen due to the permitting requirements that must be satisfied before a new facility could be opened. This project will be on the grounds of a new HUD elderly housing project and will mesh nicely with a future planned assisted living facility. This cohabitates a number of elderly services that becomes more important each day with the aging of our population."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2334, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE HAWAII ISLAND COMMUNITY DEVELOPMENT CORPORATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 941-12) recommending that H.B. No. 2249, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2249, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDFILLS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 942-12) recommending that H.B. No. 1941, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1941, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"I am in support of this bill which makes an appropriation to establish agricultural inspection biosecurity facilities and related infrastructure at various airports and harbor sites statewide and the Kamuela Vacuum Cooling Plant.

"Invasive species and diseases are one of the greatest threats to Hawaii's economy, agriculture, natural environment, and the health and lifestyle of its people. Preventing the establishment of a new pest is much more economical than eradicating a pest or, even worse, controlling it indefinitely once it becomes established here.

"It is imperative to have properly designed and controlled facilities for consolidation, inspection and, if necessary, treatment of cargo. This is essential to an effective biosecurity strategy, as well as to the efficient movement of goods into and out of the islands. This bill will strengthen and support Hawaii's agricultural industry and this is consistent with the State's goal of increasing self sufficiency and sustainability."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1941, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL INSPECTION FACILITIES AND RELATED INFRASTRUCTURE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 943-12) recommending that H.B. No. 2668, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2668, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"Mr. Speaker, I am in support of this bill which would amend the Important Agricultural Land (IAL) tax credit to create additional provisions to support Hawaii's agricultural industry.

"This bill establishes tax credits for drought mitigation projects that service important agricultural lands. We believe that this tax credit will assist IAL agricultural operations in the development and effective utilization of drought mitigation infrastructure and facilities to enhance the cost effective irrigation of crops and livestock. In addition, these drought mitigation projects will also assist in providing much needed irrigation water for these IAL agricultural operations during dry weather periods,

which will add to the long term viability and sustainability of these agricultural operations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2668, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 945-12) recommending that H.B. No. 2502, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2502, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 947-12) recommending that H.B. No. 2644, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2644, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 954-12) recommending that H.B. No. 2494, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 955-12) recommending that H.B. No. 1744, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 956-12) recommending that H.B. No. 2361, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2361, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEBT COLLECTION," passed Third Reading by a vote of 51 ayes.

THIRD READING

H.B. No. 2623, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1788, HD 1:

Representative Chong moved that H.B. No. 1788, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which addresses issues relating to cybercrime. Specifically, this bill amends certain computer crime statutes related to Computer Fraud and Unauthorized Computer Access, as well as amends the definition of "computer crime" to include "phishing" and "spyware" activities.

"This bill addresses the realities of modern cybercrime in a society increasingly interconnected to and reliant upon, the internet for storage and transfer of valuable and confidential information. Hawaii's computer crime statutes have not been amended since their enactment in 2001, and this bill will provide more effective tools for enforcement and prosecution of computer crime offenses.

"Given the rapid advancement in modern technologies, this bill seeks to incorporate new cybercriminal methods such as "phishing" and "spyware" into existing offenses and definitions. These amendments focus upon functionality of a method, as opposed to the specific types of terminology or technology related to it.

"With the rapid proliferation of advanced and mobile electronic devices over the last decade, it is now possible for practically anyone, anywhere, to engage in online criminal activity, at any time. This bill reflects that understanding by heightening the severity of certain computer crime offenses, in an effort to deter such activity by would-be offenders, and also emphasize to the public that these types of activities will not be tolerated."

The motion was put to vote by the Chair and carried, and H.B. No. 1788, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," passed Third Reading by a vote of 51 ayes.

H.B. No. 2295, HD 1:

Representative Chong moved that H.B. No. 2295, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which creates the petty-misdemeanor offense of harassment by cyberbullying. Cyberbullying is basically harassment thru electronic communication, which is sent or posted with the intent to hurt, annoy or alarm another person.

"According to the National Crime Prevention Council, cyberbullying is a problem that affects almost half of all American teens, and causes victims of this type of harassment to have lower self-esteem, increased suicidal ideation, and a variety of deleterious emotional reactions or responses. With the rapid growth and development in digital technology and electronic communication, this bill provides just one component in a broader effort to address the growing problem of harassment and bullying in our schools and communities. The Department of Education is similarly looking at administrative means by which to address the problem.

"Though statutes addressing harassment through electronic communication are presently enacted in numerous jurisdictions across the United States (including Hawaii), there is currently no specific law addressing cyberbullying directly. New York, Missouri, Rhode Island and Maryland, as well as the United States Congress, however, are discussing the issue under proposed legislation.

"This bill allows Hawaii to take part in the discussion happening across the United States to address this issue. And while the precise wording and applicability of this bill may change as the conversation continues through our legislative process, its intent and importance will not."

The motion was put to vote by the Chair and carried, and H.B. No. 2295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CYBERBULLYING," passed Third Reading by a vote of 51 ayes.

H.B. No. 2679, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Third Reading by a vote of 51 ayes.

H.B. No. 2296, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2296, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE," passed Third Reading by a vote of 51 ayes.

H.B. No. 2658, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2658, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1838:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1838, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 51 ayes.

H.B. No. 1181, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 51 ayes.

H.B. No. 1980, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1980, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

H.B. No. 2605, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Third Reading by a vote of 51 ayes.

H.B. No. 1705, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1705, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 51 ayes.

H.B. No. 2347:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2347, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS," passed Third Reading by a vote of 51 ayes.

At 9:15 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2150, HD 2
H.B. No. 2587, HD 1
H.B. No. 2537, HD 2
H.B. No. 2441, HD 2
H.B. No. 2591, HD 2
H.B. No. 2533, HD 2

H.B. No. 2312, HD 2
H.B. No. 2564, HD 1
H.B. No. 2113, HD 1
H.B. No. 2013, HD 2
H.B. No. 2740, HD 1
H.B. No. 1925, HD 1
H.B. No. 1964, HD 2
H.B. No. 2600, HD 2
H.B. No. 2601, HD 3
H.B. No. 2639, HD 2
H.B. No. 2642, HD 2
H.B. No. 1874
H.B. No. 2409
H.B. No. 2100, HD 2
H.B. No. 2093, HD 2
H.B. No. 1942, HD 2
H.B. No. 1943, HD 2
H.B. No. 280, HD 1
H.B. No. 2244, HD 1
H.B. No. 2614, HD 2
H.B. No. 2684, HD 2
H.B. No. 2380, HD 2
H.B. No. 2602, HD 2
H.B. No. 1777, HD 1
H.B. No. 1892
H.B. No. 2174, HD 1
H.B. No. 2454, HD 1
H.B. No. 2046
H.B. No. 2127
H.B. No. 2513, HD 1
H.B. No. 2248, HD 2
H.B. No. 2481, HD 1
H.B. No. 2097, HD 2
H.B. No. 2736, HD 1
H.B. No. 2609, HD 2
H.B. No. 2776, HD 2
H.B. No. 2314, HD 1
H.B. No. 2078, HD 2
H.B. No. 1765, HD 2
H.B. No. 1858
H.B. No. 2254, HD 1
H.B. No. 2491, HD 1
H.B. No. 2492, HD 1
H.B. No. 2578, HD 1
H.B. No. 2439, HD 1
H.B. No. 2576, HD 2
H.B. No. 1708, HD 2
H.B. No. 2023
H.B. No. 2368, HD 1
H.B. No. 2664, HD 1
H.B. No. 2568, HD 2
H.B. No. 2268, HD 2
H.B. No. 1879, HD 2
H.B. No. 2162, HD 1
H.B. No. 2242, HD 1
H.B. No. 2508, HD 1
H.B. No. 626
H.B. No. 1611, HD 2
H.B. No. 1672, HD 1
H.B. No. 1695
H.B. No. 2404, HD 1
H.B. No. 2574, HD 1
H.B. No. 2841
H.B. No. 2883, HD 2
H.B. No. 2595, HD 2
H.B. No. 2820, HD 3
H.B. No. 2871, HD 1
H.B. No. 2594, HD 2
H.B. No. 2589, HD 2
H.B. No. 1724, HD 1
H.B. No. 2685, HD 2
H.B. No. 1905, HD 2
H.B. No. 2547, HD 1

H.B. No. 1698
 H.B. No. 2493, HD 1
 H.B. No. 2495, HD 1
 H.B. No. 2487, HD 1
 H.B. No. 2573, HD 1
 H.B. No. 2584, HD 1
 H.B. No. 2483, HD 1
 H.B. No. 2881, HD 2
 H.B. No. 2181
 H.B. No. 2808
 H.B. No. 2179
 H.B. No. 2262, HD 2
 H.B. No. 2030, HD 2
 H.B. No. 2628, HD 2
 H.B. No. 1926, HD 1
 H.B. No. 2875
 H.B. No. 2257, HD 1
 H.B. No. 1968, HD 1
 H.B. No. 2273
 H.B. No. 2374
 H.B. No. 2320, HD 2
 H.B. No. 2453, HD 1
 H.B. No. 2539, HD 1
 H.B. No. 2334, HD 2
 H.B. No. 2249, HD 2
 H.B. No. 1941, HD 2
 H.B. No. 2668, HD 2
 H.B. No. 2502, HD 2
 H.B. No. 2644, HD 2
 H.B. No. 2494, HD 1
 H.B. No. 1744, HD 1
 H.B. No. 2361, HD 2

H.B. No. 2623, HD 1
 H.B. No. 1788, HD 1
 H.B. No. 2295, HD 1
 H.B. No. 2679, HD 1
 H.B. No. 2296, HD 1
 H.B. No. 2658, HD 1
 H.B. No. 1838
 H.B. No. 1181, HD 1
 H.B. No. 1980, HD 1
 H.B. No. 2605, HD 1
 H.B. No. 1705, HD 1
 H.B. No. 2347

At this time, the Chair announced:

"Members, please remember to submit to the Clerk your list of House Bills on the Consent Calendar for which you will be inserting written comments in support or in opposition. This must be done by the adjournment of today's Floor session. This is if you will be submitting written comments for any of the bills we just voted on."

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 690-12) recommending that H.B. No. 2809, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2809, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise in strong support. Mr. Speaker I'm so proud to support this measure, Kalo Appreciation Month, and I think that our Chamber is so wise to push forth measures like this, that help our people,

that recognize a need in our communities, in our State, and are willing to come together and are willing to support each other, because we support our people because we know that the people come first. The people come first, before people in this Chamber. We serve the people.

"And I rise in strong support because this bill, Kalo Appreciation Month, and I really commend the introducers, will increase public awareness about the significance of *kalo*, taro. Encourage its cultivation. Encourage its consumption. The Office of Hawaiian Affairs, the Association of Hawaiian Civic Clubs, all supported this measure, as well as many others. As this most sacred indigenous plant, it is not only the official State Plant, but it plays a significant role in Hawaiian culture, in our history in farming.

"But I also wanted to add, another reason why I so support *kalo*. I've said before on this Floor that I encourage any of us, all of us, I hope one day, to understand the breadth, the impact of a disease called diabetes. It is impacting lives, breaking hearts and our local people are its number one target. Our jewels, our treasures, they are dying Mr. Speaker, and Dr. Terry Shintani, living treasure of Hawaii, knows the healing properties of *kalo*. In very fact I have many friends in my district that attribute eating a traditional diet comprised of poi, bread fruit, and the things that our people once ate, our native Hawaiians, as what saved their lives and got them off insulin. For he discovered this, Dr. Shintani, that those that stray away often become prone to chronic life threatening disease, and right now Hawaii has one of the highest rates in the country.

"One of my staffers mentioned to me that on their way in this morning there's a poster with one child in color printed and one child in black and white, and it said, 'One in two will be affected.'

"But health can be restored by returning to the right eating habits. In a diet of carbohydrates that are found in *kalo* because *kalo* is so special. It doesn't have gluten. It's free from gluten. It's high in potassium. In short, Mr. Speaker, it's our heritage and it helps us, and I think that it's good and I'm proud, I'm proud to support a Member of this Chamber when they work for the good of the people. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2809, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KALO APPRECIATION MONTH," passed Third Reading by a vote of 51 ayes.

Representatives Keith-Agaran and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 692-12) recommending that H.B. No. 2298, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2298, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY RIGHTS," passed Third Reading by a vote of 51 ayes.

Representatives Keith-Agaran and Herkes, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 693-12) recommending that H.B. No. 1295, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1295, HD 3, pass Third Reading, seconded by Representative Evans.

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

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise with reservations to HB1295 HD3. While I support the penalties for habitual and fraudulent unlicensed contractors, I have reservations on the penalty for the simple small time unlicensed contractors.

"My reservation lies with the fact that the upper limit for a handyman is by law, \$1100 as an aggregate total. Sometimes a handyman takes a small job and as the job progresses on there may be more work than what was originally intended which will bring him to the limit of a handyman work. Should the handyman walk away because he is now in violation?

"Secondly Mr. Speaker, this penalty will make it very difficult for homeowners or business owners to find workers because most licensed contractors go for the bigger jobs. Bigger work takes precedence over the smaller work.

"Third, the provision in the bill that makes each day a separate violation. For the habitual and fraudulent unlicensed contractors, yes this penalty can be appropriate. But for the guy next door just trying to make a living, I believe this is too harsh Mr. Speaker. For these reasons, I am with reservations on this bill."

Representative Marumoto 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 H.B. No. 1295, HD 3, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 694-12) recommending that H.B. No. 1730, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1730, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 695-12) recommending that H.B. No. 69, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 69, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Standing in strong support, and I would like to make a few comments. Well this bill is a long time coming. We are passing it in honor of the veterans. Even though federal law already mandates that we can hang the U.S. flag, there's still some glitches that this Body worked on so the people that live in condominiums and planned community associations can fly those flags. We worked on this measure and I am very proud of this Body, that they can now fly the flag without being charged association fees or being fined if they hang the flag in a location that the community association or condominium association does not feel is the right place.

"So they now can hang the U.S. flag and Hawaiian flag as long as it is a prominent place, and Chair of Judiciary put in that the flag should be treated with respect. Thank you, Mr. Speaker."

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

"Mr. Speaker, may I ask for a ruling on a potential conflict. I serve as a director on my homeowners association in Village Park," and the Chair ruled, "no conflict."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB 69 HD2, which ensures the right of members of planned community associations in displaying the United States flag and State of Hawaii flag on their properties.

"Mr. Speaker, to someone who has fought for our country, the American flag has special meaning. Veterans deserve the right to fly the flag on their own homes. Here in Hawaii, we have a large veteran and enlisted military population. It is essential that we honor and support them by allowing our nation's flag to be displayed without burdensome restrictions."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 69, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 697-12) recommending that H.B. No. 2617, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2617, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 699-12) recommending that H.B. No. 2232, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2232, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise in strong reservation of this matter. The first portion of this bill I agree with. I think pelvic exams should not be done without the consent of the woman. However, the second portion of it states that a pelvic exam can be done on an unconscious patient or woman, without her consent if they are to do a diagnostic test.

"There is only one reason, Mr. Speaker, that you do a pelvic exam, and that is to do a diagnostic test. That's why it's called a pelvic exam. I have fear that this bill will be passing through, especially when it's supported by the medical school. The only time that you should do a pelvic exam on an unconscious patient is if it's a life saving measure, and that is now in law, so the second portion is not needed, Mr. Speaker.

"This will have some very grave impact should that portion of the bill pass, and I hope that by the time this bill gets to Final Reading, we can delete that portion. Thank you, Mr. Speaker."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB 2232 HD2 which requires informed consent before pelvic examinations of unconscious patients.

"This measure addresses a situation brought to the Legislature's attention by a University of Hawaii medical student who reported that patient consent was not always obtained when pelvic exams were performed on anesthetized patients for medical training purposes. Few matters are as intensely personal as the right to be free from the violation of the integrity of our body. Informed consent is one tool that ensures that individual privacy interests are not violated by unthinking whims in an academic setting and then dismissed as simply a useful practice in the educational process. This bill makes it explicit that informed consent in this context is the law in Hawaii and the standard of practice that our community requires.

"This bill protects women without inhibiting medical training. Indeed, medical training must include training in the respect and dignity to which every patient is entitled, especially when their patients are anesthetized. This bill strikes a balance in requiring consent for a pelvic examination on an anesthetized patient unless it is within the scope of care for a scheduled surgical or diagnostic procedure for which the patient has given permission, or if it is necessary for diagnosis."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB2232 HD2 Relating to Health for the following reasons:

"HB2232 HD2 addresses the circumstances under which pelvic examinations may be performed by certain health care providers and medical students on anesthetized or unconscious female patients. The bill protects women from unsolicited pelvic exams, and it protects doctors and medical students from performing them. Specifically, the bill states that doctors or medical students shall not perform a pelvic exam on an unconscious female patient, unless the exam is for diagnostic purposes.

"All of the testimony during the hearing process was extremely supportive of this bill.

"As the law currently stands, it is not explicitly against the law for a medical professional to perform such a pelvic exam. However, ethical concerns were raised in the testimony over the propriety of doing so. Women in a non-emergency situation should have the ability to know exactly what procedures will be done while they are under anesthesia, and this bill will help to do just that. When a patient must go under anesthesia, she should be confident that all procedures to be undertaken have been discussed. Unfortunately, the current policy as it relates to unsolicited pelvic exams runs contrary to that belief.

"Not only will this bill protect the patients themselves, but doctors and medical students will also benefit from this measure. Many of the testifiers stated that they did as they were asked by their superiors in performing these exams, but they felt internally that it may not have been medically ethical.

"Of particular interest was the testimony of medical students who were ashamed that they had been required to perform pelvic exams on unconscious women without their consent. Patient consent should be absolutely imperative when dealing with such a sensitive medical issue.

"Passage of this measure will improve medical service provision and protect doctors and patients.

"For all these reasons I strongly support HB2232 HD2, Relating to Health."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 2232, HD2 – Relating to Pelvic Examinations. HB2232, HD 2 is a common sense bill which would make it mandatory for a doctor or medical student to obtain explicit written consent from a female patient before having that patient be anesthetized and submitted to a pelvic examination. It is highly unethical medical practice to perform a pelvic examination on a woman patient who is uninformed (and oftentimes unconscious or under sedation).

"The American Association of Medical Colleges, which represents 125 accredited U.S. medical schools and over 400 teaching schools, has labeled the performance of pelvic examinations on women under anesthesia as "unethical and unacceptable." According to Hawaii's criminal code, HRS §707-731, "sexual penetration of another person who is mentally incapacitated constitutes a sexual assault in the 2nd degree." An

uninformed pelvic examination is essentially sexual assault in a medical setting and should not be tolerated.

"This bill acknowledges the importance of medical students being exposed firsthand to real situations which may arise in their medical career, and only asks that consent of the woman patient be obtained before student participation. Many students, when interviewed about their OBGYN rotation, have noted that they were extremely uncomfortable administering a pelvic examination, unsure if the unconscious patient had consented to it.

"As a matter of fact, this bill serves to bolster a student's education by emphasizing the importance of patient consent, which has come to be a standard in medical practice. If asked, many female patients would be happy and willing to contribute to the education of future doctors in this manner. HB 2232 will preserve the dignity of women at their most vulnerable, as well as allow medical students to train adequately for their future as physicians.

"I urge you my fellow Members to support this bill, and to support the dignity and basic rights of women."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2232, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 702-12) recommending that H.B. No. 2276, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2276, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SKATEBOARDS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Riviere voting no.

At 9:26 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2809, HD 1
H.B. No. 2298, HD 2
H.B. No. 1295, HD 3
H.B. No. 1730, HD 2
H.B. No. 69, HD 2
H.B. No. 2617, HD 1
H.B. No. 2232, HD 2
H.B. No. 2276, HD 1

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 704-12) recommending that H.B. No. 2228, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2228, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE WORKPLACE," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 706-12) recommending that H.B. No. 578, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 578, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Riviere 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 Riviere's written remarks are as follows:

"HB578 is bad legislation because it addresses a non-existent problem in that nobody has been fined for shark feeding. Targeting two legal enterprises with increased penalties for something they have never been convicted unfairly tarnishes their reputations. One dangerous, unintended consequence could be to further agitate whoever committed criminal acts when they burned down three boats of one tour operator. It is unclear why this bill should be moving forward, other than it is based on unfounded fears and accusations. There is no scientific evidence of any increased danger to swimmers or any ocean users. This bill should not pass."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 578, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SHARK FEEDING," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 709-12) recommending that H.B. No. 518, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 518, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Har rose in support of the measure with reservations 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 with reservations on Standing Committee Report 709-12, House Bill 518, House Draft 2.

"The purpose of this bill is to require a seller to disclose in writing to a buyer the existence, if any, of legal or traditional public access that burdens the residential or agricultural real property being sold.

"However, HB 518, HD2 lacks a purpose clause. Without reason, there is no justification for this bill.

"Additionally, this bill is duplicative and unnecessary for at least four reasons. First, Hawaii Revised Statutes (HRS) §508D-1 and §508D-4 already refer to disclosure of a "material fact," including legal access. Under these two sections a seller of residential property must prepare a written disclosure statement that discloses all material facts, including legal access rights, relating to the residential real property being offered for sale.

"Second, HRS §508D-7 already addresses the legal duty of the seller's agent to disclose any inconsistent or contradictory material facts to the buyer.

"Third, HRS §508D-6, §508D-13 and §508D-16 already provide for legal remedies for failure to disclose a material fact.

"Fourth, the buyer can order their own title search, which will disclose all legal access rights and easements. Part of the due diligence process prior to the closing of the sale gives the buyer the option of ordering a title search.

"And finally, Mr. Speaker, HB 518, HD2 is not the proper vehicle for securing traditional public access rights. The proper, legal way to secure public access rights is for the hostile users to bring a quiet title lawsuit against the property owner.

"For these reasons, I stand with reservations on this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 518, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO REAL PROPERTY," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 710-12) recommending that H.B. No. 1706, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1706, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 1706, Relating to Rental Agents for Condominiums. While I recognize the benefits in requiring a local point of contact in the State for renters, I have concerns over how it might adversely impact members of our military who are deployed. I also have concerns about the constitutionality of this measure's provisions. For these reasons, I will be supporting this measure with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1706, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ching, Fontaine, Marumoto and Riviere voting no.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 712-12) recommending that H.B. No. 1966, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1966, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 713-12) recommending that H.B. No. 425, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 425, HD 3, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to cast a no vote and to make some comments. Thank you, Mr. Speaker. If you look at page 1, the purpose clause of this bill relating to public utilities, it states on line 5 to 6, it is anticipated that in 2030, 60% of electricity generation will come from fossil fuels. That's a very defeatist purpose clause, a very defeatist assumption. That means that in the next 18 years, we don't expect to do better. We expect to stay mired in oil.

"I'd like to read a few lines from "Oil's Tipping Point Has Passed," an article that appeared in *Nature Magazine* in January of this year, and I think that it's something that we should pay attention to as we set policy in this Body. The authors are well respected, James Murray, School of Oceanography University of Washington, Seattle, Washington; and David King, Director of the Smith's School of Enterprise and the Environment, University of Oxford in the United Kingdom, Senior Science Advisor to the bank UBS, and served as Chief Scientific Advisor to the United Kingdom government for almost a decade. They state, and I quote, "The approaches needed for tackling the economic impacts of resource scarcity and climate change are the same. Moving away from a dependence on fossil fuel energy sources."

"And then I'd ask Members to look back at the bill where we say in the next 18 years we're still mired in oil. The authors go on, "Governments

that fail to plan for the decline in fossil fuel production will be faced with potentially major blows to their economies even before rising sea levels flood their coasts or crops begin to fail catastrophically."

"The authors, I would really recommend this to everyone in the Body, to take a look at it, so we don't pass legislation like this, this year, or in the future. Instead this bill should have stated to the Public Utilities Commission, do everything you can to look at renewable energy resources that are available or emerging. See how we as a state can be part of that green energy future. See how we as a state can provide the jobs for our young people, as we develop one of the sources which I've talked about on this Floor, the ocean energy resources. Where the United States Department of Energy has done a new survey stating and concluding that Oahu can obtain three times the amount of energy that we use and that we need. But instead this stays stuck in dirty energy, fossil fuel.

"While the words 'fossil fuel' are removed, the assumption is there on page 1 of the bill. It's the wrong way for this Body to go. We're not being forward thinking. We're being pessimistic. And as these renowned authors state, oil's tipping point is past. For those states and those economies that don't prepare for that, we're going to have an economic downturn that's going to be devastating. And I have to also remind the Members, which you are all aware of. We have a monopoly utility. That monopoly utility doesn't suffer when the cost of oil escalates because every part of that escalation and increased cost is passed on to our consumers.

"This isn't the way to go. This archaic House Bill. And I wish that we would rethink this. I assume it's going to pass over to the Senate. Let's hope they will look at it more critically and say, 'No, we can do better than this.' Thank you."

Representative Pine rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her 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 Committee was adopted and H.B. No. 425, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Hanohano and Thielen voting no.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 734-12) recommending that H.B. No. 2272, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2272, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, may I request a ruling on a potential conflict? At my law firm I represent design professionals. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2272, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," passed Third Reading by a vote of 51 ayes.

At 9:35 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2228, HD 2
H.B. No. 578, HD 2
H.B. No. 518, HD 2
H.B. No. 1706, HD 1
H.B. No. 1966, HD 2
H.B. No. 425, HD 3
H.B. No. 2272, HD 2

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 735-12) recommending that H.B. No. 1957, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1957, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 736-12) recommending that H.B. No. 2226, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2226, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 2226, HD2 – Relating to an Automated Victim Notification System. This bill seeks to maintain an automated notification system in which the victim of a crime will be apprised of their attacker's custody status. It is a natural extension of the current Statewide Automated Victim Information and Notification System (SAVIN) that is administered by the Department of Public Safety. HB 2226 will establish a service in which victims will be kept up to date on the status of their offender, from the point of arrest and incarceration through the time they are released and under supervision with the community.

"The SAVIN program, which receives federal funding through the Department of Public Safety, may be discontinued in 2012 due to lack of funds. HB 2226 will provide for the continued operation of SAVIN by dedicating a special funding source, whose revenue will be generated by fees from inmate phone usage and from a 4% surcharge against inmate commissary purchases. So, HB 2226 is a financially feasible means of protecting the public and ensuring victim's rights. It will not be necessary to "invent" additional sources of funding for this system.

"A portion of this bill addresses the overseeing of a notification system by a committee, to be made up of representatives from victim service agencies, victim witness assistance programs, and a victim or surviving family member. This Governance Committee will build rapport with the Department of Public Safety to ensure successful implementation of the automated notification system.

"Many Victim/Witness Counselors attest to the functionality of this notification system, stating that it offers tremendous peace of mind to victims of abuse. It allows such victims to regain some control over their lives by informing them of their attacker's custody status, thereby enabling them to prepare or protect themselves accordingly. An automated victim notification system poses an invaluable service to members of the community who have been victimized, or who know someone recuperating from a crime. It has afforded peace of mind to victims living in fear of their attacker.

"I urge your support of this bill, which will continue to support victims across the State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2226, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 737-12) recommending that H.B. No. 2258, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2258, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 738-12) recommending that H.B. No. 2410, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2410, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise in strong support. Mr. Speaker, as stated in section 1 of this bill, the purpose of this Act is to strengthen the economy, the State's economy, and maintain a mutual beneficial relationship between the State and the military by requiring the Governor to enter in to a Memorandum of Understanding. The Department of Defense in providing continued support for the military's presence in Hawaii. It's a bill that helps both the military and Hawaii. And we know that we owe so much to our troops, to those who serve honorably in the Armed Forces.

"But the military assists us on another level. According to the Chamber of Commerce of Hawaii, a study by the Rand Corporation, it clearly identifies Hawaii's defense industry being the second major source of revenue to the State of Hawaii accounting for more than \$12.2 billion in annual revenue, creating 101,500 well paying jobs, in excess of \$3.5 billion in annual household income."

"Hawaii, unlike in most other states, military bases are located closer to the civilian population and therefore military personnel spend much more time in the civilian community than in other states where bases are located far from the major population. So they're shopping at the same stores. They're eating at the restaurants, same as their civilian counterparts. They're putting money into our economy. They're support jobs and tax income. And I'd like to add that because of this interaction, the military personnel don't just spend time in our communities, but also become part of the community, our *ohana*.

"So the connection is obvious. When we show our support for the military in a productive manner, the military also is our friend. So I appreciate the opportunity to express my support of the military. We know that our US Senator Dan Inouye, was and is, continues to be inspiration for many and of his service in World War II. And I'm proud to say that at one point, though some be gone, there were so many 442nd that lived in my District."

Representative Hanohano 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 H.B. No. 2410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 743-12) recommending that H.B. No. 2681, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2681, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I stand with reservations on this measure. Just some brief comments. I understand that there is a need to provide this very important tool to the enforcement officers of the Department of Land and Natural Resources, but I'm concerned that we're taking away from the

training standards for the aspect of providing these tools. I would hope as this measure moves on that there will be some language, that DLNR must meet some specific training standards when they issue these weapons. I thought the accreditation part of this was good, but now that that's been taken away, it doesn't specify what kind of training these officers are going to receive in order to use these weapons. I would just hope that we would take a cautious look at this measure in the future. Thank you."

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

"Thank you, Mr. Speaker. First may I have a ruling on a potential conflict? In the testimony below in opposition by the ACLU of Hawaii, the case cited in opposition is a case that my law firm is currently litigating," and the Chair ruled, "no conflict."

Representative Belatti continued to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. And with that, a strong no, in opposition with a few comments. Mr. Speaker, it's very rare when our private lives can intersect with our legislative work, and this is a very good case where the work that I'm doing in my law office is informing, and I think informing in a very good way, my thoughts on this piece of legislation.

"As noted by the Representative from Kihei, this really is about good risk management, for the State of Hawaii and the counties that might be looking at this. It's really important that training is maintained, and this requirement for training will in fact protect the State of Hawaii and the DLNR from potential lawsuits and large lawsuits, Mr. Speaker.

"I want to just point out that if people think that it's not possible. You know I really respect the work of our DOCARE and our DLNR officers. But just recently, on January 30, 2012, in Montana, there was a case of the National Park Service employee tasing a individual who was walking his dog off-leash on a trail. That's a situation that happened and it sparked outrage across the nation. It's really important that training is provided. I thought that piece of it in this legislation in years past was a good compromise, and I hope that as this bill moves forward that language is reinserted. Thank you, Mr. Speaker."

Representative Pine 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 an aye vote with reservations for him, and the Chair "so ordered."

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in opposition. I appreciate the hard work and effort provided by the DLNR Law Enforcement Officers. However, to give this one law enforcement group an exemption is not in the best interest of everyone concerned. In community meetings, I have heard time and time again of incidents where some officers have abused their authority. I am sure that this bill will not sit well with constituents who have experienced such abuse. We must make sure and make every effort to ensure that all law enforcement meet the standards set forth for others throughout our State. For these reasons, I will have to oppose this measure. Thank you, Mr. Speaker."

Representative C. Lee 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 H.B. No. 2681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Awana, Belatti, Hanohano and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 744-12) recommending that H.B. No. 2798, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2798, HD 3, pass Third Reading, seconded by Representative Evans.

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

"I just wanted to note a potential conflict. I work for a veteran's homeless shelter that has advocated for this bill," and the Chair ruled, "no conflict."

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

"May I say a few words in support? I do want to thank this Body for allowing this bill to move this far. We're finding more and more as our veterans come back from Iraq and Afghanistan they have very unique challenges, and many are suffering from post traumatic stress disorder. Many are finding a difficult time getting back into society, as well as a difficult time reintegrating with their families again.

"What this Veterans Court does is it helps our veterans to be separated from the rest of the population. They may not have the same challenges. It will allow judges and those helping these veterans, as well as the victims, better access to the care that they need."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. In support of HB2798, HD2, which enhances the effectiveness of the criminal justice system in regards to veterans of war and their unique needs by creating the Temporary Hawaii Veterans Treatment Court.

"A 2011 study prepared by the RAND Corporation regarding the impact of military spending in Hawaii revealed that Hawaii is home to more than 100,000 veterans, a substantial portion of Hawaii's population. Thousands of veterans, who have suffered severe stress and other injuries, have recently returned from combat environments in Iraq and Afghanistan. Some of these veterans, as well as veterans from other wars and conflicts, are suffering from post traumatic stress and brain injuries and are having a difficult time adjusting to society. In many instances a veteran's involvement with the judicial system may be a direct result of injuries, both undiagnosed and diagnosed, obtained while in service to our country.

"This bill will establish a process for the transfer of a veteran's case from the regular court system to the Temporary Hawaii Veterans Treatment Court. The transfer would need to be approved by the prosecuting attorney. However, when a veteran is already on probation, the transfer also requires Court approval. That court may substitute a treatment plan model for traditional court processing for all participating veterans. Establishing a veterans' treatment court would give these veterans a chance to get back to being productive members of our community. In this measure, the definition of "veteran" has been broadened in order to serve as many veterans as possible.

"We have revised the definition of "veteran" to include those who have been federally activated and, upon release from active duty, are eligible for services from the United States Department of Veterans Affairs. That definition for "veteran" is broader than the one originally proposed and was the result of testimony by the Department of Veterans Affairs."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2798, HD 3, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 745-12) recommending that H.B. No. 2848, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2848, HD 3, pass Third Reading, seconded by Representative Evans.

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

"Kako'o loa. Makemake au e ho'okomo ko'u mana'o i loko o Ka Puke Hale Maka'āinana. Mahalo."

Representative Hanohano provided the following translation:

Strong support. I wish to insert comments in the House Journal. Thank you.

Mahalo Ho'omalū 'Ōlelo no kou 'ae ai i ko'u mana'o i loko Ka Puke Hale Maka'āinana. Maika'i kēia pila. 'O Kūlani he wahi pana maika'i e pili ana ka pu'uhonu no nā pa'ahao. E holo mua kākou i nā mea pono no nā po'e 'o Hawai'i nei.

Thank you Mr. Speaker, for approving my request to submit comments in the House Journal. This is an excellent bill. Kūlani is a special place which is fitting as a refuge for inmates. We must move forward with righteousness for the people of Hawai'i.

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

"I just want to note my reservations on this bill. I'm just concerned about the Hawaii Youth Challenge Academy which is now located there is nationally recognized and doing very well. I do appreciate the intent of the measure and its overall purpose, but I do hope that if this Body continues with this measure, that we ensure that the Youth Challenge Academy has no degradation to the services it provides our youth."

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

"Good Morning, Mr. Speaker. I have the same reservations. In essence, if the Youth Challenge program is still located at Kulani, I would wonder whether the wellness program could coexist peacefully with Youth Challenge. I would be in opposition to reopening Kulani because that would be a very expensive proposition. It would be nice if we could have the two programs located at Kulani."

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

"Thank you, Mr. Speaker. I rise in support. I just wanted to provide some information to some of our colleagues. As we all know, the second Youth Challenge campus was placed on the former Kulani Prison grounds a few years ago. But what we realized is that it's an unsafe situation for the cadets. In fact, the current TAG, Major General Wong has stated as one of his priorities the movement of the Kulani Youth Challenge program closer into town, in Hilo. In fact, near one of our armories.

"The reason for that is if you've gone to Kulani as the Representative for that area is well aware, because she used to work there, it's out in nowhere. There have been some serious concerns regarding safety and access to adequate emergency services in the event of emergencies. So I believe that we can assure the Representatives who have concerns regarding the co-location of the Youth Challenge Program with this Wellness Center, that it will not happen. And number two, that in the event that this Wellness Center gets created, the plans are in fact to relocate the Youth Challenge Program."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2848, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 51 ayes.

At 9:48 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1957, HD 2
H.B. No. 2226, HD 2
H.B. No. 2258, HD 2
H.B. No. 2410, HD 1
H.B. No. 2681, HD 1
H.B. No. 2798, HD 3
H.B. No. 2848, HD 3

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 748-12) recommending that H.B. No. 2599, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 749-12) recommending that H.B. No. 2598, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESENTENCE REPORTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 754-12) recommending that H.B. No. 1947, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1947, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just want to express my slight reservations about the bill. I'm concerned that small farmers still seem to have issues with the language of the bill, and as it moves forward I would hope that their concerns could be addressed. Thank you."

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

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

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

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

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of H.B. 1947-Relating to Agriculture. This bill authorizes the Department of Agriculture (DOA) to establish an Agricultural Safety and Security Program. It requires, under the program, the DOA to conduct audit and certification services and specifies that the Program is voluntary for producers. It requires the charge of fees and expenses and establishes an Agricultural Practices Audit and Certification Revolving Fund for the Program.

"H.B. 1947 possesses respectable notions however; it does not adequately address the well being of small farmers or acknowledge the inadequacy of the Department of Agriculture for such a large task. As asserted in testimony by Mr. Kokubun, Chairperson of the Department of Agriculture, the DOA "lacks staffing, expertise, and proper funds in order to establish the agricultural and management practices mandated by this bill."

"More importantly, the impact of this bill would exclude small farmers from the marketplace and reduce the availability of locally-grown food, without improving aspects of food safety. This bill would effectively cut out much of our self-sustainable local farming in favor of imported goods that would by default, be perpetually deemed safe. All the while, there is absolutely no evidence of any food borne illness arising from small farms or farmers markets. I reflect on Ms. Annie Suite's testimony, "This bill is overreaching and does not address where history shows the problem of potential hazard of contamination: processing. Requiring all farmers to undergo third party food safety certification will result in the loss of the vast majority of Hawaii's small family farms."

"It is clear, through testimony on this measure that farmers have come to a consensus that this bill will undoubtedly put our small farmer out of business. In fact, every single farmer that testified did so in opposition. Not one farmer on record is in favor of this bill. In closing, I echo Mr. Travis Overlay, a North Shore farmer, "This legislation is built upon a bad assumption: that all food imported to Hawaii is inherently safe, whereas, all food grown in Hawaii is unsafe, until proven safe by a third party certifier. This is not a market climate that promotes local food consumption". Thank you."

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

"Thank you, Mr. Speaker. I also rise in reservation with similar concerns as previous speakers previously stated."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just slight reservations noting the concerns of a lot of the Waimanalo small farmers who feel that they'd be adversely impacted. Thank you."

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

"Thank you, Mr. Speaker. With reservations. I'd just like to say that the concern of the small farmers, I don't think, was addressed. There were a lot of other bills in Committee that were never heard. So we really never heard from the small farmers.

"I do have reservations and I appreciate all the work of the Agriculture Committee, but I think we can do more. I'd also like to insert written comments."

Representative Wooley's written remarks are as follows:

"Not only did the Committee on Agriculture refuse to hear any of the bills proposed by the small farmers, it ignored the small farmers' concerns when it passed this bill. For those of you who don't know already, a large group of small farmers took the time to meet regularly for the last year to come up with a food safety security proposal that they could all agree on. It took a lot of time and thought, and the language the small farmers proposed is included in several of the bills still sitting in the Committee on Agriculture. These bills were never even scheduled for hearing. I support

the Legislature's effort to address the concerns of our large and corporate farmer needs, but it saddens me that after all their work, the small farmers' voices were never heard."

Representative Nakashima 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 Nakashima's written remarks are as follows:

"I support the intent of this bill which is to ensure that Hawaii is prepared to move forward with a food safety and security program. We must recognize that, based on Hawaii's unique situation and economy, it will require that most of this food be produced on small rural farms throughout the State. As the federal rule making moves forward, I hope that it recognizes this unique aspect of our small state and takes into account the already difficult situation that most farmers in Hawaii face as they attempt to make a living in this difficult profession."

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

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

Representative Belatti's written remarks are as follows:

"I oppose House Bill 1947, House Draft 2 because it is premature and does not take into consideration the needs of Hawai'i's small scale farmers. The recently passed Federal Food Safety and Modernization Act ("FSMA") directs the FDA to develop science-based preventives of food-borne illness and apply them to the entire food production system. According to the testimony of the State Department of Health, the State will have two years to develop food safety programs once the Food and Drug Administration publishes its FSMA rules. The testimony of the State Department of Agriculture echoes the premature nature of House Bill 1947 and states that "[n]ot only is the Federal government poised to establish some or most of the standards intended by this bill, but the FDA's regulations, once adopted, could preempt any inconsistent state laws or rules on the same subject."

"Finally, the Tester Amendment to the national FSMA exempts small farmers who sell directly to the consumer since they pose less risk than large mono-cropping companies. House Bill 1947 contains no such language. Because this bill is premature and does not have the support of many of Hawai'i's small farmers, I oppose this bill."

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

"Mr. Speaker, in support. Thank you, I believe this is a very important piece of legislation. This authorizes the Department of Agriculture to establish this Agriculture Safety and Security Program. It further authorizes the DOA to conduct an audit and certification services.

"Nationally, the Food Safety Modernization Act was signed in January 2011, and it also further states that it exempts agricultural producers realizing annual sales, or annual gross income under \$500,000. The law is not in effect yet, but producers across the nation are participating on a voluntary basis. Here also in Hawaii, a good number of buyers are requiring producers to be food safety certified.

"I'm not sure where the comments with reservations or even objection are coming from, but nationally consider this as food for thought, or fuel for thought, pardon the pun. Nationally, illnesses across the United States cost, not millions, but billions. According to figures released some \$152 billion in annual health-related expenses. An estimated 76 billion people get sick because of food borne illnesses. Thousands upon thousands, 5

thousand die annually. This is according to statistics released by the US Centers for Disease Control and Prevention. The lowest health cost to take care of such illnesses is the State of Kentucky at \$1,731 annually. You know where the highest price tag is Mr. Speaker? In the State of Hawaii. Over \$2,000. That's above the national average of \$1,800 to remedy health cases caused by food borne illnesses.

"In 2005 it was reported on the Big Island of Hawaii where I'm a resident, a baby died from what was suspected to be a rare form of food illness caused by meningitis. The same type of disease on the Big Island inflicted a 22 year old young man and he was in coma for several months. But think about this. These are statistics that come through. In 2008, a salmonella outbreak in the United States infected 200, and 9 died. In the United States, a listeria outbreak in poultry infected 50, and 8 died. The list goes on, Mr. Speaker.

"The AG industry is already stressed with economic setbacks. This particular legislation allows producers to be prepared before an epidemic occurs, emphasizing that this program is voluntary. I repeat, voluntary. In order to be compliant with generally accepted AG and management practices adopted by the DOA in conjunction with the University of Hawaii College of Tropical Agriculture and Human Resources and other entities that may be desired, preferable in implementing this legislation. Thank you, very much."

Representative Wooley rose to respond, stating:

"Thank you, Mr. Speaker. Just in brief response. I still have reservations. I appreciate what the Chair for Agriculture stated about food safety. I think that we all are very concerned. But I really believe we need to move away from words of fear, and focus on what the issues are. And here the small farmers have repeatedly worked together and requested that their bills be heard and their perspective be heard. This bill does not address their concerns."

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

"Mr. Speaker, strong support. Okay, I'll just do written comments, but in strong support."

Representative Choy's written remarks are as follows:

"Mr. Speaker I rise in strong support. This measure reminds me of the fight the local accountants were waging in the early 1980s. The battle raged over the requirements of additional overly far reaching audit and accounting procedures which added time and work to the issuance and audits of financial statements. As a small practitioner, I fought hard against such additional burdens put on us. The reason that the additional procedures were instigated was the proliferation of law suits stemming from failed audits. The failed audits were of publicly traded companies and audited by national accounting firms. I felt it was not fair for local practitioners, who rarely, if ever, audited public traded companies.

"The local practitioners lost this battle and soon we were inundated with checklists and procedures far beyond what I felt was necessary. But something happened that made all of these additional procedures necessary. The proliferation of law suits migrated to local firms. Local firms were now called upon to prove our quality control procedures and show that our work was preformed with all due diligence. The additional procedures turned out to be godsend and a savior for the small local firms.

"These evolutionary steps will happen to the small farmers. Slowly, the market and people's attitudes are changing. Farmers will no longer be able to sell their products, and stores and patrons will not accept uncertified products.

"This measure is a just a start since it is not mandatory, but someday, it will be mandatory. Probably, right after the amount of deaths increase, the lawsuits increase and then the public will demand it. Let's start now. Thank you, Mr. Speaker."

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

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

"In strong support, Mr. Chair. Thank you."

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

"Thank you, Mr. Speaker. In strong support. And I ask that you allow me to adopt the words from the Representative from the Big Island. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1947, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Belatti, Fontaine and Riviere voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 757-12) recommending that H.B. No. 2004, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2004, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 759-12) recommending that H.B. No. 2626, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2626, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support with written comments."

Representative Kawakami's written remarks are as follows:

"Mr. Speaker, I stand in strong support of HB 2626, HD2, Relating to Safe Routes to School. This bill establishes a partnership with federal, State and county governments to accomplish one of our top priorities, keeping our *keiki* and *kupuna* safe and healthy.

"HB 2626 not only builds these bridges, but also provides a funding mechanism. The generation of this revenue is based on a surcharge that will be imposed on individuals that are guilty of moving violations at the price tag of \$10; and \$25 if it involves speeding, in a school zone. If one does not wish to pay this fee, the opt-out is quite simple. Follow the laws of the road.

"Furthermore, these funds will be channeled to our local government for the creation of infrastructure and non-infrastructure improvements with the goal of creating safer routes to school for our *keiki*, *kupuna*, and everyone to enjoy. This effort will encourage people to live healthy and will create the incentive for people to drive with Aloha. Mr. Speaker, the benefits of HB 2626 will surely outlast our lifetimes and will benefit *keiki* and families for generations to come."

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

"Thank you, Mr. Speaker. In strong support with written comments."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. This measure will help students arrive to school on time and in a safe manner. Efforts by the Department of Transportation have been difficult as the federal funding for this program was a mandated action by the DOT. In addition, matching funds were not always available and school support groups or organizations would have to pay upfront costs to make necessary improvements before

any reimbursements arrived. This fund will help in supporting this important initiative while being able to receive federal grants for those arriving to and from school safely. For these reasons, I strongly support this measure. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'd like to speak on Standing Committee Report Number 759-12, Safe Routes to School. I stand in strong support, and I'd like to insert written comments."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB2626 HD2 "Relating to Safe Routes to School."

"Each year the congestion around our schools becomes more intense. Especially at elementary schools, parents or others have a tendency to speed in schools zones leading to dangerous situations, especially in rural areas.

"The Safe Routes to School funds coming from the Federal Government have been difficult to administer due to restrictions. This bill would create a fund which would be used for local solutions.

"Hopefully some of the funds collected would be used to organize parent and community groups into work creating activities such as the "walking school bus" and the "biking school bus", thus cutting down on the number of cars around schools, and making the schools safer.

"I urge the Members' support."

Representative Morikawa rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morikawa's written remarks are as follows:

"With the cuts in school busing, it is more imperative that we develop safe routes to school. Children close enough to their school, should be afforded a safe route to walk or bike. Schools on Kauai are currently having "Walking School Bus" activities whereby the whole elementary school is invited to meet about a mile from school and all walk together. This will also promote a healthier lifestyle for these children. This bill offers a funding mechanism to implement that goal."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 2626-Relating to Safe Routes to School. This bill permanently establishes the Safe Routes to School Program within the Department of Transportation and establishes a Safe Routes to School Program Special Fund. It assesses a surcharge of \$25 for violations of speeding in a school zone and a \$10 surcharge on various traffic violations and deposits these surcharges into the Safe Routes to School Program Special Fund.

"H.B. 2626 would successfully create a safer environment for our children while promoting more conscientious automobile drivers. This legislation will not only promote *keiki* safety, but would make the notion of walking first nature for them. If our children begin to walk now, they will live healthier lifestyles, reduce their risk of diabetes, and become more involved in their local communities. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2626, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 761-12) recommending that H.B. No. 2154, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2154, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In support with reservations. I think the intent of this bill certainly is laudable. I, as much as anyone else, want to encourage publicly beneficial development in a responsible manner. I also want to make sure that we're federally compliant. The reservations I have with this bill though are its potential to impact surrounding communities. I think much of our current law was set up to ensure checks and balances, and while I'm willing to support this bill, I do worry that in granting an exemption, some of those checks and balances may be called into question for surrounding communities such as my own, that all border the airport. So with that I just wanted to express some reservations on this bill. Thank you."

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

"Thank you, Mr. Speaker. I'm rising to speak against the bill providing Special Management Area exemptions. This is House Bill 2154, Mr. Speaker, as the measure is supposed to allow the Department of Transportation to go ahead with some airport projects. As the Sierra Club mentioned in its opposition to this measure that it is overbroad and unnecessary. I quote from them: 'The Special Management Area law already has an exemption for emergency projects needed for public health or safety. As written this measure exempts DOT from permitting for structures and improvements relating to airports that are necessary to comply with FAA regulations, but it could be used to justify any structure based on broad FAA language.'

"The difficulty to creating exemptions to our environmental laws is that once we start with one project, then the demand comes to exempt another department from another project, and the list goes on and on. I just wanted to read to the Members the names of the leaders who put together this special management area law 36 years ago, and this bill now starts to dismantle the protections they put in place. Here are the names of those leaders in the Legislature: Jean King, Anson Chong, Richard Wong, Francis Wong, Patsy Young, T.C. Yim, Joseph Kuroda, Donald Ching, Mamoru Yamasaki, Duke Kawasaki, George Toyofuku, Donald Nishimura, and John Ushijima. I think it's a sad day when we in this Body 36 years later, cut holes into what they put into place to protect Hawaii's environment."

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

"I just want to note my strong reservations and I'd like to use the words of this previous speaker as my own. I'd also like to just express some concerns. In the Ewa Beach area, we are just across the water from the airport. There has already been construction in the past that has impacted us greatly even though it did go through an EIS. I'm just a little concerned how that process would take place, and if the community would still have involvement in that process. So that's why I have concerns about this bill."

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

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

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

"Thank you. I rise just briefly with reservations. As stated earlier, the SMA process already has a mechanism to allow exemption in certain situations, and these are just too broad, sweeping changes."

Representative Ching rose in opposition to the measure and asked that the remarks of Representatives Johanson and Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"In support, Mr. Speaker. Mr. Speaker, the testimony of the Sierra Club, when it says this bill is vague and unnecessary, is patently false. I think for the edification of the Members it's important to understand something. While there may be an exemption process for the SMA, the fact of the matter is this. This specific bill rose for one particular purpose, and for that exact reason on the Island of Maui, I will defer to the Speaker Emeritus regarding that situation. But if you read the testimony of the Office of Planning from DBEDT, they supported this bill specifically because of the following reasons.

"FAA permits and licenses are identified on the NOA approved list of federal licenses and permits, subject to federal consistency certification in accordance with 15 CFR 930.53. The FAA permits and licenses per construction and operation of airports are subject to Hawaii Coastal Zone Management program federal consistency review. The requirements of the National Environmental Policy Act, NEPA, and Hawaii Revised Statutes, Chapter 343, EIS statements are applicable to structures and improvements relating to airports. The Office of Planning as the lead agency of Hawaii CZM program will continue to review and comment on NEPA and EIS documents in that regard.

"To state that this bill is overbroad and unnecessary is incorrect, because there are so many checks and balances in this particular program, and the fact is that the Office of Planning admits that they support this measure because they understand the specific situation that arose at our federal airports. Thank you."

Representative Thielen rose to respond, stating:

"Thank you. My second time, I know Mr. Speaker. I would like to give the opposing viewpoint on this. Mr. Speaker it's always more convenient to avoid environmental laws because then projects move faster. But that's not what those leaders decided should be the case in Hawaii, 36 or 37 years ago.

"When I look at the Sierra Club's testimony again, what they're talking about is, they're calling the bill a 'pennywise and pound foolish' proposal. And they said, 'Do we really want to encourage the development of airports without examining the particularized impacts on the marine environment?'"

"Here's one that really hits. I think those early leaders in 1976 would agree with this. The economic benefit, if any, is not worth the destruction of our democratic process and the resulting risks to our natural environment.

"Mr. Speaker, expediency or inconvenience; neither of those are reasons to move ahead to dismantle, even for a temporary time, some of our environmental laws. The difficulty of today's agenda and the number of no votes I had to cast is because it is happening like marks throughout the whole Order of the Day, on different pages. And when you put them all together, and you take a look at what this Democrat majority is doing today to undo what your leaders did about 35 years ago. They really set up a wonderful land use scheme, set up protections for our environment. They were the leaders that stepped forward, and today as we go through the agenda with different pages and different projects, we are harming the Special Management Area with this bill, and later on the Environmental Impact Statement laws. You go through the different things one after the other. One standing alone may not be very bad. When you put them all together, I think it brings shame on this Body."

Representative Har rose to respond, stating:

"Thank you, Mr. Speaker. A brief rebuttal. If you looked at page 2 of the bill, Members, this is a very narrow exemption. It says here that they shall be exempt from requirements to obtain an SMA minor permit or SMA use permit provided that the structures and improvements relating to airports are necessary to comply with Federal Aviation Administration regulations.

"Mr. Speaker, while our forefathers I'm sure, had every intent of protecting our environment, I'm sure they had no intent for us to be in violation of federal regulations. Thank you."

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

"Mr. Speaker I have reservations on this measure, and I'd like to note that aside from being overbroad, this bill is also vague and ambiguous. There's terms in section 2 which are defective and will just lead to further litigation. These include the terms, 'structures,' 'improvements,' 'relating to airports,' and 'necessary to comply.'"

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

"In opposition. I'll keep my comments brief. This is ultimately special legislation. Special legislation gets us into trouble as we will remember from just a few short years ago. If the system and the process is inconvenient, that maybe needs an overhaul. But to start carving out exemptions here and there sets a very bad precedent and the checks and balances get eroded. Inconvenience is always stated. Expediency. But if there's a systemic problem in the people processing or that are supposed to be implementing projects, we need to look at the whole picture here and not find scapegoats. Thank you."

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

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

"Thank you, Mr. Speaker. I was not going to rise and speak on this bill, but I feel someone from Maui has to, because of what the good Vice Chair of Water Land said. This is an attempt to try and find a way to help us make sure that the repairs to keep the Kahului Airport, our only lifeline to the world and one of the biggest sectors of the visitor industry, open and on track. Now we could have easily gone with the State of Emergency Declaration from the federal or State level, but I think that would have been bringing up the fears of the speaker from Kailua.

What this says is that, in these certain circumstances. I agree the language probably has to be reviewed as we move forward, but the concept behind it is, that this is necessary for this to move along, then they will look at the SMA process. And the Office of State Planning is going to be working with the State on this. It's not like it's being done in a vacuum. I knew the good former Senator Yamasaki, granted only for a couple of years, and I can tell you, if he was faced with the airport being closed, and coming up with a process like this, I think he would support it.

"It's not to undo our environmental legacy. It's not to destroy our beaches and our surf spots. It's to try and find a way we can keep this critical airport open and yet not throw the baby out with the bathwater, and go for a full on suspension that affects many different segments of the law. So Members, please, I ask you, for the people of Maui, if we lose that airport, we lose our food, our lifeline, our industry, everything. Help us. If this isn't the way to do it, then work with us to come up with a process that will address your concerns. But keep this project going because we cannot afford to lose our lifeline. Thank you very much, Mr. Speaker."

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

"Mr. Speaker, with reservations, and with the suggestion from the Representative from Maui, a carve out of saying this is for populations of less than 200,000 would narrowcast it, and I think cut down some of the

fears that other people have. Because it's true that Maui would be in dire straits without this. Taking away 20 to 30% of its economy is a serious proposition. So let's narrowcast and not broadband it, and not broad scope it to where it, as our good Representative from Kailua said, really turns upside down a lot of good legislation. Thank you."

Representative Keith-Agaran rose to speak in support of the measure, stating:

"In support, Mr. Speaker. Just to follow up on the remarks of the good Representative from Royal Kunia. A federal consistency review assures that all of the CDM interests are going to be considered in any project that goes forward under this very narrow exemption. Obviously this is a bill that is very important to the County of Maui, and to the Representatives from our County. So for those reasons, I do support this bill."

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

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

"Yes, Mr. Speaker. In strong support. To give some historic perspective, I served with Senator Yamasaki. I knew him personally and very well. I served with him across the table for a number of years. I'm sure if the Senator was still alive he would approve of this, because I remember when the Senator was alive and the expansion of the Kahului Airport was stopped, even though the FAA recommended approval. The Pilot's Association recommended approval. The Visitor's Bureau recommended approval. And in spite of all of that, those who were opposed to the expansion were able to kill the project.

"The Island of Maui has crosswinds, and it is one of the more dangerous airports to land and to take off from. The request for the expansion was not that for larger planes to come in, but for safety. Till this day, the pilots that land there say that when they land there, they have what they call 'chicken skin,' because of the crosswinds and the ocean just a few feet away from where they land.

"So this measure is a historic measure in a way, because as the Representative from Lahaina ably stated, that if we do not have this exemption and if it should be stopped for any reason, and it was stopped in the past, then we will be without the capability of having tourists arrive and for us to travel throughout the State, or having food supplies to come in to the island. So I think it's very important that this measure pass, and other measures similar to this asking for temporary exemption. Thank you very much, Mr. Chairman and Members."

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

"Thank you, Mr. Speaker. In support with reservations. I just want to add that I think everyone in the room wants to help everybody on Maui so that the airport can be constructed in compliance with FAA regulations. I don't think that there's any question that we all support that, and I want to extend that comment to all the Maui Representatives in particular because I know that they're all concerned about this.

"But special legislation is not the answer here, and I think that providing an exemption from the law in all circumstances has no relationship to whether or not we can comply with FAA requirements. They're not related. We can still comply with FAA requirements. We don't need to waive all of our regulations related to our entire area. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. This is, as the Representatives from both Kapolei and Kahului have said, is a very narrow measure, and it still requires certain federal approvals to ensure the coastal areas that we protect. But I do want to speak to some of the concerns that have been brought up, regarding, 'Well, let's just help Maui.' We're an island state in the middle of nowhere. All of our airports are important, on every island. Not just for food, but for jobs. Tourism is one of our largest industries.

"We keep talking about jobs. Here's one of them to help the facilities expand so we can continue. Honestly, I think that the founders of this law would support this, and the reason why is that I don't think they ever expected this law, like many of the others, to be used as legal 'tiddlywinks' to stop projects because people don't want development, or people don't want more people moving here. That's the battle we're having that we're not talking about.

"People with a lot of money who move here, and who want to close the door behind them. What happens to the person who needs tourism for work? Who needs construction for work? Who isn't a 'trust fund baby' or made it big in tech? We need the airports. This narrow exemption will help the airports do the work that they need to do to improve the infrastructure, and improve the safety for travel and for our State."

Representative Pine rose to respond, stating:

"Actually I just would like a few sentences to clarify my strong reservations. I just want to inform the Members as to why I have strong reservations, and just so that you can visualize what happened to my community. In Ewa Beach, what happened was they built a new runway for the airport. And what happened to my community was, Ewa Beach used to be well known as having this thriving ocean with fish and *limu*. It was something that they were well known for.

"People's livelihoods did depend on that lush ocean to be successful for their livelihood. What happened was that when the airport runway was built, it changed the whole circle and flow of the ocean in the area. Now there's very few places that have *limu* anymore. Now when you fish in Ewa Beach, you hardly catch anything. So we are talking about that checks and balances between different types of livelihood, and so that's why I'm not voting no today. But as we proceed throughout this Session with this type of legislation, it is my hope that we don't have to give up one for the other."

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

"Thank you, Mr. Speaker, I would like to have the words of the Representatives from Kapolei, Wailuku, Lahaina, and Kaneohe to be inserted in the Journal as my own. In strong support."

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

"Thank you, Speaker; I'd like to stand in strong support and written comments, please."

Representative Nakashima's written remarks are as follows:

"Public policy is a dynamic and moving target. Applying the ideas of the past to the present or applying current social norms to the past is an attempt to pass judgment without a full understanding or appreciation of the time, place and cultural values that were present in these different eras. Increasing litigation and the rise of special interests groups with roots in other places have begun to influence and utilize formerly common sense laws into a grotesque maze of bureaucratic red-tape that casts shadows on many critically needed projects such as commercial harbor expansion and small harbor development. These delays deprive the citizens of much needed services and resources and exponentially increase the cost of simple projects."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"I support this important measure that temporarily shifts review of compliance with Coastal Zone Management values and concerns to the Office of Planning when a development is necessary to comply with Federal Aviation Administration (FAA) regulations. This shift in responsibility from the County Planning Commission to the Office of Planning will help the State Department of Transportation complete crucial

projects quicker to ensure compliance with FAA regulations concerning requirements such as airfield safety.

"The Office of Planning is the central administrator of Hawaii Revised Statutes Chapter 205A, the State statute implementing the requirements of the Federal Coastal Zone Management (CZM) law. The Special Management Area (SMA) permitting system—administered in the various counties through a combination of Planning Commission or County Council review, or both – is another part of the federal and State approved Hawaii CZM Program. The county processing of SMA permits is supported by federal funding as part of the Hawaii CZM Program.

"The consistency review administered by the Office of Planning—presently for the Kakaako area which is exempt from City and County of Honolulu regulatory reviews. Under this bill, and in compliance with existing federal regulations and processes, the Office of Planning will undertake the same review of CZM values and concerns for the projects covered under this legislation.

"This exemption will apply for a period of less than two years and will be a practical method to ensure compliance with federal regulation to avoid any disruption in air traffic while still ensuring that CZM values and concerns will be reviewed and considered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2154, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ching, Hanohano, Riviere and Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 763-12) recommending that H.B. No. 2608, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2608, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 2608, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading by a vote of 51 ayes.

At 10:23 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2599, HD 1
H.B. No. 2598, HD 1
H.B. No. 1947, HD 2
H.B. No. 2004, HD 2
H.B. No. 2626, HD 2
H.B. No. 2154, HD 2
H.B. No. 2608, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 764-12) recommending that H.B. No. 2789, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2789, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Opposition, please. About ten years ago, this Body passed the roving van cams and it really blew up. It created a lot of agitation. The vans were called tally vans, and people were furious. The bill was ultimately repealed at a significant cost to our State. This is a Big Brother attempt to ... I don't

know what it's for, other than to generate money. It's just a bad idea so I am in opposition, on this."

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

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

Representative Morikawa's written remarks are as follows:

"I am concerned about the consequence to families when speeding violations are put into their record affecting insurance costs. There are emergency circumstances that may necessitate excessive speed and I am not clear about how those issues would be resolved. A police officer's involvement can alleviate special circumstances. On Kauai, the Department of Transportation has installed speed notification signs. These signs will blink and flash when you are going over the speed limit. It makes people slow down. More so, when other drivers can see how fast you're going. As long as the county will be the entity to implement this law, I could support it, because each county has different lifestyles and policies."

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

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2789, Relating to Highway Safety. I believe we must address the issue of speeding and safety on our roads. As a Representative of a district with several major traffic arteries, including two freeways passing through it, I am keenly aware of the potential negative consequences of speeding and unsafe driving. However, I have concerns about the State's problematic history with similar traffic enforcement mechanisms such as van cams."

"I believe there are certain situations where motorists may inadvertently violate official speed limits by a few miles, such as in sections of State highways where speed limits change abruptly with little notice. The fixed and mounted camera system potentially envisioned by this measure removes the component of human discretion normally accorded to law enforcement officers. I do not want to create a system with no room for discretion that too easily penalizes drivers for unintentional violations. For these reasons, I have significant concerns with this measure."

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

"Mr. Speaker, I'm standing in opposition. I just want to say I appreciate the Chair of Transportation and his efforts in trying to reduce speeding. As you know, speeding has killed, and until we get a better handle on this, we still put at risk our first responders, as well as our citizens. However, when the program was initiated years ago, it caused a lot of problems. The way it was implemented caused significant safety concerns at that time. So I understand the Chair is moving this measure on, and he's trying to make improvements and I appreciate that. But at this time, I will be voting no. Thank you."

Representative Pine rose in opposition to the measure and asked that the remarks of Representatives Riviere and Yamane be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

"Mr. Speaker, I'm in opposition to this measure on the van cam bill. You will recall that a few years ago when this went into operation, hundreds of motorists from the Windward side were pulled over. I don't know in what other parts of the island we saw this phenomenon, but it costs these drivers hundreds of thousands of dollars in fees. I mean, maybe millions. And also their insurance probably went up considerably. Just one speeding ticket could cost one person \$240. And if they go over 30 miles above the speed limit they would be paying even more. So this is a very, very expensive proposition. Sometimes people will get pulled over just for going a few miles over the speed limit. It's an awesome machine that could really assess a lot of grief and a lot of money. Thank you, very much."

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

"Mr. Speaker, I'm standing in support. I pass by the HOV lane to work in the morning and you see a lot of cars there with only one or two passengers, but mostly one. I keep thinking that maybe if we have a way to ticket those cars without holding up the traffic, that would be great. Because the reasons why there are a lot of violations in that HOV lane is they know they can get away with it. I know there's hesitancy among the policemen to pull them over because that would clog up traffic. So I think this is a measure or a means that we can use to ticket those people without causing a lot of traffic jams. So in this particular instance, the HOV lane, Mr. Speaker, I support this measure."

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

"Yes. Thank you very much Mr. Speaker, and Members of the House. I support this measure. I supported the previous measures also. But it should be mentioned that this is unlike the previous measures. There are no van cams that are going to be used. This program, this legislation will provide for the counties to run the program, if they wish to. It's their option. They don't need to run the program. That may allay some of your fears. Hopefully, the county will, because speed kills."

"Almost every night in the news some person dies in a highway accident from speeding. Last year, over 100 of the deaths could be attributed to speed, and I'm sure there were more than that. In the United States, on the mainland, 10,000 deaths a year are because of speed. Mr. Speaker and Members, as legislators, we have a responsibility for the welfare of the people of the State, the health and welfare. A measure like this will provide a safety and health resource for the people of the State. We should be eagerly wanting to have legislation like this where we know that on a small island that's very dense, the highways are very dense, and that makes speeding even more precarious."

"So Members, I hope that as this bill goes along, for those of you that have some concerns, just remember your aye vote may save a life. Remember that. Thank you."

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

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I understand that speeding continues to be a problem on our highways and freeway systems within our State. I believe that we should not support such a measure that would provide enforcement, which possibly could be justified with constitutional concerns, as it may not be the owner of the vehicle driving, thus causing a wrongful accusation. We previously had a VanCam system that did not work and proved ineffective for catching speeders on the road. Being that the people from my district and those are required to drive far to get to work in the Downtown area, they are subjected to more enforcement areas in comparison to those who live closer."

Representative Giugni 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 H.B. No. 2789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third

Reading by a vote of 40 ayes to 11 noes, with Representatives Belatti, Cullen, C. Lee, Marumoto, Nishimoto, Pine, Riviere, Takai, Thielen, Wooley and Yamane voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 765-12) recommending that H.B. No. 2790, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2790, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, in opposition. Likewise this is another Big Brother attempt to stifle things. I understand the hazards, and the dangers, and the problems that are caused by people running red lights. A few years ago there was a really tragic situation where a drunk driver came down the Pali and he ended up T-boning a car and killed the person in the intersection. My point on this is not to recreate the tragedy or to expound upon that, but to point out that a camera at the intersection would not have prevented that accident. That drunk was going to fly through that intersection and plow that car. The only thing the camera would have done is taken a picture of the accident. That whole thing is just tragic.

"Why I'm opposed to this is it's oppressive. There's no discretion. If you roll your car into the crosswalk, you're probably guilty of entering. You cross into the crosswalk by a foot, guilty. There's a ticket. You don't even know you've done this. It arrives in the mail. My son, my 12-year old son said something to me the other day that was pretty insightful. He said, 'Dad, if the problem is people are running the red lights, why don't we put a policeman there. And dad, if they're going to put the traffic camera at a certain intersection and then move it from time to time, why don't they just beef up a policeman. Make him more visible until people get the idea.' And to me, that is just so much more prudent and appropriate. And for those reasons, I'm in opposition to this bill. Thank you."

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, if motorists know they're being watched, they're going to be a lot more careful. In the bill before and this bill, if they motorists would just follow the law, we wouldn't need these two bills. Thank you."

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

"Yes, Mr. Speaker. In support. To address a previous statement about putting police officers at the intersection, unfortunately we cannot put a cop on every corner. I believe this measure will work towards having people have second thoughts about running red lights. I know in my particular district, the red lights, to some of our residents it seems to be optional to stop, and they proceed through intersections regardless of what the color of the light is. We've seen very many tragic accidents occur from red lights. This is not like the speeding bill before this where you have a 10 miles an hour over, or 5 miles an hour over, or 1 mile an hour over. This is pretty black and white. You either run the red light, or you don't. And this will help enforcement of those people who find traffic lights to be something of an optional thing to abide by. Thank you."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2790, Relating to Highway Safety. I believe we have a responsibility to ensure safety on our roads and I recognize the extreme hazard posed by drivers who fail to obey stop lights and signs. However, because of our State's problematic experience with traffic cameras and photo enforcement, I have concerns with the details in this particular measure. I do hope that the provisions in this bill

may serve as a deterrent and encourage traffic safety in our community, and for these reasons I stand in support with reservations on this measure."

Representative Hanohano 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 H.B. No. 2790, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Pine and Riviere voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 767-12) recommending that H.B. No. 1754, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1754, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support of this measure which promotes the efficient administration of elections. Despite efforts to coordinate redistricting so that boundaries of election districts for different offices conform, inevitably there will be and are small neighborhoods or communities which require unique ballots. This measure allows a County Clerk to mail ballots to each resident of such pocket communities – not exceeding 500 voters – if the Chief Election Officer, or the Clerk in a County-only election, determines that a separate polling station will not be established for such voters.

"This measure balances the important interests of maintaining fair and efficient elections, maximizing voter participation while also containing government expense. Voters will not have to travel to inconvenient polling stations and polling stations will not have to be set up and staffed where they would only be used by a handful of voters."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 768-12) recommending that H.B. No. 1756, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1756, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 772-12) recommending that H.B. No. 2251, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2251, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support of this measure which promotes the efficient administration of elections. This measure would permit the mailing of ballots to voters who live on an island that is not contiguous to

their county seat in counties with a population less than 100,000. As an example, in the County of Kauai, this measure will ensure that all voters on the Island of Niihau will get their ballots and are able to vote without the expense of establishing and staffing a polling station there on election day. This proposal should help maximize voter participation while conserving public resources."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2251, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 773-12) recommending that H.B. No. 1755, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1755, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB1755 HD2 which is another bill that brings Hawaii's election laws into the digital age. This measure allows for online voter registration through the use of an electronic application for registration. This bill also amends the record keeping requirements affecting the maintenance of voters' names, affidavits of registration, and the use of tabulating cards, computer tapes, the register, and voter lists to reflect the practical realities brought on by better technology and modern best practices.

"By establishing online voter registration, we modernize voter registration for the 21st Century and reduce barriers to voting. Online voter registration will make participation more accessible and convenient. Also, online voter registration streamlines the enrollment process. Studies have shown that online voter registration leads to greater accuracy as to the voter rolls and saves significant money in the long term.

"Furthermore, due to ongoing national and local problems with identity theft, it is clearly advisable to reduce the government's use of a person's whole social security number whenever possible. Thus, this bill requires the Chief Election Officer and county clerks to consider and report on the feasibility of using the last four digits of a person's social security number in lieu of using that number in its entirety in voter registration and record keeping.

"I appreciate that the Elections Office brought this proposal forward after the Governor vetoed a similar proposal after last Session. Hopefully the Elections Office will move forward on this project and Hawaii can implement these changes by the 2014 elections."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1755, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 774-12) recommending that H.B. No. 2401, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2401, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support this proposal for a constitutional amendment that ensures concerns from every island will be represented directly on the next Reapportionment Commission.

"This amendment, if adopted by Hawaii's voters, will require that the members of the Reapportionment Commission selected by the Senate President and Speaker of the House of Representatives, and the members selected by each of the legislators from the party or parties that are different from the Speaker and President's respective parties, be residents of different counties.

"While there are advisory councils for each of the four larger counties presently, this measure would make it possible for every county to have a representative on the Reapportionment Commission. As the League of Women voters said in its testimony in support, while not providing for strict proportionality, this constitutional amendment, "would be a fairer geographic balance than the current approach."

"In the current Reapportionment, each of the current Advisory Councils raised concerns about whether the Reapportionment Commission was complying with the constitutional requirements regarding the base population of permanent residents. It made a difference to the Neighbor Islands who stood to gain additional representation in the legislature if the constitutional provision was followed.

"The perception of fairness is critical in a democracy. After the recent reversal of a decision of the current Reapportionment Commission by the Hawaii Supreme Court on Neighbor Island representation, it is essential that we take steps to restore the confidence of all Hawai'i in future Reapportionment Commissions. This measure will ensure both fairness and the perception of fairness."

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

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

"Mr. Speaker, with reservations. The problem is it needs to be fixed because Oahu, where there is the majority of the population, this bill swings it to where it becomes a minority population, and probably doesn't represent really what the intent of the author is here. Thank you."

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

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I support this measure because it represents an attempt to impose standards upon the selection of members of the Reapportionment Commission. However, I submit written remarks to emphasize that our reapportionment model requires fine-tuning. Although our model is preferable to reapportionment plans that are drafted by legislative bodies (as is still done in other jurisdictions), it became apparent this year that qualifications for commission members may need to be imposed. Specifically, the issue of whether legislative staff members and registered lobbyists should be eligible to serve on the commission requires consideration. Otherwise, as was demonstrated this year, the inherent or implicit conflicts that arise may subject the work of the commission to public scrutiny, legal action, and delay, as is evidenced by the attached testimony that was submitted to the Reapportionment Commission on February 29, 2012. It is important that Hawaii's reapportionment model be strengthened so that it will garner the public's confidence in government.

"Thank you very much."

Representative Saiki also submitted the following testimony:

TESTIMONY
Reapportionment Commission
February 29, 2012

*4:29 PM 1:55 PM
Cayman*

Good Afternoon

My name is Sylvia Luke. Thank you for this opportunity to testify before the Reapportionment Commission. I greatly appreciate the time and effort you have put into redrawing the district lines. I specifically want to thank the Office of Elections staff and the commission staff members who have put in countless hours and served without question to carry out the directives from the commission.

I mean no disrespect but I would like to point out that the current district lines proposed by the technical committee are problematic due to the following. My testimony focuses on the Oahu House district lines.

The district lines proposed by the technical committee violate Hawaii's State Constitution as it is drawn to unduly favor a person or a political faction. This is a constitutional mandate imposed on the commission and the commission must make attempts to cure even the appearance of such.

To demonstrate, I would like to present to the Commission a chart showing that the members of the political faction who opposed Speaker Calvin Say were more severely impacted by the district lines. For example, districts currently held by the opposing faction had substantial increase in new residents as compared those held by Say's supporters.

I would like to present to the Commission a report by Tom Ramsey, Ph.D., in Mathematics at the University of Hawaii who opined as follows:

1. Among the ten legislators with the lowest percent of new voters there was no opposing faction legislators.
2. At the other extreme, among the six legislators with the highest percent of new voters, five were opposing faction legislators.
3. On average, opposing faction legislator will have 52 percent new voters. In comparison, the members who support Say have only 24.9 percent new voters.

Based on the above, Dr. Ramsey concluded that the manner in which the district lines were redrawn to disfavor the opposing faction was deliberate.

The district lines proposed by the technical committee also violate Hawaii's State Constitution as they are not contiguous and compact and do not follow geographical features.

I would like to present to the Commission how the proposed maps break up neighborhoods as illustrated in red on the attached maps.

The district lines proposed by the technical committee also violate the United States Constitution as the deviation between the largest House district and the smallest House district is as much as 20 percent. Within Oahu, the deviation between districts is as high as 9.9 percent. Use of different target population for each island unit, the high statewide deviation, and the high Oahu deviation rate violates the standard set forth by *Travis v. King*.

I would like to present to the Reapportionment Commission an alternative map that uses the Commission's previously adopted September 2011 plan as a starting point. The September plan was rational in that it respected natural boundaries and established political borders, preserved communities and created only two new open districts.

Making minimal changes to the previously adopted plan while extracting 108,767 persons preserves the thorough vetting and extensive public input the plan already received over the last year.

This alternative plan shows that it is unnecessary to drastically alter the previously adopted September plan, create new open districts, or favor one faction over another. This alternative plan minimizes changes, preserves the integrity of communities, and reflects the intent of the previously adopted plan.

I would also like to submit the following additional exhibits:

Exhibit List

1	Letter to Speaker Calvin K.Y. Say dated December 6, 2010, regarding leadership impasse.
2	Report: Campaign Spending Commission's Amended Organizational Report for Citizens for Responsive Government . Amended September 7, 2011. 2 pages
3	Report: Campaign Spending Commission, Noncandidate Committee Contribution and Expenditure Report – Citizens for Responsive Government, Schedule B1 . 2010-2012 Supplemental July 1 – December 31, 2011. 3 pages
4	Report: There is Strong Evidence of Factional Discrimination in the Proposed Apportionment Plan by Tom Ramsey, Ph.D. - Mathematics February 28, 2012. 2 pages
5	News Article: Isle legislators pool for funds – both parties form their own political action committees by Borreca, R. (2003, April 2) <i>Star Bulletin</i> . 2 pages
6	News Article: Inouye sorry for involving legislator in feud by DePledge, D. (2006, December 30) <i>Honolulu Advertiser</i> . 2 pages
7	News Article: Say will return as House Speaker by DePledge, D. (2006, November 14) <i>Honolulu Advertiser</i> . 2 pages
8	News Article: State House is in need of real reform by Saiki, S. & Luke, S. (2006, December 24) <i>Hawaii Tribune-Herald</i> . 1 page
9	News Article: The freshman rebel by Bolante, R. (April 2007) <i>Honolulu Magazine</i> . 1 page
10	News Article: Say retains state House speaker job by Advertiser Staff (2008, November 11) <i>Honolulu Advertiser</i> . 2 pages
11	Blog: Political group appears linked to House Speaker by Lind, I. (2010, October 21) http://lind.net . 2 pages
12	News Article: Dissident group lining up to tackle House Speaker Say by Borreca, R. (2010, November 23) <i>Star Advertiser</i> . 2 pages
13	News Article: Say is one vote shy of returning as House speaker by Niesse, M. (2010, December 3) <i>Star Advertiser</i> . 2 pages

14	News Article: House dissidents challenge speaker by DePledge, D. (2010, December 9) <i>Star Advertiser</i> . 1 page
15	News Article: Teams by DePledge, D. (2011, January 3) <i>Star Advertiser</i> . 3 pages
16	News Article: House Republicans will help Say retain leadership post by DePledge, D. (2011, January 7) <i>Star Advertiser</i> . 2 pages
17	News Article: Stalemate Broken: House republican caucus backs Calvin Say for Speaker by Walden, A. (2011, January 7) <i>Hawaii Free Press</i> . 1 page
18	News Article: House Republicans back Say as Speaker, focus on not raising GET by Hawaii Independent Staff (2011, January 7) <i>the Hawaii Independent</i> . 3 pages
19	News Article: House Republicans to support Say as Speaker by DePledge, D. (2011, January 8) <i>Star Advertiser</i> . 2 pages
20	News Article: House power-sharing talks are at an impasse by DePledge, D. (2011, January 11) <i>Star Advertiser</i> . 1 page
21	News Article: Speaker Say, take GOP's offer by Star Advertiser Staff (2011, January 12) <i>Star Advertiser</i> . 2 pages
22	News Article: Leadership void persists by DePledge, D. (2011, January 19) <i>Star Advertiser</i> . 3 pages
23	News Article: House Vice Speaker Manahan announces bid for City Council by Star Advertiser Staff (2012, February 2) <i>Star Advertiser</i> . 1 page
24	News Article: The Speakers PAC by Blair, C. (2012, February 13) <i>Honolulu Civil Beat</i> . 3 pages
25	News Article: New voter maps leave incumbents at odds by Reyes, B.J. (2012, February 28) <i>Star Advertiser</i> . 2 pages
26	Excerpt: An Unlikely Revolutionary – Matsuo Takabuki and the Making of Modern Hawai'i . University of Hawaii Press. pp. 74-75
27	Excerpt: John A. Burns – The man and his times . University Press. pp.218-225, 230-233

28	Excerpt: <i>Journal of the House of Representatives of the Twenty-Fourth Legislature, State of Hawaii – Regular Session of 2007</i> . pp. 4-7
29	% New Voters Between Proposed Map and Alternative Map
30	Alternative Maps
31	New Population by Incumbent District – 2/27/2012 PROPOSED Reapportionment Plan
32	New Population By Incumbent District – ALTERNATIVE Reapportionment Plan
33	Single Page Maps
34	Chart: House District Population Deviation February 27, 2012

ORG_Report

https://nc.csc.hawaii.gov/NCFSPublic/ORG_Report.php?OR_ID=201

STATE OF HAWAII CAMPAIGN SPENDING COMMISSION			
ORGANIZATIONAL REPORT NONCANDIDATE COMMITTEE			
THIS REPORT IS FILED FOR THE FOLLOWING PURPOSE: ☐ Registration of New Committee ☒ Amended			
1. NONCANDIDATE COMMITTEE:			
(a) Committee Name:	Citizens for Responsive Government	2. Area, Scope, or Jurisdiction:	Other
(b) Address:	P.O. Box 23031 Honolulu HI 96823	(a) Political Party:	
(c) Phone:	593-1308	(b) Ballot Issue Description:	
		(c) Single Candidate Name:	
3. COMMITTEE DEPOSITORY (Bank):			
(a) Name:	Bank of Hawaii	(b) Address:	101 N. King St. Honolulu HI 96817
(c) Account Number:			
OFFICERS:			
4. CHAIRPERSON		5. TREASURER	
(a) Name:	Azama, Calvin T.	(a) Name:	Azama, Calvin T.
(b) Address:	1560 Kanunu St. #1012 Honolulu HI 96814	(b) Address:	1560 Kanunu St. #1012 Honolulu HI 96814
(c) Phone: (Bus)	(808) 779-9701	(c) Phone: (Bus)	(808) 779-9701
(Res)		(Res)	
(d) Occupation:	Staff	(d) E-mail Address:	
(e) Principal Place of Business:	Honolulu, HI	(e) Occupation:	Staff
		(f) Principal Place of Business:	Honolulu, HI
6. CUSTODIAN OF BOOKS AND ACCOUNTS			
(a) Name:	Yoshimura, Dwight L.	(b) Address:	1539 Ala Adani St. Honolulu HI 96819
(c) Phone: (Bus)	(808) 292-3064	(Res)	
(d) Occupation:	Staff	(e) Principal Place of Business:	Honolulu, HI
7. DEPUTY CHAIRPERSON			
(a) Name:		(a) Name:	
(b) Address:		(b) Address:	
(c) Phone: (Bus)		(c) Phone: (Bus)	
(Res)		(Res)	
8. DEPUTY TREASURER 1			
(a) Name:		(a) Name:	
(b) Address:		(b) Address:	
(c) Phone: (Bus)		(c) Phone: (Bus)	
(Res)		(Res)	

1 of 3

Exhibit 2

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3



HOUSE OF REPRESENTATIVES

December 6, 2010

The Honorable Calvin K.Y. Say
State Capitol, Room 431
Honolulu, HI 96813

Dear Speaker Say:

For five weeks, House Democrats have been at an impasse over who should lead the House of Representatives. You have represented our community for 34 years, and have served as Speaker longer than any other Representative. We thank you for both your service and sacrifice throughout these decades.

However, Hawaii has entered a new era. The House of Representatives must be open to change.

Recently in the House there has been little collective discussion or planning to address our most pressing issues, not even a package of priority bills from our Democratic caucus. Improving public schools, reforming government, protecting our environment, and safeguarding civil rights are important to Hawaii's future, yet many of these initiatives have been stalled or derailed.

Too often votes are traded for pet projects and positions without regard to a larger policy agenda. We believe that the challenges facing Hawaii are too great to continue this practice. Leadership must focus on resolving the larger challenges, and not just narrow issues that benefit only a few.

The House requires strong leadership that will be bold, will craft a democratic agenda, and will embrace open and inclusive decision-making. The House requires leadership that will work productively with the new Governor, Senate, and Congressional delegation. The House requires leadership that will restore public confidence in how we make decisions.

The 2011 Legislative Session will begin in five weeks and there is much to do. We respectfully request that you work with us to find a leadership compromise that will unify and rebuild our House. Only by working together can we move Hawaii forward and give everyone a better future.

Sincerely,

Rep. Della Au Belatti

Rep. Tom Brower

Rep. Mele Carroll

Rep. Denny Coffman

Rep. Cindy Evans

Rep. Faye Hanohano

Rep. Gilbert Keith-Agaran

Rep. Chris Lee

Rep. Sylvia Luke

Rep. Dee Morikawa

Rep. Hermina Morita

Rep. Mark Nakashima

Rep. Scott Nishimoto

Rep. Scott Saiki

Rep. Maile Shimabukuro

Rep. K. Mark Takai

Rep. Roy Takumi

Rep. Jessica Wooley

ORG_Report

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(d) Occupation:		(d) Occupation:	
(e) Principal Place of Business:		(e) Principal Place of Business:	
9. DEPUTY TREASURER 2			
(a) Name:		(a) Name:	
(b) Address:		(b) Address:	
(c) Phone: (Bus)		(c) Phone: (Bus)	
(Res)		(Res)	
(d) Occupation:		(d) Occupation:	
(e) Principal Place of Business:		(e) Principal Place of Business:	
10. DEPUTY TREASURER 3			
(a) Name:		(a) Name:	
(b) Address:		(b) Address:	
(c) Phone: (Bus)		(c) Phone: (Bus)	
(Res)		(Res)	
(d) Occupation:		(d) Occupation:	
(e) Principal Place of Business:		(e) Principal Place of Business:	
11. DEPUTY TREASURER 4			
(a) Name:		(a) Name:	
(b) Address:		(b) Address:	
(c) Phone: (Bus)		(c) Phone: (Bus)	
(Res)		(Res)	
(d) Occupation:		(d) Occupation:	
(e) Principal Place of Business:		(e) Principal Place of Business:	
12. DEPUTY TREASURER 5			
(a) Name:		(a) Name:	
(b) Address:		(b) Address:	
(c) Phone: (Bus)		(c) Phone: (Bus)	
(Res)		(Res)	
(d) Occupation:		(d) Occupation:	
(e) Principal Place of Business:		(e) Principal Place of Business:	
PLEASE READ CAREFULLY AND CHECK THE BOX IF IT APPLIES:			
☐ I do not plan to receive contributions or make expenditures in aggregate of more than \$1,000 during the election period. If I exceed the \$1,000 threshold, I understand that I must submit the required Disclosure Reports. Failure to file the required Disclosure Reports will result in a penalty pursuant to section 11-193(a)(5), Hawaii Revised Statutes.			

2 of 3

2/27/2012 1:15 PM

Cc: Majority Members

Exhibit 1

File_SB1

Page 1 of 3

STATE OF HAWAII - CAMPAIGN SPENDING COMMISSION

Committee: Citizens for Responsive Government

Report On: 2010-2012 Supplemental July 1 - December 31, 2011

Schedule B1 - Contributions to Candidates

Name and Address	Date	Non-Monetary Category Non-Monetary Description	Amount Aggregate
Aquino, Henry Friends of Henry Aquino P.O. Box 970081 Waipahu HI 96797	08/01/2011		\$2,000.00
Awana, Karen Friends of Karen Awana 86-083 Farrington Hwy. Waianae HI 96792	08/01/2011		\$2,000.00
Cabanilla, Rida Friends of Rida Cabanilla PO Box 60490 Ewa Beach HI 96706	08/01/2011		\$2,000.00
Chang, Jerry Friends of Jerry Chang 116 Puhili St. Hilo HI 96720	08/01/2011		\$2,000.00
Chong, Dwight Friends of Pono Chong PO Box 6602 Kaneohe HI 96744	08/01/2011		\$2,000.00
Choy, Isaac Friends For Isaac W. Choy 2733 E. Manoa Road Honolulu HI 96822	08/01/2011		\$2,000.00
Coffman, George Friends of Denny Coffman 77 258 Ho'oka'ana Street Kaliua Kona HI 96740	08/01/2011		\$1,000.00
Cullen, Ty Diaz Friends of Ty Cullen 94-171 Kehela Pl. Waipahu HI 96797	08/01/2011		\$2,000.00
Har, Sharon Friends of Sharon Har P.O. Box 101 590 Farrington Highway #210 Kapolei HI 96707	08/01/2011		\$2,000.00
Hashem, Mark Friends of Mark Hashem P.O. Box 240965 Honolulu HI 96824-0965	08/01/2011		\$2,000.00
Herkes, Robert Friends of Bob Herkes	08/01/2011		\$2,000.00

<https://nc.csc.hawaii.gov/NCFSReport/RPT2010/20120130181241NC20178SB1.html> 2/28/2012
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P.O. Box 313 Volcano HI 96785			\$2,000.00
Ichiyama, Linda Friends of Linda Ichiyama P.O. Box 1707 Aiea HI 96701	08/01/2011		\$2,000.00
Ito, Ken Friends of Ken Ito P.O. Box 4354 Kaneohe HI 96744	08/01/2011		\$2,000.00
Jordan, Georgette "Jo" Friends of Jo Jordan PO Box 1398 Waianae HI 96792	08/01/2011		\$2,000.00
Lee, Marilyn "Ohana O Marilyn 95-170 Newe Place Millilani HI 96789	08/01/2011		\$2,000.00
Manahan, Joey Friends of Joey Manahan 1250 Richard Lane, #A408 Honolulu HI 96819	08/01/2011		\$2,000.00
McKelvey, Angus McKelvey for House P.O. Box 847 Lahaina HI 96761	08/01/2011		\$2,000.00
Mizuno, John Friends of John Mizuno PO box 215 Honolulu HI 96810	08/01/2011		\$2,000.00
Kawakami, Derek Friends of Derek Kawakami P.O. Box 3136 Lihue HI 96766	08/01/2011		\$2,000.00
Oshiro, Blake Friends of Blake Oshiro P.O. Box 745 Aiea HI 96701	08/01/2011		\$2,000.00
Oshiro, Marcus Friends of Marcus R. Oshiro P.O. Box 861149 Wahiawa HI 96786	08/01/2011		\$2,000.00
Tokioka, James Friends of James Kunane Tokioka 2512 Kanio Road Lihue HI 96766	08/01/2011		\$2,000.00
Tsuji, Clifton Friends of Cliff Tsuji 1382 Auahi Place Hilo HI 96720	08/01/2011		\$2,000.00
Yamane, Ryan Friends of Ryan Yamane 94-1466 Okupu Street Waipahu HI 96797	08/01/2011		\$2,000.00

<https://nc.csc.hawaii.gov/NCFSReport/RPT2010/20120130181241NC20178SB1.html> 2/28/2012

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Yamashita, Kyle Good Friends of Kyle Yamashita P.O. Box 880989 Pukalani HI 96788	08/01/2011		\$2,000.00
Rhoads, Karl Friends of Karl Rhoads P.O. BOX 37443 Honolulu HI 96837-0443	08/01/2011		\$2,000.00
Souki, Joseph Friends of Joseph Souki P.O. Box 632 Wailuku HI 96793	08/01/2011		\$2,000.00
Total			\$53,000.00

<https://nc.csc.hawaii.gov/NCFSReport/RPT2010/20120130181241NC20178SB1.html> 2/28/2012

There Is Strong Evidence of Factional Discrimination in the Proposed Apportionment Plan

Tom Ramsey, Ph.D., Mathematics
February 28, 2012

Visually, there is a strong pattern of discrimination in the percent of new voters assigned to proposed House districts on Oahu---see page 2 for the table of data. The pattern is so strong that any reasonable person would regard it with suspicion:

1. For example, among the ten legislators with the lowest percent of new voters there is NO dissident.
2. At the other extreme, among the six legislators with the highest percent of new voters, five are dissidents.
3. On average, a dissident legislator will have 52.0% new voters. On average, the non-dissidents have only 24.9% new voters. Dissidents have, on average, more than twice as many new voters as do non-dissidents.

The Wilcoxon rank sum test is designed to confirm such suspicion or remove it. In this case, it confirmed it. The chance that a fair process would produce such an unusual pattern is 1.21 in 1000. A reasonable person should conclude that the unfair treatment is deliberate.

Technical Notes: The Wilcoxon rank sum test provides a measure of how unusual is a pattern of numbers. It uses only the ranks of the numbers. The rank of a number is its position in relation to all the other observations. To learn about this test, see pages 630 through 638 of the twelfth edition of "Introduction to Probability and Statistics", by William Mendenhall, Robert J. Beaver and Barbara M. Beaver.

For the data on Page 2, the one-sided p-value for the pattern of ranks is 0.00121, which is 1.21 in 1000. Such astonishingly rare p-values can't be found in published tables. In this case, it was computed by calculating the rank sum for every possible subset of size 9 chosen from the 28 observed ranks in the table on Page 2. There are 6,906,900 of these subsets. If nine ranks had been assigned randomly and fairly, most rank sums would be much lower than the rank sum observed for the 9 dissident legislators.

Professional Sketch: I am a professor of mathematics at the Manoa campus of the University of Hawaii, and department chair. I have taught both statistics and probability many times. For the past three years, I have taught stochastic (random) differential equations for the Master of Financial Engineering Program in the Shidler School of Business.

Institutional Disclaimers: The opinions of this report are not the official view of the University of Hawaii and are not the official view of the department of mathematics.

Exhibit 4

Pattern of Factional Discrimination			
District	Faction	% New Voters	Rank
42	Say	0.0	1
32	Say	3.9	2
44	Say	5.7	3
36	Say	7.3	4
43	Say	9.0	5
28	Say	9.9	6
46	Say	10.9	7
20	Say	12.6	8
38	Say	17.1	9
49	Say	18.8	10
22	Dissident	19.3	11
24	Say	21.6	12
51	Dissident	27.5	13
18	Say	30.8	14
37	Say	36.4	15
33	Say	38.8	16
26	Say	39.9	17
21	Dissident	41.8	18
41	Say	44.8	19
39	Say	45.3	20
23	Dissident	48.8	21
29	Say	57.6	22
25	Dissident	58.1	23
35	Dissident	59.7	24
47	Dissident	59.9	25
48	Say	62.1	26
33	Dissident	68.4	27
23	Dissident	84.2	28
Rank sum for dissidents: 11+13+18+21+23+24+25+27+28=190			
This high a sum, for 9 ranks at random, is unusual.			
p-value (low means unusual): 0.00121			



Wednesday, April 2, 2003

--Sponsored Links--

Isle legislators pool for funds

Both parties form their own political action committees

By Richard Borreca
rborreca@starbulletin.com

Politicians usually turn to political action committees, or PACs, for campaign funds. Now they are forming their own PACs to raise money.

The first PAC for legislators was organized in 1995 to help elect Republicans to the state House. GOP PAC numbers have increased to 15 this year from seven in 1995, with an all-time high of 19 in 2000. PACs are usually formed by a group that wants to influence public policy or legislative voting.

The trend is occurring because politicians are looking for new ways to raise money for candidates of their respective parties.

Bob Watada, Campaign Spending Commission director, said there are no prohibitions on politicians forming PACs.

"Anybody can form a noncandidate committee," Watada said.

The Republicans in the Senate just formed a PAC this year but will not hold the first fund-raiser until next month at the GOP state convention on the Big Island.

Monday evening, the Committee for Responsive Government, the PAC affiliated with the Democrats in the House, held a \$100-a-ticket fund-raiser at the Rumors nightclub at the Ala Moana Hotel. House Speaker Calvin Say gave a short speech thanking the

--Sponsored Links--

estimated crowd of 400.

Organizational papers for the Citizens for Responsive Government PAC were filed in December 2001 by former state Rep. Clarice Hashimoto, who said the PAC was formed to help elect Democrats to the House.

The PAC was modeled after the GOP House PAC, Say said.

"They are the Goliath, and we are David in comparison," Say said.

The committee reports raising \$20,200 last year, with most of the funds coming from lobbyists and lobbying organizations. Developer Robert Kobayashi gave \$2,000, as did Kobayashi Development. Hidano Construction gave \$1,000.

Others giving \$1,000 included Island Insurance, Monarch Insurance, IBEW Local 1357 and Hawaii Medical Service Association and lobbyist G.A. "Red" Morris, who represents business and development interests.

Contributions of \$500 were given by SSFM, the engineering firm that, according to the Campaign Spending Commission, has given about \$400,000 to more than half a dozen local political candidates during the past decade.

Also giving \$500 were John Radcliffe, a business and union lobbyist, and Linda Chu Takayama, who represents health care companies and groups.

Say explained that the House Democratic PAC sent requests for contributions to all registered lobbyists in the state and also to donors to the Republican Lincoln Day dinner.

The money will go to hire a campaign consultant for House Democratic candidates and provide them money for the general election next year.

"It will show support for our House incumbents and new candidates," Say said.

Last year, the House Democrats gave \$7,000 to Kim Devlin, a national Democratic political consultant, who helped design campaign mailings for Democrats.

The Senate GOP PAC was formed at the request of Senate GOP leader Fred Hemmings (R, Lanikai-Waimanalo).

"This way, people will be able to see more balance in the Senate," said Hemmings, who has five GOP votes in the 25-member Senate.

http://archives.starbulletin.com/2003/04/02/news/story12.html

2/28/2012

The Senate GOP PAC will also be charging \$100 for its breakfast fund-raiser during the May GOP convention.

Republicans in the state House hope to raise \$100,000 for next year's campaign. Rep. Chris Halford (R, Makana-Kihei) said last year the GOP was able to raise almost \$60,000.

The money goes for candidates in the form of direct subsidies, Halford said.

"Our goal is to give support to 51 Republican House candidates," Halford said.

State of Hawaii

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Posted on: Sunday, December 10, 2006

Inouye sorry for involving legislator in feud

By Derrick DePledge
Advertiser Government Writer

U.S. Sen. Daniel K. Inouye has apologized to Big Island state Rep. Dwight Takamine for asking Takamine to help mediate an internal House leadership fight in November, fearing his request may have cost Takamine the chairmanship of the powerful House Finance Committee.

Takamine, D-1st (N. Hilo, Hamakua, N. Kohala), was removed as chairman in a leadership shakeup after state House Speaker Calvin Say, D-20th (St. Louis Heights, Palolo, Wilhelmina Rise), overcame a dissident faction of lawmakers trying to replace him as speaker. State Rep. Marcus Oshiro, D-39th (Wahiawa), one of Say's allies, has taken over the Finance committee.

Inouye, D-Hawaii, and Democratic Party of Hawaii Chairman Mike McCartney had met with House leaders during the dispute and had urged them to resolve the situation in a way that would allow them to all work together afterward. Inouye, according to some people who attended the meeting at the party's headquarters, had asked Takamine to serve as sort of a mediator.

Takamine apparently stayed neutral until Say called for a leadership vote on Nov. 13, the sign Say had enough votes within the Democratic caucus to win. In the days that followed, several Democrats and union leaders had asked the leadership not to punish Takamine with the dissidents.

But one lawmaker familiar with what happened said some of Say's allies believed "there needed to be heads on stakes" as a warning to future plotters.

In a Nov. 28 letter, Inouye wrote Takamine that he may have made things worse with his request, "with more, not less blood, on the floor." Copies of the letter were sent to Say and state Rep. Sylvia Luke, D-26th (Punchbowl, Pacific Heights, Nu'uuanu Valley), one of the dissidents, who lost her chairmanship of the House Judiciary Committee in the shakeup.

"Dwight, I am truly sorry," Inouye wrote. "Had I had any inkling of the harmful position I asked you to assume, I would never have done it. My request to you was based on the high regard I hold you and that you are held in to both chambers and in many leadership circles from business, nonprofits to labor."

"It was also based on the need to at least try to get beyond the factions and focus on strengthening the institution in light of our Democratic victories at the polls. Too much energy had been focused on fighting and stymieing each other across the caucus table, all the while giving the governor upstairs a free ride."

Inouye closed the letter by writing, "I owe you one."

Takamine and Say could not be reached yesterday for comment on Inouye's letter.

Luke, who attended the meeting with Inouye and McCartney, said she expected she might lose her chairmanship if the attempt to replace Say failed but said Takamine was not among the dissident faction. Luke said leadership is sending a message that lawmakers who do not show their loyalty will be punished.

"With this letter, it was pretty clear there was no misunderstanding," she said of Takamine's role.

<http://the.honoluluadvertiser.com/article/2006/Dec/10/In/FP612100366.html?print=on> 12/11/2006
Exhibit 6

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But Oshiro, who also attended the meeting, said it was never made clear that Takamine was supposed to mediate. Oshiro said he had considered Takamine among the lawmakers who had not committed to Say before the leadership vote was called. Had Takamine committed, Oshiro said, he probably would have kept the Finance committee, which he had led since Say became speaker eight years ago.

"At the end of the day, my job was to count the votes," said Oshiro, who was majority leader at the time. "In my mind, he never committed to Calvin."

Say acknowledged after he retained the speakership that it would be harder for him to keep control over such a large caucus, which has grown to 43 Democrats. The dissidents, who also unsuccessfully tried to replace Say after the 2004 elections, have said they would be more publicly vocal next session about their disagreements with leadership rather than keep their differences within the caucus.

This discord could be a problem for House Democrats if the disagreements involve parts of the majority legislative package or issues where they are trying to stay unified when negotiating with the Senate or the Republican governor.

State Rep. Scott Saiki, D-22nd (McCully, Pawa'a), who was ousted as majority leader after the leadership turmoil in 2004, said he hoped the leadership's treatment of Takamine was not a reflection of how the House will operate over next two years. "The House leadership, in effect, killed the messenger," he said.

Reach Derrick DePledge at ddepledge@honoluluadvertiser.com.

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Tuesday, February 21, 2012

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Posted on: Tuesday, November 14, 2006

Say will return as House speaker

By Derrick DePledge
Advertiser Government Writer

State House Democrats voted yesterday to keep veteran House Speaker Calvin Say in power, closing off a move by several younger lawmakers who have been privately angling for a new leader.



Calvin Say

Say asked House Democrats yesterday to fill out questionnaires about their interests and will meet with lawmakers over the next few days before announcing his leadership team and committee assignments. Say would not commit yesterday about whether the chairmanships of influential committees such as the House Finance Committee might change.

While House leadership will remain in familiar hands, there were increasing signs yesterday that Democrats in the state Senate may choose new leadership to replace President Robert Bunda.

Say, who has been House speaker for the past eight years, acknowledged that it will be more difficult to keep control of the growing Democratic caucus on policy issues. Democrats picked up two seats in the elections last week after gaining five seats in 2004. Democrats have a 43 to 8 advantage over Republicans in the House.

"I believe it will and I'm not the type of the old school where I'm going to be twisting arms," said Say, D-20th (St. Louis Heights, Palolo, Wilhelmina Rise). "If the votes are there, they're there. If they are not there, they're not there."

<http://the.honoluluadvertiser.com/article/2006/Nov/14/In/FP611140357.html>
Exhibit 7

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Say said issues such as public education, prescription drug coverage, long-term care, and land use, particularly the availability of water for agriculture and new homes, will likely be priorities for the upcoming session. He said he would try to work collaboratively with Republican Gov. Linda Lingle.

Both Say loyalists and the faction interested in a new leader had been lining up votes over the past several weeks. Say's allies were confident they had enough votes but, at one point late last week, they thought it might be close.

Say and several others said the likely challengers were Vice Speaker K. Mark Takai, D-34th (Pearl City, Newtown, Royal Summit), state Rep. Sylvia Luke, D-26th (Punchbowl, Pacific Heights, Nu'uuanu Valley), and state Rep. Roy Takumi, D-36th (Pearl City, Palisades).

Say informed Democrats on Sunday that he would be calling for a leadership vote yesterday afternoon, the signal he had the votes to prevail. The vote to keep Say was unanimous among the 41 Democrats present.

In the Senate, Democrats were meeting privately late yesterday about who might replace Bunda, D-22nd (North Shore, Wahiawa), and take control of key committees such as the Ways and Means Committee, which oversees state spending. Senate leadership has been unsettled since a failed coup against Bunda at the end of the 2005 session.

The Senate's competing factions of Democrats have apparently agreed to replace Bunda but were still negotiating over which faction would control the presidency and key committees. Senate Majority Leader Colleen Hanabusa, D-21st (Nanakuili, Makaha), has been named most frequently as a possible new president, but she has fallen short of the votes in previous reorganization attempts.

House and Senate leadership decisions are important because leaders have the power to set the policy agenda at the Capitol and will help define the tone of the relationship between the Legislature and Lingle.

Reach Derrick DePledge at ddepledge@honoluluadvertiser.com.



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2/21/2012

HAWAII TRIBUNE-HERALD SUNDAY, DECEMBER 24, 2006

Page 1 of 2

State House is in need of real reform

Speaker of the House among those clinging to status quo

By SCOTT K. SAIKI and SYLVIA J. LUKE
One key indicator of how the Hawaii Legislature will conduct business is the way it selects its leaders and committee chairpersons. The Senate has gone in the right direction with its focus on openness, moving away from petty politics and the status quo. Unfortunately, the same cannot be said of the House of Representatives.

Key community leaders, such as U.S. Sen. Daniel Inouye, recognized that House Democrats are factionalized and attempted to fix it. The day after the general election, Democratic Party Chairman Mike McCartney convened a meeting with Reps. Calvin Say, Kirk Caldwell, Marcus Ostlund and ourselves. Sen. Inouye specifically requested that veteran Finance Committee Chairman Dwight Takamine attend.

At the meeting, Sen. Inouye expressed his hope that the factions would resolve their differences and work together for the good of the state. He then asked Rep. Takamine to serve as a mediator and to bring the sides together to work out a compromise.

Immediately after Sen. Inouye and McCartney left the meeting, Rep. Say told the group that he intended to serve as speaker for the next eight years and would do whatever it takes to retain that position. The following week, as he gathered votes, he did not respond to Rep. Takamine's requests to meet.

Rep. Say eventually garnered the 26 votes he needed to continue as speaker. While doing so, he and the House leadership went so far as to deny that Sen. Inouye had requested a compromise, and then ousted Rep. Takamine and other House members who had not supported them. In doing so, the House lost an opportunity to provide real leadership and to bring about change in the way the House conducts

business. However, moving forward, we must all recognize that we were elected to serve the general public, and that it is not too late to bring about real reform. By working with the Senate leadership, the House can implement a progressive agenda that will improve the Legislature and residents' quality of life. Here are a few things that we can do.

1. Increase ethical standards. The House needs to prevent self-dealing from occurring. Self-dealing results in bad legislation and policy decisions. We must set higher standards and learn to enforce them—even against our colleagues.

2. Approve immediate tax relief for working people. Programs such as the earned income tax credit (EITC) can provide more than \$20 million in annual tax relief for thousands of working families in Hawaii. The federal government and 20 other states have already adopted the EITC. Hawaii should provide this and other tax relief to our residents.

3. Pass an aggressive renewable energy agenda. In recent years, the House has watered down bold proposals to reduce our reliance on oil. We can no longer afford to do this. We must set a comprehensive plan to reduce our dependence on foreign oil and its impact on other facets of our economy. We cannot continue to prolong action if we are to become more self-sufficient.

This is just an example of what is possible. For six years, we served as part of Rep. Say's leadership team, but resigned in 2004 when we realized that Rep. Say was not willing to change.

It is time to put aside the old way of doing things. We believe that our generation and those that follow deserve a sharp and progressive Legislature that will work for the public interest. We hope the House is up to the task.

Representatives Saiiki (D-McCall, Moiliili) and Luke (D-Paiaea, Nuuanu) previously served as majority leader and vice speaker, respectively, of the state House of Representatives.

Exhibit 8

calabash

The Freshman Rebel

Q&A The opening day of the state Legislature in January is a time when even bitter enemies pretend to like each other. So it was shocking when freshman Rep. Della Au Belatti and two fellow Democrats used the ceremonial occasion to blast longtime House Speaker Calvin Say, criticizing him as shortsighted and too concerned with power. We checked in with Belatti—a former teacher, lawyer and Campaign Spending commissioner—to see how she's fared in her first few months at the Capitol.

● **Why make such a bold move as a freshman legislator on your official first day?**

Some of the headlines made it like we were trying to overthrow the speaker, and we weren't. We knew we didn't have the votes. I'm only here for two years, and I didn't want to start my political career with a vote that I couldn't agree with.

● **What concerns you about the leadership in the House?**

I was very disappointed in the way leadership had organized. [Editor's note: In November, after Say had thwarted an earlier attempt by some dissident legislators to oust him, he replaced several key leaders in the House, including the chair of the powerful Finance Committee. Committee chairs determine which bills get heard.] There was no compromise. I hate to get into this—for outsiders, it's like, oh, they're just fighting for power, but I think it's more than that. If our organization is based on retribution, what does that say about the decisions we make on substantive issues? I'm concerned that the way decisions are made is not transparent or on the merit of an issue, that there is too much emphasis on protecting our offices.

● **Were there any repercussions to your opening-day statement?**

Are all of our ideas being adopted? I'm not sure. Are some of them being quashed? The jury is still out, because the session isn't over. But I've had a lot of positive feedback from the outside, constituents who call and say, "Keep them on their toes," or, "Way to hold your ground."

● **You've also shown a rare willingness to work across the aisle.**

There are differences between Democrats and Republicans, but where I see an opportunity to cross the lines, I'm not going to be afraid to do that. We need to index the elements of the tax code to inflation—every time I talk about it, people's eyes glaze over, but that's been a big push by the governor and introduced by Republican members. I think it's a great idea. It would eliminate the "shadow tax" that applies to everyone in the state. On the first day, I also said I think we should pass [a local] earned income tax credit, which was originally a Republican federal proposal. I know Republicans will want more aggressive income tax policies, but I hope to reach across the aisle to pass this targeted piece of tax relief.

—RONNA BOLANTE

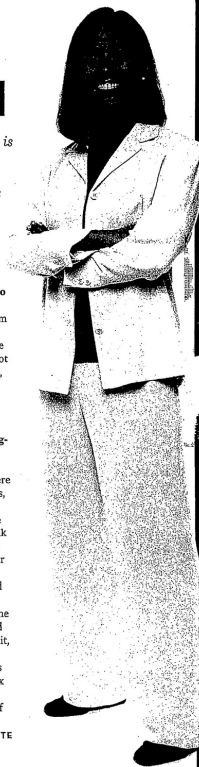


Exhibit 9

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Posted on: Tuesday, November 11, 2008

Say retains state House speaker job

Advertiser Staff

State House Speaker Calvin Say, D-20th (St. Louis Heights, Palolo Valley, Wilhelmina Rise), locked down enough votes over the weekend to keep control of the House.



State House Speaker Calvin Say

Say and other Democrats are still discussing the leadership team and committee chairmanships, with an announcement expected later.

"We head into one of the most challenging legislative sessions that Hawaii has ever faced, and it's extremely important that we come together, with the Senate, to focus on our first priorities: a balanced state budget and Hawaii's economy," Say said in a statement. "I am grateful for the opportunity to lead the House for the next two years. As soon as organization is completed, we will start work immediately."

A group of dissidents, led by state Rep. Sylvia Luke, D-26th (Pacific Heights, Pauoa, Punchbowl), has been trying to unseat Say since 2004, and the emergence of a middle group concerned about the bitterness between the factions gave dissidents hope this year.

Last week, dissidents described the leadership struggle in the 45-member Democratic caucus as a stalemate, but the speaker's allies were confident he would prevail.

Say, first elected to the House in 1976, has been speaker since 1998.

<http://the.honoluluadvertiser.com/article/2008/Nov/11/hawaii811110323.html>

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Exhibit 10

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Professor Bob, Da Spin Doctor Hawaii's Mobile DJ & MC

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2/21/2012

Political group appears linked to House Speaker

<http://lind.net/2010/10/21/political-group-appears-linked-to-house-...>

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Political group appears linked to House Speaker

October 21st, 2010 • 4 Comments • Campaigns, Politics

A reader inquired about Citizens for Responsive Government, a political committee that reportedly has been sending out campaign mailers in support of Democratic candidates in several districts.

A quick check at the Campaign Spending Commission web site quickly turned up [the group's organization report](#). Officers listed are Calvin Azama, chairperson, and Brian Takeshita, treasurer.

Azama and Takeshita both work for House Speaker Calvin Say. Azama serves as chief of staff, while Takeshita is special assistant, according to Say's profile in a [directory of legislative leaders](#) published last year.

So it appears the group is sort of a leadership PAC supported by the House Speaker through his top staff, and is stepping up to add support for Democratic candidates in the general election.

As of September 18, [the group reported](#) raising \$88,247.99 during this election cycle, spending \$37,570.99, and ending up with \$169,185.96 in the bank.

It's [last major fundraiser was in March 2009](#), when it took in \$69,250 in amounts of \$100 or more. The contributors list is heavy on lobbyists, lawyers, and PACs.

But Citizens for Responsive Government had not made any contributions directly to candidates or spent money on independent campaign activities in this election prior to the September primary, staying aloof from primary fights.

The next campaign spending report isn't due until next Monday, October 25.

That's just a week before election day, and a week after early voting started. This means that many voters will not have an opportunity to be informed by the patterns of money flowing in the month since the primary before casting their vote.

If we are encouraging early voting, which seems to be the growing policy, then the legislature needs to adjust the administrative deadlines so that the voting public has access to the most current information before they actually cast their votes.

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 Charles // Oct 21, 2010 at 10:34 am

CRG is the House PAC and has been in existence for a number of years now. Its main activity is coordinating independent mailers into targeted House races for the general election.

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Exhibit 11

2/22/2012 10:59 AM

Dissident group lining up to tackle House Speaker Say - Hawaii News - Honolulu Star-A... Page 1 of 2

Dissident group lining up to tackle House Speaker Say

POSTED: 01:30 a.m. HST, Nov 23, 2010

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By Richard Borreca

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Football fans know that in order to appreciate the game, follow those fellows on the line, because everything starts with those behemoths.

Run or pass, it all evolves with the big guys doing the heavy pushing and shoving.

If your game is politics, you have to follow legislative organization to appreciate the work product from the House and Senate.

The pushing and shoving are more disguised, but the fight is just as real.

This year the state Senate, always a treacherous place with various factions appearing and then disappearing, settled down early with Maui Democrat Shan Tsutsui as president.

Sen. Donna Mercado Kim was dropped as Ways and Means chairwoman, but reassumed her old job as Senate vice president, chairwoman of the Tourism Committee and tacked on the job she was already doing probing the state Transportation Department by making her head of a committee on investigations.

All this is important because committee chairpeople run the show; the bigger the committee, the bigger the show. Committee chairpeople are appointed, in part, by agreeing to support someone for Senate president or speaker of the House.

Over in the House nothing has gelled. Palolo Democrat Rep. Calvin Say is battling either one or two groups of Democrats who want to be included in House policy.

Say, one of the Legislature's old-timers, started in 1976. Since then he has gone from the obscurity of running the Committee on Culture and Arts to chairing the Finance Committee, and has been speaker since 1999.

Along the way he has made enemies by repeatedly trying to cut the budget by trimming state benefits to public workers and refusing to consider raising the general excise tax to balance the budget.

Say has also been a practical politician, forming a political action committee, Citizens for Responsive Government, which raised a total of \$262,000 during the last election cycle and doled out \$116,000 to Democratic candidates.

Say has been speaker so long that a growing group of dissidents has formed to demand that they have a larger share in running the House. But the Rebel Alliance has not come up with a specific reason for a change except that the current system doesn't include them.

http://www.staradvertiser.com/columnists/Exhibit_12_dissident_group_lining_up_to_tackle... 2/28/2012

Political group appears linked to House Speaker

<http://lind.net/2010/10/21/political-group-appears-linked-to-house-...>

Since it is controlled by the House leadership, some members are critical of it because they believe the targeted races are tilted to those who support the current leadership.

I don't know if that's true or not but apparently that's one reason why many unions no longer contribute to it.

Reply

 Gargoyle // Oct 21, 2010 at 11:01 am

CRG is a big part of how Say buys the allegiance of legislators. If you swear fealty to Say, he will spend in your district. If not, not.

Reply

 jonthebru // Oct 21, 2010 at 12:26 pm

Calvin Say actually does that? Absolutely amazing. I thought he was about the people, not his circle of power. Sarcasm at you step.

Reply

 WD // Oct 21, 2010 at 4:36 pm

CRG has been around for years. It was set up by former Rep. Clarice Hashimoto and then it was run by Calvin Say's in-house attorney Ember Shinn. The GOP had a similar PAC called GOP House PAC run by former Rep. Chris Halford but it was shut down. CRG was set up for one purpose, to help candidates that will support Calvin Say for Speaker of the House.

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3 of 6

2/22/2012 10:59 AM

Dissident group lining up to tackle House Speaker Say - Hawaii News - Honolulu Star-A... Page 2 of 2

So far there are 19 votes for someone besides Say as speaker, while Say holds 24 votes. A speaker needs at least 26 votes to win.

Rep. Roy Takumi, another legislative veteran, is being boosted by some in the anti-Say block.

Interestingly Takumi is an employee of the Hawaii State AFL-CIO. Although the Hawaii Government Employees Association, the state's largest public worker union, isn't actively working to defeat Say, it might find an agreeable legislative climate with someone other than Say.

Just like in football, the winner may be the best blocker, not the best runner.

Richard Borreca writes on politics every Tuesday, Friday and Sunday. Reach him at rborreca@staradvertiser.com.

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http://www.staradvertiser.com/columnists/20101123_dissident_group_lining_up_to_tackle... 2/28/2012

Whoever the Governor appoints to Rep. Shimabukuro's seat could conceivably have a lot to say in the organization if (and that is a big if) all of the dissidents and Republicans hold together. But say they do, then wouldn't you like to know how the replacement is chosen?

Well, by law, once Shimabukuro resigns from the House, the Democratic Party has 30 days to submit a list of at least 5 party members residing in the district to the Governor. Once received, the Governor would then have 30 days to pick someone from that list.

The Party went through great effort giving the appearance of establishing an "open" process of requiring community meetings at the precinct level and then at the district level to come up with a list of at least three names for the Party's Executive Committee to approve before transmitting it to the Governor. Yet, most insiders know that this is a sham since the Executive Committee is dominated by urban Democrats, most of whom have aligned themselves with the House dissidents.

By law, the Governor must use that list and cannot name an alternate. So if the Party wanted to totally tie the Governor's hands, they could submit a list comprised of only supporters of the dissidents... but that is only if the Party is afraid that the Governor might want to choose someone who would support Speaker Say.

So who would the Governor like to have as Speaker? Some on this blog suggest that he would support Speaker Say citing their amiable relationship in the past. Others contend that with so much change within the Administration and the Senate, Speaker Say would serve as a stabilizing force, especially when it comes to handling the budget.

But there is someone on the fifth floor, the Lieutenant Governor, who has long been a supporter of the dissidents and would like nothing better to see Say banished into Siberia. That would allow his cronies (i.e., Sakii, Luke, Nishimoto, etc) to reap the rewards of power that they have waited so long to gain.

Doesn't this sound like a really bad episode of "Dallas"?

Perhaps the leadership fight in the House is just a prelude to a much bigger battle in four years — when Brian Schatz decides to run for Governor.

FEAR DARTH SCHATZ

5. Karl Barth:
January 4th, 2011 at 12:24 pm

VORI

So who are the Jedi (the dissidents who briefly held power by toppling Joe Sasaki with the help of Calvin Say?), is K. Mark Takai the future Emperor, and who is Darth Vader really? And what Star Wars episode are we in — "Revenge of the Sith" or "Return of the Jedi"? Regardless, I know several folks to nominate an Jar Jar Binks.

6. ohaioforest3400:
January 4th, 2011 at 1:27 pm

Voice, dude, you're scaring me!!! It's too early in the year for Hadowe!!!!

7. Michael:
January 4th, 2011 at 4:46 pm

There is no "I" in team.

8. DD:
January 4th, 2011 at 6:01 pm

We are just a few weeks away from the start of the 2011 Legislative Session, and it looks like the 17 who want change in the House aren't going to be bought off to go over to Rep. Say's side. So now it looks like there are two options:

So if Rep. Say wants to keep his power, he can trade something to the Republicans to secure their vote on Opening Day, or negotiate a compromise with the other 17 Democrats.

No matter what happens, surely Rep. Say will take care of his core groupies, Jerry Chang, Bob Herkes, Ken Ito.

But if he has to negotiate a compromise to retain his power, then my question is what happens to everyone else on his side that he made promises to when they find out he had to negotiate their positions away?

Does that mean a third group will form again when they all bolt?

9. Formerly Undecided:
January 4th, 2011 at 11:52 pm

The more homophobic Republicans would never go for it but it seems to me that the only real leader in the House is Blake Ohtani. His election would send a signal to the International Gay community that Hawaii I may not be as bad after all and they might start coming back to the islands again (with their large discretionary incomes).

10. Koles:
January 7th, 2011 at 4:30 am

I just saw the comment by "Voice of Reason" and need to say it is helpful if one's "reason" is supported by actual facts. This paragraph is patent nonsense:

"The Party went through great effort giving the appearance of establishing an "open" process of requiring community meetings at the precinct level and then at the district level to come up with a list of at least three names for the Party's Executive Committee to approve before transmitting it to the Governor. Yet, most insiders know that this is a sham since the Executive Committee is dominated by urban Democrats, most of whom have aligned themselves with the House dissidents."

The Rules of the Democratic Party give the power to come up with three nominees to the grassroots officers of the district affected by the vacancy. Contrary to VORI's misinformation, the list is not sent to "The Party's Executive Committee" for approval. The Executive Committee has no say on the names submitted to the Governor. Once the names are sent to the party chair, they are checked to against the membership rolls to ensure they have been members for 6 months at the time of the vacancy.

<http://blogs.starbulletin.com/inpolitics/teams/>

2/28/2012

So your conspiracy theory about "urban Democrats" dominating the process in favor of the dissidents is pure, uniformed claptrap.

Other than that, you remain, of course, the Voice of Reason.

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2/28/2012

House Republicans will help Say retain leadership post

POSTED: 03:03 p.m. HST, Jan 07, 2011 LAST UPDATED: 04:00 p.m. HST, Jan 07, 2011

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By Derrick DePledge

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State House Republicans said today that they will back House Speaker Calvin Say, potentially ending a leadership stalemate that has split majority Democrats.

Say, (D-St. Louis Heights, Palolo Valley, Wilhelmina Rise), has been one vote short of keeping control of the 51-member House in a leadership struggle that has lasted since the November elections. Say has 25 votes, while a dissident faction that prefers state Rep. Roy Takumi, (D-Pearl City, Momiiani, Pacific Palisades), has 17 votes.

Say said he was "honored" and "grateful" for the GOP support for his leadership. He said he will meet privately today with his loyalists to discuss options, including whether to continue negotiating with the dissidents.

"I'm very honored that the minority caucus has thrown their full support behind me," Say said. "And I'm very grateful that they have considered me to be retained as the speaker."

State House Minority Leader Gene Ward, (R-Kalama Valley, Queen's Gate, Hawaii Kai), said the eight House Republicans have committed to Say. Ward said Republicans did not receive any committee chairmanships or leadership posts in exchange for their votes.

Ward said Republicans wanted to end the deadlock so the House could prepare for the new session that starts on Jan. 19.

"The public is fed up," he said. "The public is saying, 'Why are you doing this? Let's get on with it.' They want to see some results. They want to know what's going to happen."

State Rep. Cynthia Thielen, (R-Kailua, Kaneohe Bay), said it was difficult to prepare when the leadership posts and committee chairmanships are unknown.

"It was time to say 'enough.' Let's get it moving," she said.

Say's group has offered dissidents four committee chairmanships and two leadership posts in an effort to break the stalemate. Dissidents, sources say, were preparing to counter with a chairmanship lineup that more closely reflects the numerical split between the two camps.

While the negotiations are ongoing, some dissidents indicated that they are prepared to take the challenge to opening day. A protracted leadership fight among majority Democrats during session could be a potential political embarrassment for the party and an obstacle to the legislative process.

Say has served as House speaker for 11 years and is the longest-serving speaker since statehood. Dissidents have said that they want more collective discussion and planning on public-policy issues and a leadership and committee lineup that better represents the strengths of the caucus.

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If Say relies on Republicans to keep control of the chamber, he would be under even less obligation to assign dissidents leadership or committee posts.

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2/28/2012

Friday, January 07, 2011

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The Hawaii Independent: House Republicans back Say as Speaker focus on not raising G... Page 2 of 10

Stalemate Broken: House Republican Caucus backs Calvin Say for Speaker

By Andrew Walden @ 9:10 PM :: 848 Views :: Hawaii State News, Hawaii State Politics

by Andrew Walden

Rep Gene Ward (R-Hawaii Kai) announced this afternoon that the eight members of the House Republican caucus will vote as a bloc to reelect Calvin Say (D-Palolo Valley) House Speaker.

Ward told KITV news: "The eight of us have heard directly from our constituents, from Oahu to Maui, about the importance of not raising the general excise tax (GET), providing favorable pro-small business initiatives that will create jobs and ensuring improvements are made to state infrastructures."

Say told the Star-Advertiser: "I'm very honored that the minority caucus has thrown their full support behind me. And I'm very grateful that they have considered me to be retained as the speaker."

Ward said the Republicans did not receive any committee chairmanships or other leadership assignments in exchange for their votes.

Within the House Democratic caucus, Say was one vote short of the 26 needed for reelection, according to numerous reports.

Backing Rep Sylvia Luke against Say are 17 Democrats more beholden to HGEA, UPW and other government employee unions which have been pushing for an across-the-board increase in the General Excise Tax. Attempting to win their support, Say had offered the dissidents four committee chairmanships. Now with the Republican commitment, Say will no longer be required to offer the dissidents anything in negotiations scheduled for 6PM tonight.

Republican legislative minorities in the mid 1980s also joined with Democrat factions to form a bi-partisan majority. Such coalitions have allowed Republicans to advance legislative proposals which would otherwise likely be killed by a partisan Democratic majority. In General Elections, Republican legislative candidates supporting such coalitions were sometimes backed by Democrats aiming to eliminate their factional opponents.

Say's refusal to consider a GE Tax increase during the 2010 Legislative session was a major factor in a decision by the HGEA not to endorse Say for reelection. Nonetheless Say handily defeated his opponent, Dwight D. Syman who received backing from gay-atheist activists upset that Say had not done enough for HB444 civil unions.

In place of the across the board GE Tax hike, which Say describes as "regressive", during the last legislative session Say proposed abolition of numerous tax exemptions. He also allowed several legalized gambling bills to advance.

Similar proposals are already being mooted for the 2011 Legislative session.

---30---

KITV: GOP Backs Calvin Say For House Speaker

SA: House Republicans will help Say retain leadership post

Exhibit 17

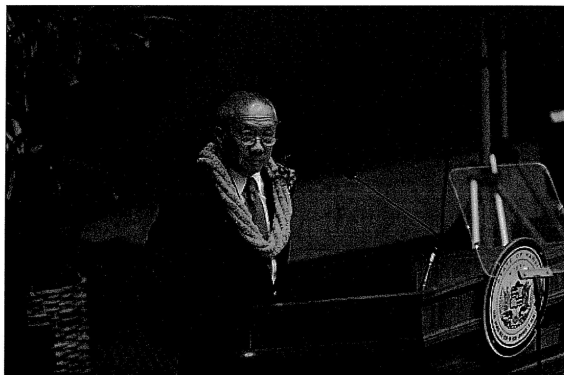
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THE HAWAII INDEPENDENT () MENU SEARCH

House Republicans back Say as Speaker, focus on not raising GET



Unseating Speaker Calvin Say, above, has been the focus of a years-long struggle for dissident House Democrats.

Courtesy Photo
(/coop/member/99)



Jan 07, 2011 - 05:21 PM

<http://hawaiiirepress.com/DesktopModule%20-%20NewsArticles/Print.aspx?t...> Exhibit 18

2/28/2012

HONOLULU—On Friday, State House Republicans announced that they will be voting to keep Democrat Calvin Say as Speaker of the House. The announcement puts an apparent end to the Kaimuki representative's fight against a group of 18 Democratic dissidents who had rallied behind Rep. Roy Takumi for House leadership.

The State House Minority Leader, Rep. Gene Ward, said in a statement that Say's return as Speaker "was the best choice to ensure the State's long-term fiscal condition improves."

"We need leadership in place so we can get on with the business of the people of Hawaii," said Republican Rep. Aaron Ling Johanson.

With the backing of the eight House Republican Caucus members, Republicans expect Say to keep spending down and to organize the House expeditiously.

In October, Say told *The Hawaii Independent*: "I do not support a General Excise Tax (GET) increase. I feel that such an action would jeopardize the economic recovery, raise the cost of living for residents, and exacerbate the regressive effect of the GET. If additional revenues must be raised, my first preference would be to limit or eliminate tax breaks for special interests."

Say's commitment to not raising the GET was a deciding factor for House Republicans.

"The eight of us [House Republicans] have heard directly from our constituents from Oahu to Maui about the importance of not raising the GET, providing favorable pro-small business initiatives that will create jobs, and ensuring improvements are made to State infrastructures," Ward said. "With Say returning for his seventh term as Speaker, we feel confident these issues will be a top priority this session."

Say has served as Speaker for the last 12 years.

"The Republican caucus is focused on strengthening and diversifying our local economy."

"The Republican caucus is focused on strengthening and diversifying our local economy," Ward added. "Therefore, we are very concerned that the administration and the legislative finance committees maintain fiscal discipline to ensure our residents are not negatively impacted."

The addition of the eight Republican votes ends a months-long stalemate that saw 25 House Democrats backing Say, including last month's late commitment by freshman Rep. Linda Ichiyama, against the 18 dissidents. A nominee needs 26 votes to be seated as Speaker.

The group of Democratic dissidents included Rep. Della Au Belatti, Rep. Tom Brower, Rep. Mele Carroll, Rep. Denny Coffman, Rep. Cindy Evans, Rep. Faye Hanohano, Rep. Gilbert Keith-Agaran, Rep. Chris Lee, Rep. Sylvia Luke, Rep. Dee Morikawa, Rep. Hermina Morita, Rep. Mark Nakashima, Rep. Scott Nishimoto, Rep. Scott Saiki, Rep. Maile Shimabukuro, Rep. K. Mark Takai, Rep. Roy Takumi, and Rep. Jessica Wooley.

Last month, the Democrats backing Takumi for Speaker sent a letter to Say that stated: "Too often votes are traded for pet projects and positions without regard to a larger policy agenda. We believe that the challenges facing Hawaii are too great to continue this practice. Leadership must focus on resolving the larger challenges, and not just narrow issues that benefit only a few."

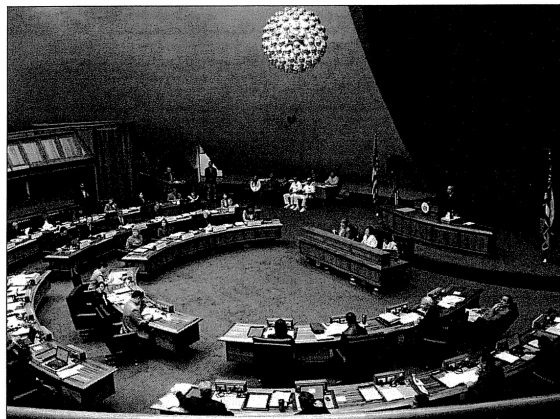
When the 2011 Legislative Session convenes on January 19, committee chair assignments will paint a picture as to how dissident Democrats are punished and how the Republican Caucus might be rewarded.

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The Hawaii Independent: House Republicans back Say as Speaker focus on not raising G... Page 3 of 10

Correction: the Legislature convenes on January 19, not on the 20th as previously written.

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House Republicans to support Say as speaker - Hawaii News - Honolulu Star-Advertiser Page 1 of 2

House Republicans to support Say as speaker

POSTED: 01:30 a.m. HST, Jan 08, 2011

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The Democrat says he is grateful but will keep negotiating with dissidents in his party

By Derrick DePledge

-- ADVERTISEMENT --

State House Republicans agreed yesterday to back House Speaker Calvin Say, a commitment that could break a leadership stalemate that has divided majority Democrats.

Say, the longest-serving speaker since statehood, has been one vote short of keeping control of the 51-member House in a leadership struggle that has played out since the November elections. Say has 25 votes among Democrats, while a dissident faction that prefers state Rep. Roy Takumi (D, Pearl City-Momilani-Pacific Palisades) has 17 votes.

There are eight Republicans and one vacant House seat, to be filled by a Democrat.



Calvin Say
A deal with Republicans could let him retain control of the House, but the longest-serving speaker since statehood says he will keep negotiating with dissident Democrats to resolve the leadership struggle.

Say (D, St. Louis Heights-Palolo Valley-Wilhelmina Rise) said he was "honored" and "grateful" for the Republican endorsement. But after nearly two hours of private discussion with his loyalists yesterday evening, the speaker said his group will continue to negotiate with the dissidents to try to resolve the dispute among Democrats.

"We should work with the Democratic caucus first before we ever venture into the Republican side," he said.

The speaker set a tentative deadline for negotiations to end on Wednesday. He said if the dissidents choose to take their challenge to the opening day of the session on Jan. 19, he believes he now has the votes to prevail.

Dissidents predict that some Democrats will defect from the speaker if it becomes apparent that he is unable to retain control without Republicans. Dissidents also warn that if Republicans do help keep Say in power, they will have leverage over legislation.

"It will be difficult to govern with a bipartisan organization," said state Rep. Scott Saiki (D, Moiliili-McCully-Kaimuki), one of the dissidents.

State House Minority Leader Gene Ward (R, Kalama Valley-Queen's Gate-Hawaii Kai) said the eight House Republicans did not receive any committee chairmanships or leadership posts in exchange for their support.

Ward said Say, like Republicans, has opposed an increase in the general excise tax and has shown concern for the struggles of small businesses. "The public is fed up," Ward said of the leadership fight.

Exhibit 19

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House Republicans to support Say as speaker - Hawaii News - Honolulu Star-Advertiser Page 2 of 2

State Rep. Cynthia Thielen (R, Kailua-Kaneohe Bay) said it is difficult to prepare for session when leadership posts, committee chairmanships and committee assignments are unknown. "It was time to say 'enough.' Let's get it moving," she said.

Say's group has offered dissidents four committee chairmanships and two leadership posts to end the stalemate. Dissidents, sources say, are preparing to counter with a request for more committee chairmanships.

Dissidents have said they want more collective discussion and planning on public-policy issues and a leadership and committee lineup that better represents the strengths of the caucus. One Democratic House seat is vacant and will likely not be filled by the party and Gov. Neil Abercrombie in time to influence the leadership vote.

If Say — who has been speaker since 1999 — relies on Republicans to keep control of the chamber, he would be under less obligation to assign dissidents plum committee or leadership posts.

A leadership challenge that extends to opening day or beyond — or is broken by the GOP — could be a potential political embarrassment for the party. Democrats hold overwhelming majorities in the House and state Senate and again control Washington Place with Abercrombie.

Abercrombie, who as a state senator was among the Democrats who formed a coalition with Republicans to organize the Senate in 1981, chuckled when told of the GOP's commitment to Say.

"Oh, wonder of wonders," the governor said. "I'm not going to get involved in internal politics there (in the House).

"But with any kind of a coalition attempt, it depends on what's expected as the result of that. So you have to get the agreement of both parties. And that's where the difficulty always comes in."

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House power-sharing talks are at an impasse - Hawaii News - Honolulu Star-Advertiser Page 1 of 2

House power-sharing talks are at an impasse

POSTED: 01:30 a.m. HST, Jan 11, 2011

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By Derrick DePledge

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State House Speaker Calvin Say and a dissident faction challenging his leadership traded proposals over the weekend but have yet to reach a power-sharing agreement to organize the House.

Say's group has offered the dissidents five committee chairmanships — up from four last week — and two leadership posts. Say said the dissidents have suggested that he remain speaker but that the two camps of Democrats divide the committee chairmanships.

Say (D, St. Louis Heights-Palolo Valley-Wilhelmina Rise) described his offer of five committee chairmanships as "very generous."

The speaker said he is willing to continue negotiations among majority Democrats even though he has a commitment from House Republicans to give him the votes he needs to remain in control. The speaker said he is prepared to organize with Republicans if necessary.

"I want to do the people's work as I move forward," he said.

House Minority Leader Gene Ward (R, Kalama Valley-Queen's Gate-Hawaii Kai) said Say should end the stalemate now.

"With our eight Republican votes, Rep. Calvin Say has seven more votes than necessary to keep the Legislature from slowly shutting down, which it has been for the past 10 weeks of gridlock," Ward said in a statement.

Rep. Chris Lee (D, Lanikai-Waimanalo), one of the dissidents, disputed Ward's description of a shutdown. He said lawmakers have been holding informational briefings on the budget as they always do before session.

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Speaker Say, take GOP's offer - Hawaii Editorials - Honolulu Star-Advertiser Page 1 of 2

Speaker Say, take GOP's offer

POSTED: 01:30 a.m. HST, Jan 12, 2011

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This isn't the first time setting up a leadership team in the state House of Representatives has become a tug-of-war. Some measure of political pushing and pulling comes with the territory, of course, but after weeks and weeks of this, public patience is wearing thin.

The Legislature is now only days away from convening, and the questions of who will be speaker of the House and who will lead the chamber's key committees, are still unanswered. Some preparation work can be done independently of leadership wrangling, but perpetuating this unsettled state for much longer surely will handicap lawmakers who, after all, are facing a challenging public-policy landscape.

They will have to navigate the many decisions that will be necessary to close a nearly \$800 million budgetary gap for the two years following the session. They have to decide how the next Board of Education will be appointed. There are languishing issues such as the civil unions debate that they should confront.

It's hard to get ready for all this when, as Republican state Rep. Gene Ward points out, some freshman legislators don't even have permanent offices yet.

Ward -- who represents the 17th District, encompassing Kalama Valley, Queen's Gate and Hawaii Kai -- is the House minority leader. On Friday he presented a GOP proposal to back state Rep. Calvin Say's bid to continue as speaker, a seat Say has occupied for 11 years.

Say reportedly has 25 votes from the Democratic caucus, only one vote shy of the majority. That's a sizable lead over his nearest rival, state Rep. Roy Takumi, but the dissident group that wants a changing of the guard has held together for weeks.

Negotiations are continuing to forge a Democrats-only majority group of backers, but the advantages of doing so are becoming less and less clear. Rather than prolonging these talks, however, Say would serve the broader community best by relying on the Republican House caucus for the support he needs.

In other words: Enough with the power struggle, already.

The state Capitol has never been a bastion of bipartisanship and could benefit from a scheme that gives the GOP more influence -- bringing more Republican bills up for a hearing as a matter of course, for instance.

That said, Ward insisted that the decision was made simply to get on with the workload ahead, adding that he hasn't exacted any promises from Say in exchange for Republican support.

Exhibit 21

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Speaker Say, take GOP offer - Hawaii Editorials - Honolulu Star-Advertiser

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Lawmakers, like the Abercrombie administration, are a long way from assembling a plan for resolving the state's revenue shortfall. But Say's record as a fiscal moderate with a distaste for general excise tax increases strongly indicates that the GOP caucus would align better with him, Ward said.

And, he added, the chance to have at least some role to play is welcome.

"We've become relevant, reinserting rational thinking into the leadership process," he said.

That could be at least a small breakthrough in what has been virtually a one-party political structure. But even if a more collaborative era is not at hand, the GOP is offering a chance to get on with the people's work, and the calendar on the wall suggests that it's time to seize it.

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Leadership void persists - Hawaii News - Honolulu Star-Advertiser

Page 1 of 3

Leadership void persists

POSTED: 01:30 a.m. HST, Jan 19, 2011

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The state House might open with its key positions unfilled

By Derrick DePledge



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State House Democrats, unable to agree on leadership, were on the brink last night of allowing internal differences to affect opening day of the state Legislature.

State House Speaker Calvin Say (D, St. Louis Heights-Palolo Valley-Wilhelmina Rise) has been negotiating privately over the past several days with Rep. Sylvia Luke (D, Pacific Heights-Pauoa-Punchbowl) to end a leadership stalemate that has gone on since the November elections.

Say and Luke have exchanged potential committee lineups to share power but had not reached agreement as of late last night. If the impasse continues this morning, the House would gavel in a new 60-day session without a leadership slate for what is believed to be the first time since 1971.

House leadership posts, committee chairmanships and committee assignments remain unsettled.

Say, who has led the chamber since 1999 and is the longest-serving speaker since statehood, still has the option of accepting an offer by House Republicans to give him the votes he needs to stay in power. But Say has chosen to continue talks with the dissidents challenging him to try to settle the leadership fight among Democrats.

THE 26TH LEGISLATURE

State House and Senate leaders will open a 60-day session at 10 a.m. today at the state Capitol.

Exhibit 22

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Leadership void persists - Hawaii News - Honolulu Star-Advertiser

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Senate President Shan Tsutui and Senate Minority Leader Sam Slom will make opening speeches in the Senate, followed by entertainment by the Kamehameha Schools Children's Chorus, Society of Seven and Willie K. In the House, where leadership remains unsettled, Rep. Mark Nakashima will preside.

The Moanalua High School string ensemble and artist-in-residence Sean Naauao will perform.

Many lawmakers will hold receptions in their offices.

"It's not any embarrassment to the party or anyone out there, because at the end of the day, we're just here to do the people's work," Say said of the protracted negotiations.

Say said he does not believe dissidents have the leverage to force a new speaker -- what he called "ABC, Anybody but Calvin" -- so the end result is likely a negotiated division of committee chairmanships and leadership posts or his acceptance of the GOP commitment. "At some point in time, may it be Wednesday or Thursday or Friday, a vote has to occur, to get the people's work done," he said.

Luke said the dissidents' goal is shared responsibility. "We continue to work towards bringing people together, bringing the sides together, so that we can all be productive."

U.S. Sen. Daniel Inouye, D-Hawaii, and other leading Democrats have urged House Democrats not to organize with Republicans and instead negotiate a reasonable compromise. The senator, after meeting privately with both camps on Friday, said it would be embarrassing for the stalemate to extend to opening day. He also said it would be "disgraceful" to rely on Republicans.

But majority Democrats have taken advantage of GOP votes in the past. In 1971, House Speaker Tadao Beppu accepted Republican help to end a leadership struggle that extended two weeks -- 10 legislative days -- into the session. In 1981, Gov. Neil Abercrombie and Democratic Party of Hawaii Chairman Dante Carpenter were among a group of Democrats who formed a coalition with Republicans to organize the state Senate.

Say said last night that if no deal is reached by this morning, his preference is to open the session with the traditional speeches and music and put off a leadership discussion until this afternoon. Under that scenario, House Majority Leader Blake Oshiro (D, Aiea-Halawa Valley-Aiea Heights) would likely give opening remarks instead of Say. House Minority Leader Gene Ward (R, Kalamia Valley-Queen's Gate-Hawaii Kai) is scheduled to speak for Republicans.

By tradition Rep. Mark Nakashima (D, Kohala-Hamakua-N. Hilo), who represents House District 1, functions as the presiding officer until a speaker is chosen by resolution.

Nakashima, one of the dissidents, said it would likely be "chaos" if individual lawmakers attempt to force a floor vote on a resolution this morning. More likely, Nakashima and others said, lawmakers will wait until the afternoon or later. Some lawmakers are sensitive about exposing family, guests and VIPs gathered for the traditional celebration to a floor fight over leadership.

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Page 3 of 3

Democrats control 43 of the 51 House seats and 24 of 25 state Senate seats, the most lopsided advantage in the nation. Some Democrats believe it would be a black eye for the party if House Democrats have to organize with Republicans. A Say alliance with the GOP -- even if it is only for leadership votes -- could also give dissidents ammunition to use in future challenges.

Say has 25 votes to remain as speaker, one vote short of a majority. The dissidents have 17 votes. One House seat is vacant.

Separate from the leadership talks, four dissidents suggested a rule change yesterday that would limit a speaker, other leaders and committee chairmen to serve six years in those posts. The dissidents believe a time limit would help ensure routine succession and promote fresh ideas.

Ward has been urging Say for more than a week to accept the Republican votes and to organize the House. "Let's get on with the business of doing the business of the people who sent us here," he said.

House Republicans released their legislative package yesterday, which includes a constitutional amendment requiring two-thirds' votes in the House and Senate for any tax increase, college tuition incentives for high-school students who finish early and enroll in the University of Hawaii system, and public hearings whenever the state salary commission recommends pay raises for lawmakers.

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House Vice Speaker Manahan announces bid for City Council

POSTED: 08:23 p.m. HST, Feb 02, 2012 LAST UPDATED: 08:43 p.m. HST, Feb 02, 2012

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By Star-Advertiser staff
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State House Vice Speaker Joey Manahan said today that he will run for Honolulu City Council.

"I am committed to the race," he said after an evening fundraiser at a Chinatown restaurant.

Manahan will run in Council District 7, which covers Kalihi, Salt Lake, Pearl Harbor and Foster Village.

Councilman Romy Cachola is prevented by term limits from seeking another term.

Manahan (D, Kalihi-Kapalama) was first elected to the House in 2006. He became vice speaker last year.

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Contributors during the [first half of 2011](#) include Alexander and Baldwin, First Hawaiian Bank, Hawaiian Electric Industries, Maui Land & Pineapple Co., Hawaiian Telcom, HMSA, Young Brothers and Hawaiian Airlines — the biggest players in Hawaii business.

Several unions also gave, including United Public Workers and the United Brothers of Carpenters.

Gambling lobbyist John Radcliffe gave \$1,000. Former Honolulu Mayor Kirk Caldwell and businessman Mitch D'Olier gave \$250.

Calvin Azama — the PAC's chair and treasurer — gave \$1,000.

Changing Candidates

Citizens for Responsive Government was formed in 2008 and first gave money to candidates that fall.

They included five representatives who would later oppose Say's leadership: Cindy Evans, Tom Brower, Jessica Wooley, Faye Hanchano and Chris Lee.

The amounts were between \$500 and \$2,000 and totaled \$12,500.

Lee also got money in 2009. So did a couple of other dissidents.

But those contributions were for surveys, polls and voter lists [valued at just \\$10](#).

After that, as opposition to Say began to solidify, there was not a dime more for the dissidents.

By contrast, the contributors to the PAC have been consistent — big business, labor unions and political players.

DISCUSSION: "Wot, bodda you?"

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Discussion

Exhibit 23

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The Speaker's PAC

By Chad Blair | 02/13/2012

Calvin Say has been speaker of the Hawaii House of Representatives since 1999 and has survived several attempts to unseat him from the top job.

And yet, with the support of a majority of fellow House Democrats, he has been re-elected speaker like clockwork every two years.

Turns out that last Aug. 1, 27 of those supporters received \$2,000 each from a political action committee called Citizens for Responsive Government. Many of the others are committee chairs.

They included the top-ranking House leaders: Speaker Emeritus Joe Souki, Vice Speaker Joey Manahan, Majority Leader Pono Chong and Finance Chair Marcus Oshiro.

The chair and treasurer of the PAC? Calvin Azama, the speaker's own chief of staff.

According to [one report](#), a former treasurer is Brian Takeshita, who worked for Say as a special assistant and is now assistant chief clerk in the House.

Say did not return a call requesting comment on Friday.

All told, the PAC gave \$53,000 to the supporters, according to its [July 1 - Dec. 31 filing](#) with the Hawaii Campaign Spending Commission.

It still had more than \$100,000 cash on hand at the end of the year.

Only one House dissident — the name for House Democrats who have [tried to depose the speaker](#) — received money from the PAC. That was Linda Ichiyama, who later switched her loyalty to Say.

Two other House reps who got money, Jo Jordan and Derek Kawakami, were appointments to replace lawmaker who left the House.

Familiar Donors

There is nothing illegal about the PAC. But it reveals the close link between money and politics.



Chad Blair/Civil Beat

http://www.civilbeat.com/articles/2012/02/13/14862-the-speakers-pac/

2/21/2012

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Matthew LoPresti · Top Commenter · Works at Hawaii Pacific University
So his PAC give money to the chairs, and the chairs send bills to Say's Finance Committee, which don't belong there, all so Say can corrupt the players and the process by hiding bills and hearings away from the public and the democratic process. It may not be illegal but it SHOULD be illegal for any politician or his staff to set up a PAC to reward or punish those who know him and those who have the integrity to think for themselves and act for their constituents. Is this a Banana Republic? What on Earth is going on that this can happen and that these other legislators are even considering accepting money from this PAC? Please follow up on this story Civil Beat to track votes with or against the speaker correlate that with money received or not received by the PAC this session. This whole thing is rotten to the core.
Reply · Like · February 17 at 4:54pm

Matthew LoPresti · Top Commenter · Works at Hawaii Pacific University
This is disgusting.
Reply · Like · February 17 at 4:49pm

Karen Chun · Top Commenter · UC Davis
This is despicable. And people wonder why we have the Occupy movement?
Reply · Like · February 13 at 9:05pm

Patricia Blair · Top Commenter · Wichita State University
Many thanks, Chad.
Reply · Like · February 13 at 8:49am

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Exhibit 24

speakers-pac/

2/21/2012

New voter maps leave incumbents at odds

POSTED: 01:30 a.m. HST, Feb 28, 2012

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By B.J. Reyes

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The latest plan for state House and Senate districts tweaks some boundaries to keep communities intact but does not change district lines in seven areas where incumbent lawmakers would have to run against each other this year.

Members of the 2011 Reapportionment Commission unveiled the new maps at a meeting Monday.

Commission Chairwoman Victoria Marks said she is satisfied the plan meets constitutional requirements, although various parties continue to talk about another potential legal challenge.

"We keep hearing all these rumors, so who knows," Marks said. "I'm satisfied with it completely."

The boundaries are being studied by a faction of House Democrats who say the new maps are overly favorable to House Speaker Calvin Say. In the six situations where sitting lawmakers were placed into the same House districts — meaning they would either have to run against another incumbent or move into an open district — four involve members of the 18-member dissident faction that has sought to oust Say. (The seventh case involves a Senate district.)

"I would again urge this commission to carefully consider how the plan continues to unduly favor a political faction in light of some of the very factional lines that currently exist in the state Legislature," state Rep. Della Au Belatti (D, Makiki-Moiliili) told the panel.

Belatti was redrawn into a district against state Rep. Scott Saiki (D, Moiliili-McCully), a fellow member of the dissident faction.

The nine-member commission was appointed by leaders in both chambers — two each by the House speaker, Senate president, House Republican leader and Senate GOP leader. Chairwoman Marks was appointed by the Supreme Court.

The commission's technical committee, which was charged with drawing the maps, is comprised of two Democratic and two Republican appointees.

"I don't know how legitimately one could claim that you're favoring any party or a faction," Marks said.

Dylan Nonaka, a Republican appointee who was on the technical committee, called the favoritism claim "baseless."

"In order for there to be some kind of conspiracy against the dissidents, it would require that the Republicans like myself be doing the bidding of Calvin Say, which is utterly ridiculous," Nonaka said.

Exhibit 25
http://www.staradvertiser.com/newspremium/20120228_New_voter_maps_leave_incumbents_at_odds

The maps were presented Feb. 15, with public comment taken at two meetings last week. Commissioners made slight changes to keep intact areas whose residents oppose their communities being split or being included with a community that does not share their legislative concerns.

Those areas included Newtown, Ocean Pointe, Makakilo-Haleiwa-Waiailua and Maunawili.

"Maintaining community integrity was a significant consideration," said Commissioner Calvert Chipchase IV.

The commission is poised to approve the plan at a meeting Wednesday and send it to the state Office of Elections for approval.

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AN UNLIKELY REVOLUTIONARY

Matsuo Takabuki and the Making of Modern Hawai'i

a memoir by

Matsuo Takabuki

assisted by Dennis M. Ogawa

with Glen Grant and Wilma Sur

University of Hawai'i Press
Honolulu**Exhibit 26**

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At the Heart of a Revolution

Speaker of the House in the state legislature and later as a U.S. senator. Fong was not a "Republican" in the traditional, white Merchant Street mold. Elected because he was a "local," his political base was largely from the populace. He developed an independent, local image that was unencumbered by the albatross of white Merchant Street affiliation. As a lawyer and businessman with a non-white political base, Fong, a Republican, was not so different from a moderate Democrat.

Tom Gill, the aggressive head of the liberal wing of the Democratic Party, was different. The Burns faction was moderate, independent, and relatively conservative on fiscal policies. While they were sympathetic to labor, they were also concerned about business, especially small business. Labor would always be given an audience, but the Burns faction was not going to be controlled by them. Tom Gill, however, was more labor-oriented. Born and raised in Hawai'i, Gill was not a member of a chosen *kamaaina* family. Instead of attending the exclusive Punahoa School with most other *haole* elite, he attended Roosevelt High School, a public school. When he came back to Hawai'i from law school, Gill represented the Art Rutherford-led labor unions, and he became the leader and spokesman of the party's labor-oriented faction. When Gill refused our overtures to reach an accommodation within the broad structure of the Party, we parted into competing and often conflicting factions with a different agenda and priorities.

There was never any real accommodation after that. The division flared up at the county and state conventions, where there was a struggle for internal Party control that evolved into organizational infighting in the legislature. Unaligned legislators blurred the lines between these factions with powerful egos. Political muscle moved individuals one way or another until a majority was put together. Leadership and control were at stake in these struggles, which sometimes left deep, bitter, long-lasting scars.

George Ariyoshi was another leader who impacted the political scene during this period. He had started his career in

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AN UNLIKELY REVOLUTIONARY

and calling on people privately for help. I also knew that I had a certain amount of leverage within the community as a councilman to rally political support for Burns. My personal closeness to Jack Burns was well known and helped me to garner support for his campaigns. The fact that I had also become closely affiliated through my law practice with many businessmen in financial circles helped. To work privately in the background, away from the media, was the best way I got support.

As a governor, Jack Burns always did what he thought was right. I never interfered. He had good instincts and judgment as well as a strong sense of character and heart. I never said anything unless asked. Despite the criticism that comes with the job, Jack Burns always did the best he could, showing his concern and compassion for people, especially the weak and poor. He had an extraordinary understanding of the islands' political and social systems, and did not allow his ego to interfere with a vision of a new Hawai'i. History, I believe, will place him as one of the great governors of Hawai'i.

During my political career, I learned that dealing in politics was quite different from dealing in business. In business, either the deal is on or it is off. Both sides of the negotiations have to feel that they are benefiting from the deal. Overreaching is the beginning of a fractured business relationship. Both parties have to be prepared to give and take, knowing the options available to them and the risks they are taking. The deal that is finally settled upon should be fair and reasonable to both parties, with an eye to creating a lasting relationship.

In politics, however, the ultimate bottom line is power, based on how many votes each party carries. If a party is in the minority, it can only sit on the sidelines and challenge and harass the majority. Because votes shift, politics can be volatile and unpredictable, with egos often getting in the way. Politics, as is so often the case, makes strange bedfellows.

During the 1950s and 1960s, some powerful personalities emerged in the political arena. Governor Burns, Hiram Fong was one of these leaders. He had served as

Dan Boylan and T. Michael Holmes

A Latitude 20 Book
University of Hawai'i Press
Honolulu
Exhibit 27



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stant influence over individual members of the supreme court, the ultimate appointment was theirs to make.

Following Blaisdell's announcement that he would not run for governor in 1966, Burns issued a warning to the five hundred Democratic delegates who had gathered for their convention at the Elks: "Now that the Republicans have lost their strongest candidate, we must guard against rampant complacency. The party that goes cocksure into a campaign often gets knocked off." The big news from the Democratic Convention was that the Purdy had apparently come to grips with the lieutenant governor's race. As Doug Bowtell reported, "Burns said the decision, if it was adhered to, means that Governor John A. Burns and his political lieutenants will make no attempt to deny the nomination to former Congressman Thomas P. Gill."

On 9 June, the public got the first glimpse of a political protest that Governor Burns had been working on when Larry McNamara wrote an article for the *Honolulu Advertiser* under the heading, "Kamania 'Defiant' to Demos." The article described the political metaphorology of the 1968 election. It was the first of a series of articles by Burns. Kenneth B. Brown, son of one of the State's best known Hawaiian families, Kenneth B. Brown Jr, met with Burns at the Waialeale Country Club, where Burns was offered a courtesy membership after he became governor in 1963. Brown was the club president and a respectable golfer. He and Burns developed a close friendship and a close bond over the years. In 1978, Kenneth B. Brown Jr was elected Mayor of Honolulu. Burns continued that he's the most intelligent man I have ever known. This was quite a tribute from a man who had been educated at Punahou, Hockessin, and Princeton.

At his friendship developed, Francis named Brown to stage the Canada Cup matches at Kawarata, Maui, in November 1946. Brown impressed Brown with his handling of the prestigious international golf event. Brown had other attributes that appealed to the governor. Most important, he was post-Hawaiian, a nephew of the well-known sportsman and Republican politician, Francis I. Brown. His grandfather had been John I. one of the first Hawaiians to read and write English. It had become a teacher, historian, superintendent of schools, and member of the Kingdom of Hawaii's house of representatives, house of nobles, and supreme court. Brown hoped that, as his lieutenant governor, Brown could provide that link with the Hawaiian community that he had lost with Bill Richardson's departure.

Governor Burns was also attracted to an almost endless list of

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the endorsement of a Burns-Gill team, emphasizing that he had never opposed Burns as governor. The crusty union leader ended with a quip aimed at a potential Burns-Brown ticket: "There's no sense in having the governor and lieutenant governor both out playing golf." Governor Burns later appeared to accept COPE's endorsement, but made no mention of either Tom Gill or the lieutenant governor's race.

While the AFL-CIO was swallowing hard and enduring Brown's wrath, the ILWU was telling its members to "close ranks" and defeat Tom Gill in the primary. Jack Hall, executive director of the ILWU, told union members that a lieutenant governor should be "willing to subjugate himself to the administration. If the candidate [Gill] is critical, he should run for governor, not lieutenant governor." Jack Hall said that the ILWU was not planning to support any candidate for governor in 1964. The ILWU had told Gill for years to run for governor. But when representatives in 1962 and was prepared to do so again in 1964, Brown and Gill announced that he would run for Fong's seat, the ILWU had gotten behind the candidacy of Nado Yoshinaga in the Democratic primary. While the ILWU found it difficult to generate enthusiasm for Kamy Brown, the union's leaders were quick to denounce Tom Gill.

In his frustration, Governor Burns was making the support of the *Chicago Tribune* a condition of his friendship with Keaney Brown a matter of personal loyalty among his friends. Elmer Cawwello made a public statement that a Burns-Gill ticket might well lose to the anticipated Republican ticket of Burton Crossley and Dr. George Mills. Burns publicly agreed with Cawwello's assessment. In the face of this kind of pronouncement, Tom Gill continued to sound like the ultimate team player. Walter Johnson, the former chairman of the history department at the University of Chicago, editor of the papers of Adlai Stevenson, and distinguished professor of history at the University of Hawaii, spoke of Tom Gill at a rally at a Kiea Lookout, comparing him to the great statesman he had known so well.

Like Adria Stevenson, Tom Gill has a fundamental belief in reason, the possibility of progress, basic optimism, and intellectual curiosity. Again, like Stevenson, Tom Gill is not an aggressive Madison Avenue manufactured type, but instead he is a decent, thoughtful human being who is willing to speak out in an independent fashion.

With one week to go in the primary campaign, Governor Burns left Hawaii for Africa. He went to represent President Lyndon Johnson at the nationhood ceremonies for two small states that had been carved out

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governorship as a stepping stone to the governorship in 1970. He added that he did not expect Burns to run for a third term in 1970.

Over the weekend of 21–22 May 1966, both political parties held their state conventions. Most observers expected the highlight of the Republican Convention to be the announcement by Honolulu Mayor Neal Blaisdell that he would seek the governorship in 1966. But, in a dramatic statement to the assembled delegates, Blaisdell announced that he would not oppose Burns for governor. In his history, *The City and County of Honolulu*, Professor Donald D. Johnson of the University of Hawaii wrote:

For some city and state workers, such a campaign would have created a painful division of loyalties, for many had supported both Blaisdell and Mayor Burns for Governor. Furthermore, department heads and others in the city structure stood to lose their non-civil service and other forms of job security if they were to support the change in the charge of Mayor Cook. Angel Mathews and other political advisors close to Blaisdell therefore argued against the change, contending that the Republicans were merely trying to use the Mayor to strengthen their ticket, which was undoubtedly true. Political writer Doug Bowser made two contemporaneous points about Blaisdell's decision not to run for Governor. First, he noted that "public opinion [in Republican-controlled St. Paul] was not in favor of his going outside the city of Blaisdell." Second, Bowser speculated that those of the Republican ranks who wanted Blaisdell to "ruin" the Republicanism of the city were "ignoring the possibility that Blaisdell himself might attain a defeat."

At age 63, Blaisdell was in the middle of his fourth term as Honorary Mayor. Two years later, in 1968, Blaisdell retired rather than continue another second term. He was replaced by William H. Hargrave, who was also from the Holyoke City Council at the time. Blaisdell explained that Blaisdell left public office because of family pressure. As Lemke speculated, "I guess he said, 'The hell with it.' There was speculation that Burns had helped Blaisdell out of the 1966 governor's race by promising that he would make him a trustee of the Bishop Estate. Lemke said that Blaisdell had had no personal knowledge of such a deal, but he did say that Blaisdell was disappointed when he was passed over as a trustee of the Bishop Estate in 1968 in favor of Burns himself. Hing 1968, Burns was elected to the Bishop's Board of Trustees. Blaisdell was on the board of the Bishop Estate. While Burns undoubtedly had significant influence on the Bishop's Board, Blaisdell was not a member.

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that he preferred Kenny Brown over Tom Gill for lieutenant governor for the following reason, which was reported in the *Honolulu Star-Bulletin*: "When the Governor leaves the State, the Lieutenant Governor becomes acting Governor, with real power. In another state, when this situation arises, the acting Governor called the legislature into special session to investigate the Attorney General." Burns added that he would feel comfortable leaving Hawaii to Kenny Brown to back him up and, by inference, that he would not feel comfortable leaving Tom Gill behind.

In the same issue of the *Star-Bulletin*, an appeal for Party unity by Gill to a group of Kaula Democrats was reported. Gill said:

We won in 1962 with a wide base of support among labor, small business and the great mass of independent voters. . . . Jack Burns and I can produce this same unity in 1966. Between the two of us, we will probably marshal the support of all organized labor in this state. Between the two of us, we can keep in the Democratic fold the often disparate elements of small business, the housewife, the independent white collar workers and the intellectual community.

Yet another story on 20 August revealed that the executive committee of the AFL-CIO's Council on Public Education (COPE) had just voted 3-2 against endorsing Governor Burns in the Democratic primary, citing the bad treatment Burns had given Gill as the reason for the negative vote. Two weeks later, at the AFL-CIO's statewide meeting of COPE, representing some thirty thousand workers, Tom Gill rose to claim the rumbled waters. He told those assembled:

I am deeply appreciative of the warm and strong support so many of you have given to my candidacy. I also am aware of your puzzlement and anxiety over the support my opponent (Kenny Brown) has received from certain groups both within and without the Democratic Party. I know that some of you have expressed indignation at the position of the governor in this matter. But I hope you will not allow this concern to blind you. . . .

No political party can run without a head. The leader of our Party in this election is Governor Burns. I support him for reelection. I will support him after the election.

Art Rutledge spoke after Gill. He reminded the delegates that he had been a member of the screening committee that had voted against Burns' endorsement. Rutledge then announced that he would support support him after the election.

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Council Chairman Herman Lemke, 50; City Councilman Frank Fasi, 48; and Attorney General Bert Kobayashi, 37. Kenny Brown, of course, had not announced his membership in the Democratic Party when the poll was taken, much less announced that he might be a candidate for lieutenant governor.

On July 31, Tom Gill and Kenny Brown shared the platform at the statewide convention of 125 members of the Young Democrats of Hawaii. Gill warned those assembled: "There's a danger that if we stretch our political tent so far as to include too many of the 'Big Muls' they are liable to crowd and trample a lot of the traditional Democratic donkeys. If that should happen, we will not lose our vote base, but we will lose our identity as a Party." *The Honolulu Advertiser* reported that the positive response to Gill's remarks was roughly twice that accorded to Brown for his tribute to Governor Burns.

By 5 August, when Tom Gill made his formal announcement that he was running for Lieutenant Governor, he was ignoring Brown. He now turned on the role of the team players, telling those assembled, "Jack [Burns] and I can produce great things for our people and our State." Gill even tried to carve out a logical role for himself as Burns' assistant governor. Pointing out that roughly one-fifth of the State's \$57 million operating budget came from the federal government, Gill emphasized how much his past experience—in Congress and with the Office of Economic Opportunity—would help the governor. It seemed to make sense—at least on the face of it.

But nothing seemed to make much sense to Governor Burns in the summer of 1966. He had made the same mistake he made in 1959, when he felt that the State of Hawaii should have rewarded him with the governorship. He had worked so hard and achieved so much that the logic of events showed, in his mind, make itself clear to the voters. As Burns told Robert Douglass Bowtell, "I figure when you do a good job, people will know about it." Burns felt that the voters should not only reward him but also thank him. "Burns felt they should allow him to choose his own lieutenant governor. And they should leave less sense to him than having Gill as his running mate." By now the issue had become so emotional that it clouded the governor's judgment and nearly cost him the election.

Like an inexperienced swimmer caught in a rip tide, Burns continued to resist the inevitable. At an August political coffee at the home of University of Hawaii professor A. Leonard Diamond, the governor said

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public organizations with which Kenny Brown was associated, including the American Red Cross, Queens Hospital, chairman, Hellenic Foundation, president, New York City Police Officers Association, Four Seasons Club, director, Francis Yi Lounge, Golf Club, chairman, Hockley Day Club, director, Brown's Stadium Commission, Prince Kallio Hawaiian Civic League, Mayor's Stadium Commission, director, Ulu Manu Village, and president, Hawaiian Professional Corporation. Brown's business interests were equally impressive. In addition to his own architecture firm, Brown has been chairman and president of Pacific Savings & Loan and a director of Amfinc, Hawaiian Airlines, Pacific Network, Inc., Island Holdings, Inc.; Leward Ocean TV Network; Central Alarm Company; Hawaiian Network, Inc.; Olohanas Corp.; and Ainsulu Corp.

B. Brown, the developer and owner of the Holiday Inn Hotel. A 200-million, 286-room hotel under construction at the corner of the Kashiwa and Leveas in Wakabi — was hardly typical of Burns' political associates. Most didn't even know who he was. When Mike Tokuda, a 30-year-old lieutenant, first heard the news from Masao Takahashi in a phone call, his response was, "Who's he? Hiroshi 'Scrub' Takahashi, the governor's principal political lobbyist on the Big Island, is talking about a hotel? What? Why?" Tokuda bowed up, with some embarrassment, having made the same response. When Tanaka called a Hiroshi Takahashi, he was talking about a different Hiroshi Takahashi. "I know my work was cut out for us,"

When Gill was asked his reaction to the possibility of Brown as lieutenant governor's race, his cheerful response was, "Welcome in the water's fine.... [The Brown campaign] will be well loaded with Republican money, trying to beat me." Ten years later, he said, "I suppose we have less gentlemen: 'That was a dumb thing.' They said of Burnside that he promoted Brown at his running mate. 'They couldn't get up' their enthusiasm for Brown.... They couldn't sell him in the booties [nude apparel]."

Hooye, and Cavallo, all of whom had campaigned for Kenny Brown, the paper wrote:

Individually, their following is considerable. Collectively it is massive. But the combined (a) the support of the people who are not yet organized to do so, and (b) the attempt to do so was created by a substantial number of those who want to do so.

Tom Gill . . . never doubted his victory. The Establishment's opposition to him cast him as something of an underdog, a role which he willingly and productively accepted.

He never rocked the boat, he never fought back . . . His campaign was "cool." He was not his usual stringent self.

The Honolulu *Star-Bulletin* pinpointed the beginning of the downward spiral for the Burns organization when it wrote: "In retrospect, things began to go wrong from the Governor's standpoint from the moment Elmer Cavallo turned down the vacancy in the Lieutenant Governor's office six months ago and Humphrey Dunphy never really got put back together again."

Honolulu's two rival union leaders were quick to agree upon a strategy for the general election. Jack Hall, the ILWU chief, warned, "The people had better stick to the Democratic side because everything done by the administration to build a stable economy may go down the drain." Art Rutledge, head of the AFL-CIO's Unity House, came to the same conclusion, but from a vastly different perspective: "Tom Gill has been elected to a partnership in running the Government. Burns has got to make this clear now, the quicker the better."

The ink was still wet on the primary election returns when the Republican standard-bearer for governor, Randolph Crossley, began to throw Governor Burns' primary campaign back at him. "The Governor has made it clear," Crossley intoned, "that he cannot work with Mr. Gill. How can Governor Burns now turn around and say that he can work with him? I don't think the people in this island are that stupid. Burns has made it absolutely apparent to me that he is going to continue to work with Crossley. Crossley is now a member, vice-president, secretary, flower, wheeler, contractor, trading stamp dealer, and owner of a savings and loan association."

Crossley first entered public life in 1945, serving a single term in the territorial house of representatives from Kauai. From 1947 to 1949 he

of South Africa. Botswana and Lesotho. The ostensible reason for sending the governor of Hawaii was that Botswana was Hawaii's antipode—that point which is on the exact opposite side of the planet. With him, Governor Burns took Alfred Laurent, the state director of labor and Dr. James Robinson, director of Operation Crossroads Africa. On his departure, Burns told the press: "I deeply regret only the coincidence that I must be out of the State at a time when I should be here to give all the support I can to the man who must be our next lieutenant governor, Kenneth T. Brown."

Burns did not leave his campaign staff empty-handed. He had made nine one-minute television spots. They presented Burns at his worst: a stiff, unsmiling, complacent aping that he needed a partner, not a competitor, a conservative deputy, not a constant critic. Burns attacked Gill's campaign as "a complete lack of leadership." In his implication that Burns wanted Gill for his lieutenant governor, "This is not true," a strident Burns protested. "Mr. Gill is not my lieutenant governor. It is long before he announced his candidacy." This is known to him. In his 1973 book, *Crash a Wave*, reporter Tom Coffman wrote about how Burns learned the results of the 1966 primary election:

The primary was on Saturday [1 October]. Very early Sunday a *Star-Bulletin* editor placed a call to Burns in Botswana. The telephone operator didn't know how to route the call, so the editor suggested the go through Europe to Cape Town. Finally, she made the connection.

"How did the election come out?" Burns asked from the other side of the world.

The governor was told that he had won, but that Gill had beaten Brown.

Burns asked, "How many votes did I get?"

The answer was 86,000.

"How many did Gill get?"

The answer was 90,000.

There was a long pause, finally broken by a question from the editor.

Burns interrupted, "Would you give me those figures again?"

The Honolulu press got it right. The *Star-Bulletin*, *Crash a Wave*, *Crash a Wave* pointed out on its editorial pages that Gill's victory over Brown, "proved again that political popularity is rarely transferable." Of Burns,

1966 senate. The Democrats still enjoyed a two-thirds majority, the Republicans having reduced the Democratic majority by only one, from 16 to 9 to 15 to 10. The change, however, was far more than the one-seat difference would suggest. That change was geographic. With reapportionment, the state senate had gone from a 15 to 10 neighbor island majority to a 19 to 6 Oahu majority. In the 1966 elections, Oahu members of the state house of representatives had scrambled to move over to the senate, resulting in a decidedly different roster of senators. Governor Burns' influence in the state senate declined, since his greatest strength came from the neighbor islands—yet another by-product of reapportionment. The man who gained the most from this change in geographic distribution was Tom Gill.

When the fifteen senate Democrats attempted to organize themselves, they found themselves split into two factions—the Burns faction, led by Nadeo Yoshinaga who had moved from Maui to Oahu as a result of reapportionment, and the Gill faction, led by Nelson Doi from the Big Island. Each group had seven members. The tiebreaker was George Aiyoshi, who sought to play the role of peacemaker. None of his efforts to resolve the impasse before the legislative session began proved successful and as the 1967 legislative session convened, the majority party was still unable to organize itself. The struggle became so bitter that David McCullough, a member of the Gill faction, even suggested that Republican Hidden Furebe be elected senate president.

Once the senate had convened, the Doi forces attempted a bold move when they tried to replace Burns loyalist Shadow Hirai, the popular clerk of the senate. When it became clear, however, that Hirai had the votes necessary to retain his position, the Doi faction quickly backed off. The attempt to have Hirai removed was ill advised, and not quickly forgotten—or forgiven. The Republican, who held a position to organize in some serious manner, was the D. "Doi." Hill, the chairman of the state senate, commented on the Democratic confusion: "In the thirty-nine years since I became a legislator, I have seen skullduggery and may have been mixed up in some myself, but I've never seen anything like this."

On the second day of the legislative session, in his state of the State message, Burns made no mention of the division within the Democratic Party. Instead, he offered an expanded version of his recent inaugural ad-

dress. The governor also proudly announced that the state government had ended the 1966 fiscal year with a surplus of \$12.8 million, and expected to end the 1967 fiscal year with a \$7 million surplus. "The economic outlook is not as clear-cut as it appeared when we met here a year ago," Burns told the joint session, "although most signs point to continued prosperity and high productivity."

As the senate's organizational struggle continued, Burns' people leaked the name of Kamihua Abe, former Big Island senate president, as a potential candidate for the state supreme court. Burns wanted to reward Abe for having declined the lieutenant governorship in 1966, for having stepped aside in the senate race when it was clear that there were too many neighbor island incumbents fighting for a smaller number of seats, and for having supported Kenneth Brown's candidacy in the primary contest against Gill. The Gill forces were incensed by Abe's reward. As Doug Boswell wrote: "The two men [Burns and Gill] are enveloped in a capsule of bitterness which points toward a crisis for the Democrats in the primary election of 1970. . . . Many Democrats believe Burns now has no choice but to run for a third term in 1970 as a means of blocking Gill's drive for the State's top elective post."

On 24 February, the senate finally organized itself. The compromise candidate for senate president—the spot Doi had sought—was John Hui, a member of the Burns wing of the party who was best known for his advocacy of a state-operated interisland ferry. Ways and Means, the post covered by Yoshinaga—went to Vincent Kahi, a member of the Gill wing of the party. In an apparent effort to avoid a tie, the senate chose Burns, John Chikunaga, and the chairman of the Judiciary Committee. With three appointments to the supreme court coming up during the session, the senate's appointments would be crucial to the success of the governor's appointments.

One month into the legislative session, Governor Burns decided he needed a legislative liaison, a role Bill Richardson had frequently played for him as lieutenant governor. Gill had suggested the post for himself, but Burns ignored the suggestion. Instead, he decided to use Myron "Pinky" Thompson who had been appointed to the cabinet-level post of director of administration. Thompson filled the position which had been vacated by Bill Norwood in July 1966 when he became the high commissioner of the trust territory of the Pacific. Tom Gill's first reaction to Thompson's appointment was positive:

during his first term, focusing upon familiar themes: education; full employment; the development of new industries, "in particular, those oriented to ocean sciences"; preservation of Hawaii's natural beauty; the creation of new recreational opportunities; and, finally, the theme of Pan-Pacific leadership, announcing a joint state-federal Pacific Conference on the Problems of Urban Growth for May 1967.

Gill's inaugural address contrasted markedly. He sounded like a man who had just been elected with a mandate to clean up the mess he had inherited from his defeated opponent:

We can no longer escape a serious and broad assault on the widely proliferating problems of urban life. Pollution of our air and water; traffic snarls, . . . shrinking recreation areas, and the menacing fuel of cancer present planning mechanism—all of these and more run like cancer through our metropolitan complex.

Gill then continued with words that seemed to be aimed directly at Governor Burns: "But the worst of all would be to let the government's planning be a mere facade." "We have had a long time for editors and auditors to doled and secretly reviewed; we have no use for those who view public office as the road to private gain."

While Gill made no specific accusations, his friends from the AFL-CIO Council on Political Education (COPE) were raising serious questions about a land deal that had been consummated by a company called Ethereal, Inc. COPE charged that Ethereal had purchased land from the Oahu Sugar Company in Waiipahi in 1965 which included a private park—Hans L'Orange Park—that had been maintained by the company for many years for the benefit of its employees and other residents in the area. During the 1966 session of the legislature, COPE charged, Senator Nadeo Yoshinaga, Ethereal's vice president, had introduced a bill allocating \$105,000 for the State to acquire the park, money that would go directly into the pockets of Yoshinaga and three other Burns loyalists who were principals in Ethereal. Masao "Punchy" Yokouchi, president of Ethereal and Burns-appointed chairman of the Hawaii Foundation on Culture and the Arts, appointed Shadow Hirai, treasurer of Ethereal, to chair the same Japanese-U.S. Friendship Commission from Honolulu. The charges hung like a cloud over the impending organization of the Hawaii state senate.

On the surface, the state senate in 1967 looked very much like the

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HOUSE OF REPRESENTATIVES

of the

TWENTY-FOURTH LEGISLATURE STATE OF HAWAII

REGULAR SESSION OF 2007

Convened Wednesday, January 17, 2007
Adjourned Thursday, May 3, 2007

JACK BURNS MEANT IT when he told Tom Gill that there would be no Burns-Gill administration. The new lieutenant governor, learned quickly that he was not in the "partnership" Art Rutledge had proclaimed in October 1966. Any chance that partnership might have had ended with Gill's very first public exposure as lieutenant governor. Burns asked Gill to name the grand prize of food prices in Hawaii. Burns was looking for something to bait Randolph Crossley's attack on his administration for the state excise tax on food. Gill turned this campaign assignment into his first job as lieutenant governor. In a revealing reminiscence, Tom Gill discussed his approach to the matter:

We put together a pretty good committee and held quite a few hearings. I guess we got more publicity out of it than I should have. And we refused the report to the legislature and to the media at the time. But I think that was a mistake. But I think I have given it to [Burns] first, even though he said nothing about it.

The 177-page food price report Gill released on 15 March 1967 was an outstanding analysis of the subject—thorough, analytical, and based upon significant community participation. But it was received by the public as a powerful statement by Tom Gill rather than an initiative of the Burns administration.

Few doubted that a contest between the two men had begun. When Burns and Gill were inaugurated on 3 December 1966, neither mentioned the other in his inaugural message. In his speech, Burns pointed forward to a continuation of the progress his administration had made

% New Voters Between Proposed Map and Alternative Map

	2/27 Proposed Map New Voter Percentage	Alternative Map New Voter Percentage
Overall District Average	33.3	22.2
Calvin Say's Faction	24.9	22.3
Opposition Faction	52.0	22.3
Republicans	32.3	21.5

District	Incumbent	%New Pop	%Alt New Pop
18 Hashem		30.8	34
20 Say		12.6	17.1
24 Choy		21.6	9.9
26 Rhoads		39.9	22.9
28 Mizuno		9.9	2.8
29 Manahan		57.6	4.8
32 Ichiyama		3.9	7
33 Giuni		38.8	29.1
36 M Lee		7.3	15.5
37 Yamane		36.4	41.9
38 Aquino		17.1	17.6
39 Cullen		45.3	51.6
41 Cabanilla		44.8	41.9
42 Har		0	0
43 Awana		9	6.4
44 Jordan		5.7	4.2
46 Oshiro		10.9	10.5
48 Chong		62.1	69.4
49 Ito		18.8	37.6
51 Lee		27.5	21.2
21 Nishimoto		41.8	48
22 Brower		19.3	21.7
23 Saiki		48.8	25.7
23 Belatti		84.2	13.2
47 Wooley		59.9	30.7
33 Takai		68.4	17
35 Takumi		59.7	15.4
25 Luke		58.1	8.1
50 Theilen		10.1	6.3
47 Riviere		40.1	1.8
41 Pine		55.2	58.1
31 Johanson		12.3	0
27 Ching		39.4	11.4
18 Marumoto		69.2	66
17 Ward		0	7

Exhibit 29

New Population By Incumbent District 2/27/12 Proposed Reapportionment Plan

District	Incumbent	Target Pop	Actual Pop	% Deviation	New Pop	% New Pop
42 Har		24188	25280	4.51	0	0.0%
32 Ichiyama		24188	23006	-4.89	902	3.9%
44 Jordan		24188	25219	4.26	1435	5.7%
36 M Lee		24188	25209	4.22	1852	7.3%
43 Awana		24188	25373	4.90	2282	9.0%
28 Mizuno		24188	23472	-2.96	2327	9.9%
46 Oshiro		24188	25034	3.50	2735	10.9%
20 Say		24188	23872	-1.31	2996	12.6%
38 Aquino		24188	25190	4.14	4297	17.1%
49 Ito		24188	24738	2.27	4653	18.8%
22 Brower		24188	23687	-2.07	4583	19.3%
24 Choy		24188	23395	-3.28	5054	21.6%
51 Lee		24188	24023	-0.68	6610	27.5%
18 Hashem		24188	23382	-3.33	7203	30.8%
37 Yamane		24188	25128	3.89	9140	36.4%
33 Giuni		24188	23495	-2.87	9114	38.8%
26 Rhoads		24188	22970	-5.04	9158	39.9%
21 Nishimoto		24188	23090	-4.54	9657	41.8%
41 Cabanilla		24188	25217	4.25	11296	44.8%
39 Cullen		24188	24975	3.25	11304	45.3%
23 Saiki		24188	23185	-2.15	11924	48.8%
29 Manahan		24188	23346	-3.48	13442	57.6%
25 Luke		24188	23440	-3.09	13628	58.1%
35 Takumi		24188	24076	-0.46	14384	59.7%
47 Wooley		24188	25340	4.70	15189	59.9%
48 Chong		24188	25302	4.61	15715	62.1%
33 Takai		24188	23495	-2.87	16061	68.4%
23 Belatti		24188	23985	-1.15	16530	84.2%

Exhibit 31

New Population By Incumbent District Alternative Reapportionment Plan

District	Incumbent	Target Pop	Actual Pop	% Deviation	New Pop	% New Pop
42 Har		24188	24662	1.96	0	0.0%
29 Mizuno		24188	22988	-4.96	636	2.8%
45 Jordan		24188	24822	2.62	1042	4.2%
28 Manahan		24188	24744	2.30	1182	4.8%
44 Awana		24188	25100	3.77	1612	6.4%
31 Ichiyama		24188	23849	-1.40	1680	7.0%
26 Luke		24188	24406	0.90	1669	8.1%
21 Choy		24188	24486	1.23	2428	9.9%
39 Oshiro		24188	23178	-4.18	2437	10.5%
25 Belatti		24188	24155	-0.14	3004	13.2%
34 Takumi		24188	23623	-2.34	3637	15.4%
38 M Lee		24188	23971	-0.90	3704	15.5%
33 Takai		24188	23683	-2.09	4031	17.0%
20 Say		24188	25168	4.05	4292	17.1%
35 Aquino		24188	25348	4.80	4455	17.6%
51 Lee		24188	23363	-3.41	4947	21.2%
22 Brower		24188	24639	2.07	5054	21.6%
24 Rhoads		24188	24553	1.51	5619	22.9%
22 Saiki		24188	25303	4.61	6497	25.7%
32 Giuni		24188	23617	-2.36	6882	29.1%
47 Wooley		24188	23124	-4.40	7088	30.7%
18 Hashem		24188	25212	4.23	8580	34.0%
49 Ito		24188	23005	-4.89	8656	37.6%
37 Yamane		24188	24940	3.11	10454	41.9%
43 Cabanilla		24188	25359	4.84	10631	41.9%
19 Nishimoto		24188	25215	4.25	12086	48.0%
41 Cullen		24188	24595	1.68	12695	51.6%
48 Chong		24188	23065	-4.64	16000	69.4%

Exhibit 32

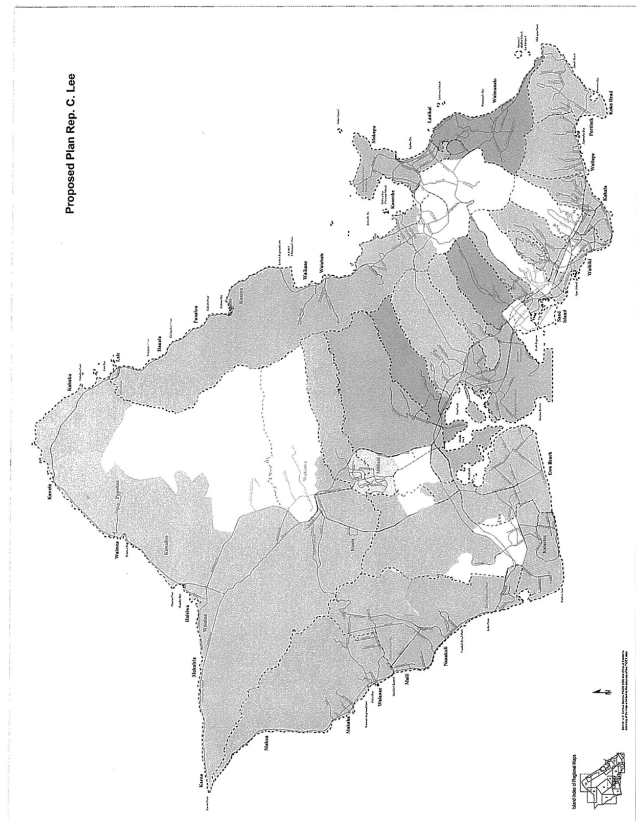


Exhibit 30

EXISTING DISTRICT 26-NUUANU & PUNCHBOWL

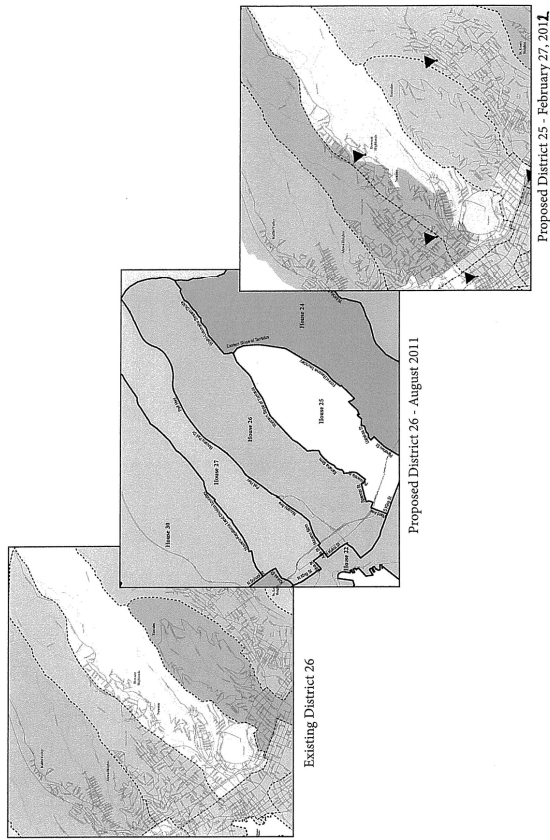


Exhibit 33-A

EXISTING DISTRICT 34-NEWTOWN, WAIKUA, PEARL CITY, WAIMALU

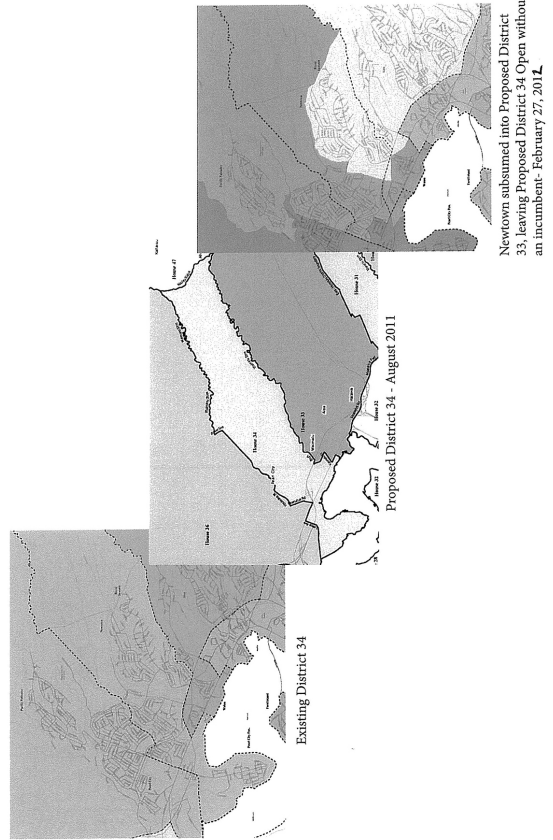


Exhibit 33-C

EXISTING DISTRICT 25-MAKIKI, TANTALUS, MCCULLY

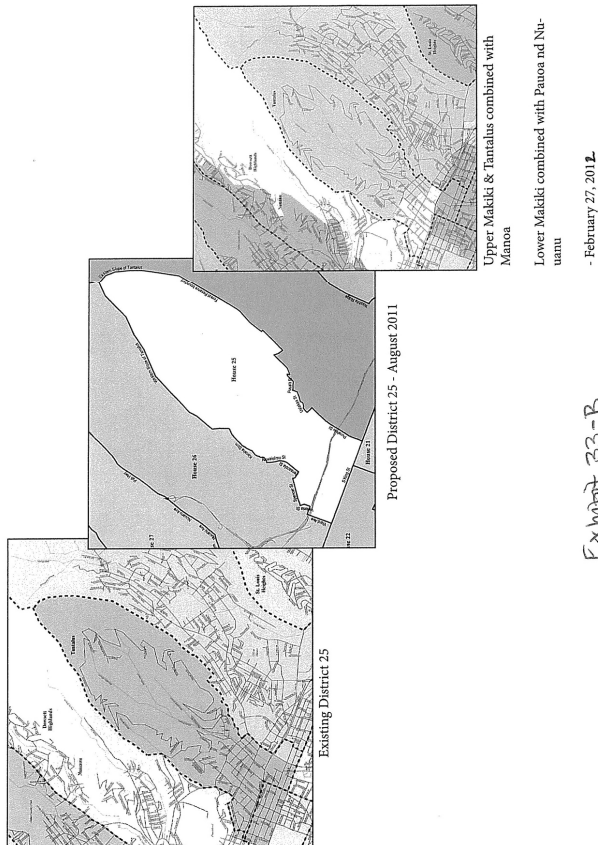


Exhibit 33-B

House District Population Deviations (February 27, 2012)

District Number	District Population	State Target Population	Island Target Population	State Target Deviation	Island Target Deviation	State Target Deviation %	Island Target Deviation %
1	26,553	24,540	26,228	2,013	325	8.20	1.24
2	26,627	24,540	26,228	2,087	576	8.53	2.20
3	25,935	24,540	26,228	1,395	-293	5.68	-1.12
4	26,990	24,540	26,228	2,450	762	9.98	2.93
5	27,129	24,540	26,228	2,589	901	10.55	3.44
6	25,239	24,540	26,228	699	-989	2.85	-3.77
7	26,098	24,540	26,228	1,558	-130	6.35	-0.50
8	26,857	24,540	25,757	2,317	1,100	9.44	4.27
9	26,976	24,540	25,757	2,436	1,219	9.93	4.73
10	24,541	24,540	25,757	1	-1,216	0.00	-4.72
11	24,705	24,540	25,757	165	-1,052	0.67	-4.08
12	25,509	24,540	25,757	969	-248	3.95	-0.96
13	25,956	24,540	25,757	1,416	199	5.77	0.77
14	22,718	24,540	22,268	-822	-450	-3.32	-2.02
15	21,835	24,540	22,268	-2,705	-433	-11.02	-1.94
16	22,252	24,540	22,268	-2,288	10	-9.31	-0.07
17	23,468	24,540	24,188	-1,072	-720	-4.37	-2.98
18	23,827	24,540	24,188	-713	-366	-2.87	-1.50
19	23,064	24,540	24,188	-1,476	-1,124	-6.01	-4.65
20	23,822	24,540	24,188	-718	-316	-2.89	-1.29
21	23,090	24,540	24,188	-1,450	-1,098	-5.91	-4.54
22	23,687	24,540	24,188	-853	-501	-3.48	-2.07
23	23,185	24,540	24,188	-1,355	-1,003	-5.52	-4.15
24	23,395	24,540	24,188	-1,145	-793	-4.67	-3.25
25	23,440	24,540	24,188	-1,100	-748	-4.48	-3.09
26	23,701	24,540	24,188	-839	-1,218	-3.40	-5.00
27	23,089	24,540	24,188	-1,451	-1,099	-5.91	-4.54
28	23,472	24,540	24,188	-1,068	-716	-4.35	-2.96
29	23,346	24,540	24,188	-1,194	-842	-4.87	-3.48
30	23,328	24,540	24,188	-1,212	-796	-4.96	-3.29
31	23,960	24,540	24,188	-580	-228	-2.36	-0.94
32	23,068	24,540	24,188	-1,472	-1,183	-6.02	-4.88
33	23,495	24,540	24,188	-1,045	-693	-4.26	-2.87
34	25,101	24,540	24,188	561	393	2.29	1.62
35	24,076	24,540	24,188	-464	-112	-1.89	-0.46
36	23,259	24,540	24,188	-1,281	-939	-5.23	-3.87
37	25,128	24,540	24,188	588	940	2.40	3.89
38	26,120	24,540	24,188	1,580	1,002	6.44	4.14
39	24,975	24,540	24,188	435	787	1.77	3.25
40	25,239	24,540	24,188	699	1,051	2.85	4.33
41	25,217	24,540	24,188	677	1,029	2.76	4.25
42	25,230	24,540	24,188	690	1,042	2.82	4.31
43	25,373	24,540	24,188	833	1,185	3.39	4.90
44	25,313	24,540	24,188	773	1,125	3.15	4.64
45	24,334	24,540	24,188	-206	-146	-0.84	-0.60
46	25,313	24,540	24,188	773	1,125	3.15	4.64
47	25,340	24,540	24,188	800	1,152	3.26	4.76
48	25,340	24,540	24,188	800	1,152	3.26	4.76
49	24,738	24,540	24,188	198	550	0.81	2.27
50	24,498	24,540	24,188	-42	310	-0.17	1.28
51	24,023	24,540	24,188	-517	-165	-2.11	-0.68

Exhibit 34

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2401, HD 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

At 10:39 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2789, HD 1
H.B. No. 2790, HD 1
H.B. No. 1754, HD 1
H.B. No. 1756, HD 1
H.B. No. 2251
H.B. No. 1755, HD 2
H.B. No. 2401, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 776-12) recommending that H.B. No. 2007, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2007, HD 1, pass Third Reading, seconded by Representative Evans.

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

Representative Morikawa's written remarks are as follows:

"I feel that this bill would hurt our current education system, because it would limit the current flexibility our schools have in providing the best education possible for our *keiki*. Each individual school should be able to set forth its own independent bell schedule that will optimize its ability to provide the best possible education to the community. Additionally this legislation will interfere with our teachers' collective bargaining process as it has the potential to change the amount of instructional time a teacher is required to work. If changes were made to a teacher's instructional time, compensation would need to be provided under collective bargaining agreements. I feel it is unwise for the Legislature to interfere with the union process."

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

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

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2007, Relating to Instructional Time in Public Schools. I understand the desire to standardize instructional time across the State, but I do have reservations about the kind of standardization proposed in this bill because it does not take into account certain intra-school and inter-school dynamics. This bill may limit schools' flexibility and adversely impact the progress and achievements they are making.

"We have many successful schools across the State that are meeting AYP and continue to have positive educational developments; I am concerned that standardization might adversely impact these high-performing schools. I do think it is a worthy intent to try and ensure that students all across Hawaii have the same amount of instructional time, but I am unsure that this is the most ideal way to accomplish this end. For these reasons I support this measure with reservations."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on H.B. 2007-Relating to Instructional Time. This bill requires the Department of Education to devise four bell schedules each for elementary, middle, and high schools, except for charter schools and public multi-track schools. It repeals the general requirement that all public schools except charter schools and multi-track public schools include one thousand eighty student instructional hours for the 2016-2018 school years.

"While H.B. 2007 seems to improve education in Hawaii, there are concerns that a standardized schedule would not allow for the necessary flexibility of schools and their specific needs or students. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with reservations. I appreciate the intent of the measure. I think there are just a couple concerns that just need to be worked out. Thank you."

Representative Nakashima 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 Nakashima's written remarks are as follows:

"I am concerned that this attempt at micro-managing the public school system by the Legislature would have unintended effects on small rural communities where things such as bus schedules and the need to feed multiple grade levels at a single cafeteria must be considered. I do not see the reason why these schools would be required to request an exemption if the purpose of standardizing bell schedules is because of concerns regarding the great disparity in the amount of school instructional hours."

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

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

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

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

"Thank you, very much. In support. Mr. Speaker, this bill is part and parcel of this whole attempt to reform the educational system, and I think it also segues very nicely into what we did in 2010. For Members who were here in 2010, if you recall in 2009, the collective bargaining agreement among the stakeholders at that time resulted in 17 furlough days for our public school students, resulting in the shortest school year in the country. That item was bargained previously, as we all know. In 2010, during that Session, we passed a law that mandated 1080 instructional days that passed both the House and the Senate unanimously, because we believed, and I'm glad we believe, that as a matter of State policy there should be a minimum of instructional days for our students.

"This bill, Mr. Speaker, seeks to do the same. What the bill attempts to do is to say for every grade level, the Department shall develop 4 different bell schedules from which schools can select what best meets their needs. Again, waivers can be gotten if they appeal to the Board, but 4 different bell schedules. Why is this a problem, Mr. Speaker? It's a problem because

there are dozens and dozens of bell schedules in our current system and it has resulted in the following anomalies.

"At the high school level, Mr. Speaker, the lowest and the highest school in terms of instructional hours varies by as much as 6 hours per week, which is the equivalent of 7 weeks of extra time for those students in that are at the high end, or 7 weeks less at the low end. Similarly at the middle school, it's 4 hours or the equivalent of 5 weeks. And more important and more dramatically at the elementary school level, the difference is 9 hours. Let me repeat that. From the lowest, the fewest number of instructional hours in an elementary school in our State system, to the highest number of instructional hours, we're talking about seat time, classroom time. It is 9 hours, or the equivalent of 10 weeks.

"Now put yourself in the seat of that student, Mr. Speaker. Or the parent of that student. And you tell me, if a parent has a child in the school and that parent knew in that particular school, her child was getting 10 weeks fewer instructional time than the student down the road, what do you think the reaction of that parent would be? Now perhaps that student cannot speak for herself, but I daresay, Mr. Speaker, when that student does become aware of that fact that she is getting shortchanged on instructional hours, I suspect I know what that answer will be. Thank you, Mr. Speaker."

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

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Honorable Speaker, I am opposed to this measure that has the Legislature interfering with what should be a decision by the Governor-appointed Board of Education and the Department of Education. The Legislature has no business mandating four "one-size-fits-all" bell schedules for elementary, middle, and high schools without taking into account the local circumstances that go into fashioning the bell schedules currently in effect in our public schools. For example, on Maui, elementary, middle and high schools have been built along the same roadways. Different bell schedules may be required simply to ensure that younger children can be transported safely to and from school.

"This bill also backtracks further on the commitment the Legislature made to make sure that Hawaii no longer has one of the shortest school years in the country by apparently repealing the general requirement that all public schools, except charter and multi-track public schools, include one thousand and eighty (1080) student instructional hours.

"A systemwide standardization of bell schedules is micromanaging the Department of Education regarding in-school operations and seems to be another instance of simply blaming teachers for dysfunctions within our education system. A top-down mandate from the Legislature does not allow for the unique needs of each school regarding enrollment size, and campus size, and local circumstances, and effectively substitutes the judgment of politicians for educators, parents and local officials.

"Further, I am leery of bills that appear to be simply aimed at leveraging one party or another on collective bargaining issues."

Representative Cullen 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 H.B. No. 2007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," passed Third Reading by a vote of 39 ayes to 12 noes, with Representatives Chang, Choy, Cullen, Hanohano, Har, Ichiyama, Kawakami, Keith-Agaran, McKelvey, Morikawa, Takai and Tokioka voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 780-12) recommending that H.B. No. 2816, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2816, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I just wanted to request a possible conflict of interest. My child attends Le Jardin," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 781-12) recommending that H.B. No. 1683, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1683, HD 1, pass Third Reading, seconded by Representative Evans.

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

"At first I'd like to ask for a potential conflict ruling. I have a grandson that could be affected by the elimination of junior kindergarten," and the Chair ruled, "no conflict."

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

"Thank you. Mr. Speaker, I'm voting against the bill, because we can't guarantee at this point that House Bill 2519 will ultimately pass both Bodies. If it does, then okay, provided that the task force develops the early learning solution so we don't have a gap where some of the children fall through that gap."

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

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

Representative Morikawa's written remarks are as follows:

"This bill eliminates the Junior Kindergarten Program from Hawaii's schools. I support this measure, but offer concerns over a demographic of children that will be displaced due to this legislation. Late born children, children who are born in the latter months of the year, that enter kindergarten without being benefited by a pre-kindergarten program will be developmentally behind their peers. It should be noted that the needs of these late born children need to be addressed when eliminating the Junior Kindergarten Program. Further, it would be pre-mature to eliminate this program if the other initiative of early childhood learning is not implemented."

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

Representative Cullen 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 Cullen's written remarks are as follows:

"Mr. Speaker, I vote with reservations on this measure because I believe that it would deprive *keiki* statewide of the opportunity to attend junior kindergarten for foundational and preliminary education."

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

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

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

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in opposition. This measure, if passed, will eliminate Junior Kindergarten in our public school system. As a replacement an early learning council will be established and attached to the Department of Education for administrative purposes. Instead of creating another program within the DOE an alternative could be to provide the support needed to the existing program. Our *keiki* must not be compromised. Junior Kindergarten programs have proven successful in transitioning youth into kindergarten and then elementary school. Because funding sources come through various venues, early learning programs already exist in the Department of Health, Department of Human Services, as well as programs offered through many non-profit organizations in the area of early learning. For these reasons, I stand in opposition. Thank you, Mr. Speaker."

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

Representative Takai 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 H.B. No. 1683, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUNIOR KINDERGARTEN," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Awana, Hanohano, Souki and Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 782-12) recommending that H.B. No. 2106, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2106, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FUNDS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 783-12) recommending that H.B. No. 2527, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2527, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I would like to speak in opposition because I believe a measure like this should be done through collective bargaining and not through legislation. I would probably not be too opposed to this bill if it came from the Board of Education. But it seems that the Board of Education is relying on the Legislature, again, to do its work. Until they can begin to take a more positive role in initiating legislation and recommendations to this Body, I will be continually opposing bills like this.

"I opposed the bill last Session when we had the vote, the constitutional change providing that the Governor will appoint rather than having duly elected representatives. I believe to some extent my prediction is coming true. I would hope not, but it is. Again, the Legislature is doing the kind of work that they should be doing, or the one on the 5th Floor.

"So Members, because of this and because I think it should be a collective bargaining item, and because the Board has not been taking an active role in the kind of legislation they want, I will continue to vote against measures like this. Thank you, very much."

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

Representative Morikawa's written remarks are as follows:

"While I agree we need to manage the performance of our educators, I feel that this bill improperly addresses this need. Performance management, under this bill, will affect compensation, employment, and "merit pay" and should be addressed under the collective bargaining process and not legislated. Our educators need to be represented when creating an evaluation program that measures their success in the classroom. This is why we have the collective bargaining process between our teachers and the State. If we are to properly gauge the effectiveness of our educators and to create incentives for exceptional work, this must be done through coordination between the educators and the State and not through legislation such as this."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise with reservations on HB 2527, Relating to Teacher Evaluations. While I do support the principle and concept of teacher evaluations for support and development purposes, as I know that most educators desire and appreciate some form of constructive feedback, I am concerned that the procedures for teacher evaluations set forth in this measure may not be successfully implemented. The Department of Education has experienced considerable challenges in implementing the current teacher and principal evaluations. I also have concerns on how fair and accurate the evaluations will be. The evaluation procedures should be arrived at through the collective bargaining process rather than instituted in statute.

"Again, this measure is underpinned by a worthy intent and good principles, but the details of implementations give me considerable pause. While I do not wish to jeopardize our Race to the Top funding, I also want to avoid implementing a non-pragmatic solution for a one-time financial gain. For these reasons I am voting with reservations on this measure."

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

"Thank you, Mr. Speaker. In opposition. I am concerned because the underlying law here, that this legislation is based on what has been passed by the Legislature many years ago, and has to this date, not yet been implemented. To add additional requirements to this legislation so that the Department can continue to ignore the public policy set by the Legislature, I don't believe, is prudent. If we are going to help to resolve this problem, perhaps we have to be more prescriptive than to just allow additional things to be hung on this legislation. May I have permission to add additional comments?"

Representative Nakashima's written remarks are as follows:

"It is not a question of collective bargaining, but rather a question of accountability. There is no working system for accountability in State government for the policies set forth by the Legislature. As we quickly approach the tenth anniversary of Act 51 (2004), principals have realized the benefit of increased salaries—in some cases exceeding those of the

State Superintendent—but are yet to be held to any form of accountability or standard of performance to justify their generous salaries.

"We celebrate the fictional achievement of yearly progress however we do not know if our children are truly better prepared for the new challenges and needs of a changing society. Our school system blindly puts inordinate emphasis on math and English at the expense of creativity and the arts. The public school system gives great emphasis on passing a test which is a high stakes game for everyone except the student. This is not a comparison of student progress, but rather a measure of how students in a particular grade improve over time. There is no incentive or real consequence to the student for doing well in this instrument and none of these addresses the fact that a leading indicator of student success is socio-economic status.

"If the Legislature truly wants to address school performance, then we have the opportunity to take this legislation a step further and prescribe the standard of expectations and performance that we expect from our employees."

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

"Thank you, Mr. Speaker. I also rise with reservations. The issue of tenure is currently an item that is under collective bargaining and it should remain as a collective bargaining portion. Thank you."

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I oppose HB 2527 HD2 which has the Legislature encroaching into a collective bargaining matter and is another bill that has this Legislature apparently siding with the present Governor and his appointed Board of Education against Hawaii's teachers in their ongoing contract dispute. I support improving public education and making sure that our children have the best possible opportunity to get a quality education. I do not support simply hammering Hawaii's educators in the midst of a collective bargaining dispute.

"The bill supposedly improves the public education system by having the Department of Education establish a performance management program, and having newly hired teachers of the Department serve a minimum three year probationary period.

"The voters of this State decided two years ago to make the Board of Education into an appointed board. While now appointed, the BOE remains the policy maker for Hawaii's public educational system and the Legislature should be cautious in interfering in policy areas that should be the BOE's *kuleana*. I am also concerned that a State mandated performance evaluation will do little to promote effective teaching and better learning without the State also including complementary professional development programs for our teachers, classroom support, and adequate funding.

"Additionally, to have new teachers serve a three year probationary period—as opposed to the present two years in the present teachers contract—prior to obtaining tenure certainly should be addressed as part of the ongoing collective bargaining negotiations.

"The handling of this proposal has been short-sighted for two reasons. This bill, as original proposed, feeds the insecurity and deep resentment that local teachers are feeling about the current Administration, the Board of Education, the DOE and could lead to concerns about whether the Legislature also thinks of teachers as just convenient whipping boys and girls. Ultimately, devaluing Hawaii's teaching force will end up harming Hawaii's children.

"I hope that this measure does not have broader effect of undermining workers' rights. I am concerned that undermining the job security, working conditions, and wages of one group of workers, makes it easier

for employers—including public employers—to undermine them for all workers. This is why, during the Depression, many unemployed people organized in support of workers on strike. Workers then believed in the concept of solidarity — the idea that working people could only progress if they did so together, and if one group of workers improved their conditions, it would ultimately improve conditions for all.

"For these reasons and concerns, I am casting a NO vote on this measure."

Representative McKelvey rose in opposition to the measure and asked that the remarks of Representatives Nakashima and Souki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Thank you very much, Mr. Speaker. In support. Let me just remind some of our colleagues that talk about whether or not this should be bargaining or not, I think we all know the whole issue of teacher evaluation has been in statute, Mr. Speaker, for several decades. So this is something that just expands upon that statute.

"Secondly the whole issue of tenure. Tenure was in law until 2008. So for those who say that should be bargained, I don't recall anyone introducing a bill prior to 2008 repealing the law saying that should be a bargainable item. And by the way, Mr. Speaker. When it did become a negotiable item, tenure went from two years to one year. There are very, very few states that have a one-year tenure. In fact, I don't know of any. The vast majority of states have teachers on probation anywhere from three to six years before they get tenure. This bill would put that tenure provision back into law and increase the probationary period from two to three years.

"I think it's also safe to say it's a work in progress. If you look at the current collective bargaining process that's ongoing between the teacher's union and the Administration, it's still currently in limbo. And whether or not this legislation will be necessary by the end of Session remains to be seen. I'm going to be hopeful that the parties will get back to the bargaining table in good faith and iron some of these issues out.

"But let me just say one more point about what should we bargain and not. When we passed out Act 51 in 2004, for those of us who remember that time, we put into statute that there should be School Community Councils. If you recall, School Community Based Management Teams were a bargainable item. That a certain number of teachers at every given school, two-thirds, had to agree whether or not to have an SCBM at their school. The law was passed 10 years later, and 10% of our schools had no SCBM, because they could not reach that threshold of teachers to agree to an SCBM. Again as a matter of public policy, we decided in this Body, that every school ought to have a community based volunteer board to determine some of the academic and fiscal destiny of each school. That was put in to law. The teachers' union, at that time opposed that, saying that should be a bargainable item.

"And my last point. A small point, but a significant one. We have taken items that were bargained in the past, and put them into law. And taken items that were in statute and put it onto the bargaining table. Let me give you one example. National Board Certified Teachers, Mr. Speaker. National Board Certified Teachers in our State get a \$5,000 bonus. That was negotiated in the past. In 2004 we decided that issue is so important, that certification is so valuable that it should be a matter of law. And it currently is in law, that every teacher who achieves that certification, deserves, and rightfully so, that \$5,000 bonus. The union at that time, or any of our colleagues, has not objected to taking that from a previously negotiated item and putting into law. Thank you, Mr. Speaker."

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

"I'm standing in support, Mr. Speaker. This bill attempts to pay teachers according to performance. I think in the private sector, as well as in the corporate world, those people are paid according to performance. I welcome bills such as this, because the way we are with our school

students' performance, we ought to try other means to improve that. I think paying teachers on performance pay is something that should be discussed and it should be voted on. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative Nakashima be entered into the Journal as her 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 Committee was adopted and H.B. No. 2527, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 34 ayes to 17 noes, with Representatives Aquino, Carroll, Choy, Cullen, Hanohano, Kawakami, Keith-Agaran, C. Lee, McKelvey, Morikawa, Nakashima, Nishimoto, Saiki, Souki, Takai, Wooley and Yamane voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 784-12) recommending that H.B. No. 2143, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2143, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 785-12) recommending that H.B. No. 755, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 755, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 755, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 51 ayes.

At 10:59 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2007, HD 1
H.B. No. 2816, HD 1
H.B. No. 1683, HD 1
H.B. No. 2106, HD 1
H.B. No. 2527, HD 2
H.B. No. 2143
H.B. No. 755, HD 3

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 786-12) recommending that H.B. No. 1398, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1398, HD 1, pass Third Reading, seconded by Representative Evans.

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

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

"Mr. Speaker, likewise, I have reservations. I'm not quite convinced that a blanket exemption is called for, for the procurement process. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1398, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Hanohano voting no, and with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 787-12) recommending that H.B. No. 2302, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2302, HD 2, pass Third Reading, seconded by Representative Evans.

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

Representative Morikawa's written remarks are as follows:

"I do not agree with exempting from civil service, employees who are hired to repair and maintain vacant housing units, and employees who are hired to perform planning, design, engineering or processing work for State or county capital improvement projects. I strongly support the renovation of public housing, but question why recruitment for these positions is unsuccessful. I am very familiar with the recruitment process and know that it is a fair and honest process and with the recent computerization, is a lot faster. Further, I question if the employer has provided adequate justification to exempt the types of employment that have customarily and historically been performed by civil service employees.

"The Hawaii Government Employees Association (HGEA) submitted testimony that I agree with and it reads, "As written, this legislation is in stark and direct contrast to the intent of Act 253, SLH 2000, and Act 300, SLH 2006, which require the Director of the Department of Human Resources Development to review exempt positions and determine whether the positions should remain exempt permanently or convert the position to civil service. It also usurps the result of S.B. 1090, introduced in the 2011 Session, in which the Employer and the Union mutually agreed to collaboratively identify and facilitate conversion of exempt positions throughout the executive branch." If an exempt position is converted to a permanent position, that position wasn't recruited through the civil service process and thereby that employee may not have met the requirements to be a permanent employee. At the County level, I have hired people with the same computer program as the State, so I know how fast you can get people hired."

Representative Aquino 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 H.B. No. 2302, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Third Reading by a vote of 41 ayes to 9 noes, with Representatives Belatti, Hanohano, C. Lee, Luke, Morikawa, Rhoads, Saiki, Takumi and Wooley voting no, and with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 789-12) recommending that H.B. No. 2819, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2819, HD 1, pass Third Reading, seconded by Representative Evans.

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

Representative Hanohano 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 H.B. No. 2819, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 790-12) recommending that H.B. No. 1972, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1972, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 791-12) recommending that H.B. No. 2339, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2339, HD 2, pass Third Reading, seconded by Representative Evans.

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

Representative Belatti 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 H.B. No. 2339, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 793-12) recommending that H.B. No. 2345, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2345, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm standing in strong support of HB 2345, HD 1, the issuance of a Special Purpose Revenue Bonds to assist the St. Francis Healthcare System. St. Francis has been healing the people of Hawaii since 1883. It's a way for them to know that we have not forgotten what they've done. We're sad about the loss of HMC, and we're hoping though that we can explore measures that we can still be in service to the people Hawaii. Additional written comments. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of HB 2345 HD1, Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii."

"Mr. Speaker, I would first like to say thank you to all of my colleagues who are making it possible to issue these special purpose revenue bonds for St. Francis Healthcare System. This bill will assist St. Francis Healthcare System of Hawaii to finance the construction, improvement, and equipment of its healthcare facilities."

"As we've all seen recently, the healthcare system in Hawaii is struggling. When this particular industry struggles, people can lose their lives. That's why HB 2345 HD1 is so important; not only the people of this state, but to institutions like the St. Francis Healthcare System of Hawaii."

"Since 1883 St. Francis has been healing the people of Hawaii. By helping St. Francis reinvest in their operations, we can show that we are taking action to improve the quality and access of their healthcare."

"Healthy communities are strong communities, Mr. Speaker. That's the ultimate goal in aiding the healthcare community to create a stronger, healthier community for us all. These special purpose revenue bonds will reinforce Hawaii's commitment to St. Francis, and all that they do. In return, St. Francis will explore various options to keep this facility open and serving the people of my community and our State."

"For these reasons, Mr. Speaker, I am happy to stand in strong support of HB 2345 HD1. Mr. Speaker, thank you for this opportunity to share my thoughts on this bill."

Representative Pine rose in support of the measure and asked that her written remarks and the remarks of Representative Ching be entered into the Journal as her own, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB2345 HD1 Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii for the following reasons:

"The bill will authorize the issuance of special purpose revenue bonds to assist St. Francis Healthcare System of Hawaii to finance the construction, improvement, and equipment of its healthcare facilities. This is a very important way for the State to shore up the healthcare system in the wake of the HMC closings."

"St. Francis Healthcare Systems of Hawaii operates: St. Francis Hospice, St. Francis Home Care, Franciscan Adult Day Care, St. Francis Health Services for Seniors and other services. Due to the bankruptcy and closure of HMC, the hospital assets will eventually be returned to St. Francis Healthcare System. This bill would help them make upgrades to the former HMC sites. The loss of HMC East and West has left a very damaging service gap in our State, and as a matter of public concern, these special purpose revenue bonds should be issued to provide for public well-being."

"One of the upgrades that St. Francis wishes to make is to convert part of the East campus into a sophisticated long-term care center. This is very important, as acute care beds are currently being used for long-term care patients, which is not the appropriate level of care for a number of our ailing residents. This has caused not only a shortage of acute care beds, but an even more complex problem for long-term care patients. Those who need long-term care, but are relegated to acute-care facilities due to the shortage face a number of new challenges. Often times, their recovery may be delayed, because they do not have access to the rehabilitative services that goes along with long-term care."

"St. Francis has supported the health of Hawaii's people for over one hundred years, and HB2345 HD1 recognizes that service, by allowing St. Francis to continue serving our people. This measure will ensure that the former HMC facilities get much-needed upgrades for the health and well-being of our community."

"For all of these reasons, I strongly support HB 2345 HD1, Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii."

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

"In strong support, Mr. Speaker. I'm speaking on behalf of the people of Leeward Coast. We do need a hospital in our community and this is one of the three tools that we're expecting to pass so we can have that hospital. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, I rise in support with reservations. Thank you. I do agree with the previous speakers and I do support all efforts to reopen St. Francis West or HMC West. The hospital that has recently closed is impacting all of us. In fact, if you take a look at the census for all of the emergency rooms across the island, you'll see a noticeable increase. In fact, Pali Momi, which is in our community, typically has 40 people waiting in the emergency room. So we're at a crisis stage, because of the lack of adequate emergency rooms and beds, for especially the Leeward and Central Oahu areas.

"My concern though is that I do believe that this bill is going to interfere with the chances and opportunities of reopening that facility. We all appreciate what the sisters of St. Francis have done over the years. That's not in question. What is in question though is whether they can reopen this facility and run it. I believe that they should look at other opportunities. Maybe Queen's Medical Center. Maybe Hawaii Pacific Health. Maybe other entities that have run medical facilities and emergency rooms successfully. You put this bill in front of the equation, and everything gets confusing. You give hope where there is no hope. And I would submit to all of you that we need to be very careful in this area, and consider the fact that something like this is possibly affecting the potential reopening of HMC West. That's the reason for my reservations. Thank you, Mr. Speaker."

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

"Yes, I do want to thank the previous speaker for his concerns, because that was my concern as well when we reviewed this option. As the Representative from Ewa, Waipahu, did mention, this is one of three bills that we are considering to save our hospitals. The reason I'm supporting this when I normally probably wouldn't is because I know for sure that it isn't the intention of the eventual owners of this property once the bankruptcy is over to partner with another entity to take this hospital over.

"We right now, are just using this as a resource to make all attempts possible as leaders in the State of Hawaii to ensure we avoid a potential crisis. As we've seen in trying to ensure that these hospitals do stay open, we have seen some complications with that, and that is why the hospitals closed. This option gives us the ability, if all else fails, that we would avoid a crisis and have access to this money. Access that, of course our Governor will have the ability to oversee. So, while I understand the deep concerns of some members of the community, please know that it is majority commitment from the sisters of St. Francis, who cannot speak publicly, but I know that it is their private intent to ensure that they partner with another hospital that is already successful."

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

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

At 11:07 o'clock a.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:11 o'clock a.m., with Speaker Say presiding.

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

"Mr. Speaker, I'm standing in support. With all this discussion on a Special Purpose Revenue Bond bill, I feel compelled to stand in support. Members, I did want to highlight that we are currently looking at a number of measures moving forward to support the potential structure of HMS West and East. Mr. Speaker, we're requesting the indulgence of this Legislature and this Body, to keep this Special Purpose Revenue Bond

assistance to help the sisters with all their assets. Mr. Speaker, this \$80 million is not only to look at those two facilities, but my understanding is that St. Francis has nine facilities including long-term care which this measure would also support.

"I understand that it has caused some discussion regarding both those interested in purchasing one or both sites, as well as it has caused some discussion in regards to the current bankruptcy situation. However, Members, we need a measure like this to be moving forward, so that way when a decision is made by the courts, when the sisters of St. Francis decide to use those assets, and when an entity, hopefully a positive entity comes into play, we have the vehicles available to assist that, to reopen any facility as quickly as possible.

"Members, this is a Special Purpose Revenue Bond bill again, so this process in which if the sisters wanted to move forward, they would be able to prove to the State the ability to repay the loan. Thank you, Mr. Speaker."

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker. As the introducer of the bill, I just would like to appease some of the concerns that were raised here. I did do the due diligence in checking with the other two entities that are interested in purchasing the West campus. They have indicated prior to introduction that this is not a measure that would hinder either way. But I support this because we need all the measures that are possible so we can serve that part of our community which right now is lacking a hospital base and an emergency facility. Thank you Members and thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm standing in strong support, and I ask that I be allowed to adopt the words from the Representative of Mililani, and also ask that I be allowed to include additional written comments. Thank you."

Representative Awana's written remarks are as follows:

"Mr. Speaker I stand in support and ask that the words from the Representative from Mililani be entered into the Journal as if it were my own. I have some additional comments. This may be one of the most important measures passed this Session. The Leeward Coast is without adequate healthcare. This bill will help the St. Francis Healthcare System to provide the services which are imperative to the health and welfare of tens of thousands. Our office received numerous phone calls from constituents concerned about emergency situations where the closest hospital would be at least an hour away. Additionally, dialysis services are in short supply and with the closure of this facility, either longer waiting periods or longer drives now take place. For these reasons I stand in strong support. Thank you, Mr. Speaker."

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

"Mr. Speaker, I would like to, as I have always done in the past, ask for a possible conflict of interest. My husband and I did invest in HMC," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. With that, I am still in strong support, and I am asking that the words of the Chair of Health, the Representative of Mililani be entered as my own, with additional written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of HB 2345 HD1, Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii.

"Mr. Speaker, I would first like to say thank you to all of my colleagues who are making it possible to issue these special purpose revenue bonds for St. Francis Healthcare System. This bill will assist St. Francis Healthcare System of Hawaii to finance the construction, improvement, and equipment of its healthcare facilities.

"As we've all seen recently, the healthcare system in Hawaii is struggling. When this particular industry struggles, people can lose their lives. That's why HB 2345 HD1 is so important; not only the people of this State, but to institutions like the St. Francis Healthcare System of Hawaii.

"Since 1883 St. Francis has been healing the people of Hawaii. By helping St. Francis reinvest in their operations, we can show that we are taking action to improve the quality and access of their healthcare.

"Healthy communities are strong communities, Mr. Speaker. That's the ultimate goal in aiding the healthcare community to create a stronger, healthier community for us all. These special purpose revenue bonds will reinforce Hawaii's commitment to St. Francis, and all that they do. In return, St. Francis will explore various options to keep this facility open and serving the people of my community and our State.

"For these reasons, Mr. Speaker, I am happy to stand in strong support of HB 2345 HD1. Mr. Speaker, thank you for this opportunity to share my thoughts on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2345, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

At 11:16 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1398, HD 1
H.B. No. 2302, HD 2
H.B. No. 2819, HD 1
H.B. No. 1972, HD 2
H.B. No. 2339, HD 2
H.B. No. 2345, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 794-12) recommending that H.B. No. 1952, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1952, HD 2, pass Third Reading, seconded by Representative Evans.

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

"In strong support. I realize I spoke on this in a previous Floor debate, so I will insert written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 1952 HD2, Relating to Bone Marrow Transplants.

"Mr. Speaker, first let me stress, in medical terms, how imperative this appropriation is. The recent loss of Hawaii's only bone marrow transplant center has caused great distress to many in our State, forcing many people to seek treatment in other states, subsequently causing serious financial and emotional burdens on patients and family members.

"I firmly believe that this is a responsible measure because it uses matching private funds, ensuring that the State is not alone in footing the bill for this very important investment. By pairing this appropriation with matching private funds as a grant for Hawaii Pacific Health to establish the new center, we are utilizing a responsible formula for the betterment of the

whole community. Hawaii Pacific Health believes that the center may ultimately be self-sufficient, but without this appropriation, they will not be able to manage the start-up costs alone.

"I call this measure an investment because it is not merely a one-way appropriation without a tangible return. This is an investment in the people of Hawaii and their health. It is an investment in the future of Hawaii as a modern health-care community. Through this bill, we are insuring that our people will continue to enjoy the vital health-care treatment enjoyed by people all over the country.

"This is a measure that will save lives and improve our communities. Our passage of H.B. 1952 HD2 will stand as proof of the House's firm commitment to promoting a compassionate and responsible government. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1952, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BONE MARROW TRANSPLANTS," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 795-12) recommending that H.B. No. 1953, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1953, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB1953 HD1 Relating to Emergency Medical Care for the following reasons:

"The bill appropriates funds to:

- Increase the on-call availability of emergency medical services and ambulance services on Leeward Oahu; and
- Assist Wahiawa General Hospital in providing additional emergency room services.

"The closing of HMC East and HMC West caused the loss of two important emergency rooms on Oahu. Especially dangerous is the loss of an emergency room in Ewa Beach. This closure now means that the community of Ewa Beach is quite far from the nearest operational emergency room. That added travel time could cost lives in our community.

"As a Representative from Ewa Beach, I have a personal understanding of how this gap in services is affecting our community. When urgent care is needed, and there are no services available due to lack of facilities or lack of manpower, the public wonders who is responsible for that failure. That is why this bill is so very important. By increasing the on-call availability of EMS and ambulance services in Leeward Oahu, the legislature can help to make emergency care more accessible to the people in my district.

"Wahiawa General Hospital is the nearest medical center that *could* have the capacity to deal with the additional patients due to the HMC closures. However, Wahiawa General Hospital will need significant funds in order to upgrade their facilities if they are to provide additional emergency room services.

"There was a tremendous outpouring of support for this bill in hearing testimony. The medical community and the public have stated that this appropriation is needed if we are to provide access to reasonable healthcare to those affected by the HMC closure. Access to urgent care is one of the most important aspects of healthcare services because it touches

so many people in the community. HB1953 HD1 would ensure that we protect those urgent care services, and make them accessible to the public.

"For all of these reasons, I strongly support HB1953 HD1, Relating to Emergency Medical Care."

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

"Mr. Speaker, in favor and in support. I just would like to thank the Chair of Finance and the Chair of Health for yielding to the needs of the people of Central and Leeward Oahu. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1953, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 797-12) recommending that H.B. No. 2175, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2175, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 2175, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Manahan being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 798-12) recommending that H.B. No. 2313, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2313, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Yes, Mr. Speaker, standing in strong support with a few comments. I wanted to share a story that I shared with the members of my Committee about an incident that I was involved in as a young officer in a Lahaina Patrol Division.

"I pulled over a suspected drunk driver in Olowalu at about 1 o'clock in the morning, approached the vehicle and subsequently, the driver became belligerent. And as I walked back to my patrol car, he jumped me from behind. A struggle ensued for about 10 minutes where this individual was trying to take my firearm away from me and shoot me. My backup was about 10 miles away, so this went on for quite some time. I think it was one of the most fearful times in my life, and definitely in my police career, where I actually thought I was going to die. That's why I'm in such strong support of this, because we need to protect our law enforcement officers.

"I know that there were some concerns raised about how this particular law could be abused by officers charging felonies, but we need to have this tool, because once an officer's weapon is taken away, it's usually used against him, and we need to protect our law enforcement officers. Thank you, Mr. Speaker."

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

"I'm standing in opposition, Mr. Speaker. We all perceive that increasing the penalty on crimes will act as a deterrent. That has not been proven to be true, Mr. Speaker. This measure asks that the penalty be increased to a

C felony. I'm siding with the Public Defender in this case, Mr. Speaker, because they say that the only people that would do such a thing would be people that are mentally ill, drunk or having traumatic stress disorder. And if those are the kinds of people that would do such thing, then we don't need the bill, because the charge would not stand.

"Also, I'm in opposition because it's one of those things where there is no balance. In a situation like this, it's the police officer that prevails, and never the person being arrested. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, in strong support, and I ask that the words of the Representative of Wailea, Kihei be entered as my own. In short, our officers put their lives on the line for us, and I do believe in protecting those who protect us. Thank you."

Representative Hanohano 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 H.B. No. 2313, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RESISTING ARREST," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Cabanilla voting no, and with Representative Manahan being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 799-12) recommending that H.B. No. 1666, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 802-12) recommending that H.B. No. 2309, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2309, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. In support of HB2309 HD1 which will protect personal information in balance with maintaining reasonable access to this information by businesses. Identity theft is a serious problem. A common source of identity theft is information contained in an individual's certificate of identification or driver's license. This bill weighs an individual's right to maintain the individual's private personal information with a business' need to legally use information regarding that identification.

"This bill prohibits businesses from scanning an individual's identification or license except in six circumstances. A business may use this information: 1) when the individual pays for goods with something other than cash; 2) to verify the individual's age when providing age-restricted goods; 3) to prevent fraud or criminal activity; 4) to establish or maintain a contract between the business and individual; 5) to retain information as required by law; and 6) to transmit information to a consumer reporting agency, financial institution, or debt collector for certain purposes.

"This bill is a work-in-progress and most of the parties concerned with this measure have pledged to continue discussions about the appropriate balance of interests. At the present time, these parties have agreed to the current form of this amended bill. As this bill progresses, these parties will

attempt to address outstanding issues, but the present language serves as a framework for this important conversation regarding personal privacy, fraud protection and business efficiency."

Representative Hanohano 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 H.B. No. 2309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 806-12) recommending that H.B. No. 2183, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2183, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 2183, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

At 11:23 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1952, HD 2
H.B. No. 1953, HD 1
H.B. No. 2175, HD 2
H.B. No. 2313, HD 2
H.B. No. 1666, HD 1
H.B. No. 2309, HD 1
H.B. No. 2183, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 809-12) recommending that H.B. No. 2099, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2099, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I am going to oppose this bill. All it does is award attorneys' fees and I have a problem of putting attorneys' fees in statute. But the Committee Report says the purpose is to improve the efficiency of the workers' compensation system by allowing attorneys' fees to be included in costs that may be assessed against the party who brings, prosecutes or defends the workers' compensation claim without reasonable grounds. I don't think it improves the efficiency so I am voting no."

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

Representative Ching 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 H.B. No. 2099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Cabanilla and Marumoto voting no, and with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 815-12) recommending that H.B. No. 2575, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2575, HD 3, pass Third Reading, seconded by Representative Evans.

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

Representative Marumoto 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 H.B. No. 2575, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 817-12) recommending that H.B. No. 2655, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2655, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 818-12) recommending that H.B. No. 2766, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2766, HD 2, pass Third Reading, seconded by Representative Evans.

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

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

Representative Marumoto 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 H.B. No. 2766, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 820-12) recommending that H.B. No. 1967, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1967, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I'd like a ruling on a possible conflict. My firm does handle medical claims. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. I'd like to also ask for a potential conflict. My husband is a provider; he's a doctor. Thank you," and the Chair ruled, "no conflict."

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

"May I have a ruling on a potential conflict? My law firm also is involved in claims," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1967, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 822-12) recommending that H.B. No. 2227, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2227, HD 1, pass Third Reading, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on H.B. 2227-Relating to Birth Certificates. This bill provides amended birth certificates for persons who have undergone a gender transition.

"H.B. 2227 may make for an easier, more expeditious process in obtaining a new, corrected birth certificate. Notwithstanding, this bill does not accurately differentiate "sex" and "gender" which are not interchangeable terms from a legal standpoint. Birth certificates document the birth event and characteristics that are present at that time.

"Additionally, the language in this bill could foster dishonesty in that it can take away the true inherent makeup of an individual at birth. Furthermore, in our post 9/11 world, H.B. 2227 could facilitate disguised identities and should be properly investigated for security and safety concerns. Thank you."

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

"Mr. Speaker, in opposition, reflecting the Department of Health that said this is a little bit too complex without further study. And a note from a doctor is still not sufficient."

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

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I oppose this measure because not only is the birth certificate a documentation of a person's birth, but it is also a documentation that is used for acquiring other personal documentation like the State photo identification, drivers license, and passport. I believe that lowering the requirements to allow the changing of gender on a birth certificate would be a safety issue that could possibly be a threat to the public because a person-of-interest – i.e., felon – may also be able to change their identity in a minimized manner. The State Department of Health already has a process in place to address the change in the document. I agree with the DOH in which we need to change to a judicial process and apply it to changes made to the birth certificate as in Section 338-17.7 of current statute. Because of these reasons, I cannot support the measure."

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

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 2227, HD1 – Relating to Birth Certificates, which would amend HRS 338-17.7 by allowing for the establishment of new birth certificates for transgender individuals. To reject this bill is to disenfranchise individuals of the transgender community, and deny them the basic civil rights that ought to be accessible to all.

"Transgender people frequently endure harassment in situations when they are asked to present identification. Nationally, individuals who showed ID in their daily life that did not match their gender presentation, 40% reported being harassed, 3% reported being assaulted, and 15% reported being denied entry or asked to leave. Transgender women and men are immediately made vulnerable to discrimination by employers, law enforcement, TSA agents, and many others as a result of the fact that their ID (a reflection of their birth certificate) does not match their gender identity.

"Mental and emotional wellness is closely tied to the awareness and acceptance of one's sexual identity. Many of us are fortunate enough to be born into a gender with which we identify, but there are individuals who, from a very young age, feel dissonance between their physical gender and their innate sexuality. This feeling of anxiety and isolation remains for much of their lives. This bill will enable transgendered individuals to conform comfortably to their sexual identity, and live with pride instead of shame.

"Requiring a transgender individual to alter their physical gender through reassignment surgery is a cruel and unconstitutional means of "addressing" the problem. The majority of transgender people do not choose to undergo sex reassignment for a variety of reasons.

"First, the surgery poses a huge financial burden, and many individuals save their whole lives to pay for such a procedure. The cost for a male-to-female procedure can exceed \$50,000. Needless to say, individuals do not receive any kind of coverage for gender reassignment. Recovery time is lengthy and not everyone can afford the time off from work. Second, as with all surgical procedures, there is some degree of medical risk involved and not every individual is a suitably healthy candidate for gender reassignment. Transgender individuals may instead choose a course of hormone therapy to aid them in assuming their natural gender identity.

"The hard truth is that gender is not always a clear-cut designation. But it is a widely misunderstood one. There is a heavy stigma which comes with the term "transgender." No one would consciously choose to adopt a lifestyle wherein persecution, judgment, and abuse are the order of the day, every day of their lives. It is difficult for a non-transgender person to fathom what this must be like. Discrimination will always exist, but I urge your support of this bill so that transgendered individuals are able to live with dignity. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Cullen and Ward voting no, and with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 824-12) recommending that H.B. No. 2555, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2555, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. With reservations. Thank you. I'll be very brief. I do understand the need and am very sympathetic with needing to comply with federal dictates. I do worry though that because of the necessity of most of these documents, and people's lack of choice, the

increase in cost will be borne by quite a few people. So it's for those reasons that I have reservations on the bill."

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in opposition. In many if not most cases, those requiring a copy of a certificate are people who are seeking assistance for such things as school scholarships, affordable housing, welfare assistance and this list goes on. What I am saying is that those who seek these documents are people in need. Yet, what this bill does is create additional costs for those in an economic hardship.

"A few years ago, the Legislature provided additional funding to the Department of Health to assist with their vital statistics department for the purposes of moving away from a manual system. They moved to an electronic system. However, wait time continues to be an hour or longer in length. In addition, when the electronic changes were made, no consideration was given to the Hawaiian language. If there are diacritical markings, for example a *kahakō* or an *ʻokina*, the wait time increases to two to three weeks after waiting an hour or longer. For these reasons, I stand in opposition. This measure creates a negative impact on those who are in need of help. Thank you, Mr. Speaker."

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

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 2555-Relating to Vital Statistics Fees. This raises the fees associated with vital statistics certified copy and expedited and correction services.

"H.B. 2555 puts more unnecessary economic hardship on the people of Hawaii. I find it unnecessary to raise the fees for gathering simple information especially when native Hawaiians must get verification through vital statistics to verify their native authenticity. Thank you."

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

"Thank you, Mr. Speaker. I will take a no vote on this and I note that we are raising a myriad of fees in many of these bills. Thank you."

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

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

"In opposition, with brief comments. Yes, Mr. Speaker. We are creating new fees for marriage, birth and death certificates, as well as increasing fees for other areas, on things that people need. The reason I'm in opposition, Mr. Speaker, is that in the last five years, we have increased taxes on the people of Hawaii. We've increased just about every fee that we can think of. We have the highest combination of taxes and fees on the residents and the people of Hawaii. They just need a break, Mr. Speaker. And it is my hope that we will consider that many of these residents are already paying taxes so they can get these documents as it is. So that is why I have opposition to this measure."

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

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

"Mr. Speaker, in opposition with brief comments. Mr. Speaker, we pride ourselves that we have said and have stood by the fact that we are not

going to raise taxes this Session. However, accumulated fees by any other name are tax increases. So those that escape the \$600 million that we raised last year in taxes are going to slowly be eaten away by the dozens, and I'll give you a count before the end of the session today. Mr. Speaker, as we eat away, we will have as they say, 'a rose by any other name is still a rose.' Thank you, Mr. Speaker."

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

"Mr. Speaker, in support. I just ask the Members to actually read the bill. This bill covers mainly expedited copies, special services, certified copies, and searches in other areas. It's not for if you're just getting a certificate for your first time, the regular birth certificate. These are special services or replacements, or things that the staff need to do that are extraordinary. This is to pay for those costs. Otherwise, the general taxpayer has to subsidize those costs and I don't think that's fair either. The user should. Thank you."

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

"Mr. Speaker, I'm standing in support. Mr. Speaker, this Administration bill has requested an additional fee increase on certified copies and subsequent copies. The purpose of this measure, on behalf of the Department, has been to address that, one, these fees have not increased for over 15 years. As well as, due to very real things going on in our society regarding issues of physical security, storage of public records, recommendations from the 9/11 Commission, and also suggestions for the Intelligence Reform and Terrorism Prevention Act. These recommendations made to protect the safety of our citizens require the Department of Health to put in extra security measures. These extra security measures to protect our citizens do cost money. So again, their request is to use these fees to enhance and protect the information and data collected. Thank you very much, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise with some reservations. Usually I would support something like this because I do understand that various departments have administrative costs. The reason I'm rising with reservations, is because of the timing of the bill.

"Recently, the driver license requirements were drastically changed for all residents for the State of Hawaii, not because of anything that the Legislature or the State did, but because of compliance with the federal regulation. And part of the requirement is to get proof of a marriage license, proof of birth certificates, and so it's not just something that people will normally get. But for the next several months, people are going to be trying to get expedited copies and it just seems like we don't want to give any impression that we are, especially in light of what had happened in the recent change in law, that we were looking at something like this. So we don't want to give any kind of misconception or misperception. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a brief response to the Majority Leader. I think we have to look at the forest. If you look at the trees, I agree with him. It looks *manini*. We pass \$600 billion worth of tax increases by saying, 'Hey one more cup of Starbucks.' That'll get you saving the environment. One more latte or something that really defines it down as so insignificant.

"But Mr. Speaker, my point is to look at this in the context of the whole. There's 35 different fees. This fee goes 50% increase for marriage, death, divorce, for expediting. People should know. It's \$50 for the expedition. It's not \$10. It's \$50 to expedite this thing. So looking at it as a whole, these things are going to add up significantly. But I agree with the gentleman. If it's only looked at as one tree, we'll miss the forest. My point is the forest. Thank you."

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

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

Representative Wooley's written remarks are as follows:

"I have serious reservations about the fee increase in this bill. I do, however, believe there should be easier access to public records electronically, and the fees for this service should be minimal."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS FEES," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Awana, Ching, Fontaine, Marumoto, Pine, Thielen and Ward voting no, and with Representative Manahan being excused.

At 11:36 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2099, HD 1
H.B. No. 2575, HD 3
H.B. No. 2655, HD 2
H.B. No. 2766, HD 2
H.B. No. 1967, HD 2
H.B. No. 2227, HD 1
H.B. No. 2555, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 825-12) recommending that H.B. No. 2567, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2567, HD 1, pass Third Reading, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 2567-Relating to Marriage License Fees as this bill raises the marriage license fee from \$60 to \$100. It specifies that \$40 for each marriage license shall be issued to the credit of the Vital Statistics Improvement Special Fund under section 338-14.6, Hawaii Revised Statutes.

"H.B. 2567 adds to the unnecessary economic hardship on the people of Hawaii. An increase of \$40 for a marriage license, like an increase in taxes, at this time is not prudent. The current \$60 marriage license fee is an additional cost to already expensive wedding expenses, and burdening enough as it is. To increase it even more would be a hardship for newlyweds. Furthermore, there is no evidence that this measure would alleviate dependence on the general fund, as asserted by the DOH. Thank you."

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

"Same vote, same speech. If you look at the forest, you see a lot of increases. If you look at the trees, this is one. Except for the Native Hawaiians. May I add one footnote here? Because of the Native Hawaiian roll that's going to be registering probably 120,000 people, it just happens to be that they are going to have to pay this increase, and that's probably going to be another \$600,000 into the treasury. However, one former Representative, Native Hawaiian Representative said that this amounts in effect, to a Hawaiian poll tax. It didn't go over very well, and I think there should be an exemption for that."

The Chair addressed Representative Ward, stating:

"Representative Ward, you are out of order. We are talking about marriage fees, and not a poll tax whatsoever."

Representative Ward: "The other bill had that in it, Mr. Speaker."

Speaker Say: "We're not addressing that other bill."

Representative Ward: "You're right. I stand corrected. But the Hawaiian poll tax stood because I forgot to say it before. Thank you."

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

"Yes, Mr. Speaker. In opposition, and a brief comment. This is another bill that does increase marriage license fees by 40% on our constituents. And that is why I'm in opposition."

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand with reservations. Currently, a marriage license is \$60. Now there will be a \$40 increase. The new fee will be \$100. The current price on a civil union license is \$60. There will be no fee increases. Proponents of civil unions claimed that it was an issue of rights and equality. This bill places those engaging in marriage at a financial inequity – where are their rights? Should this measure proceed, I would like to see either the fees for civil unions be increased to \$100 as with marriage licenses or the proposed increase for marriage licenses be increased instead by \$20 and civil unions increased by \$20 – both carrying a shared burden of equal value. For these reasons, I stand with reservations and my hope is that this measure be amended while passing in future committee hearings. Thank you, Mr. Speaker."

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

Representative Johanson's written remarks are as follows:

"I oppose HB 2567, Relating to Marriage License Fees. I would understand the need for a minor fee increase, but I feel that raising the marriage license fee from \$60 to \$100 is exorbitant and unnecessary as the Department has not specified the exact reason for such an exponential increase. Moreover, this increase is predicated on funding for future processing needs, but the specifics and justification for those needs have not been laid out clearly. For these reasons, I vote in opposition to this measure."

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

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

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

Representative Riviere rose stating:

"Mr. Speaker, please change my with reservations vote on Stand. Com. Rep. No. 825 to a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Ching, Fontaine, Johanson, Marumoto, Pine, Riviere, Thielen and Ward voting no, and with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 826-12) recommending that H.B. No. 609, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 609, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support with gratitude to Members of the House, the Chair. Mr. Speaker, I know that I have spoken on this before, so I will insert written comments."

Representative Ching's written remarks are as follows:

"Thank you Mr. Speaker, I rise in strong support of HB 609 HD2, Relating to Health.

"Mr. Speaker, I would first and foremost like to thank my colleagues for supporting this appropriation. The recent difficulties faced by HMC-East have been a source of great concern for myself, the people of Liliha, and the State as a whole. Seeing how we can work together for such a worthy cause is inspiring. I hope we can continue to find that common ground that benefits us all.

"This appropriation is an investment in a community institution; one that benefits everyone in our community, and it will prove its worth by its continued good works and service to the people of this State.

"Mr. Speaker, at this critical time in our State's history, the health of our people is of such vital importance. The laws we make right now will continue to affect the well-being of our communities for generations. Nowhere is that more true than in my district. So on behalf of the people of my district and myself, I strongly support HB 609 HD2, and offer my most sincere gratitude to all of my colleagues who have done the same. Thank you, Mr. Speaker."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB609 HD2 Relating to Health for the following reasons:

"HB609 HD2 has two primary functions. The first is to authorize the assimilation of Hawaii Medical Center-East on Oahu into the Hawaii Health Systems Corporation. Secondly, it appropriates funds to enable the assimilation, including the hiring or contracting of staff.

"One of the greatest benefits of HB609 HD2 is the impact it could have on long-term care capacity. HHSC claimed in their testimony that the bill could possibly double its facility's capacity on Oahu, which would be a great improvement to our State's ailing medical system.

"One of our most urgent health care issues in the State of Hawaii is the shortage of long-term care beds. This shortage affects our healthcare system in many ways. First, it affects the level of care available to our residents. It also has a negative impact on the quality of life for patients in acute care beds who need long-term care. These patients are held in limbo, unable to participate in any of the social or rehabilitative services afforded by long-term care. This can have a very detrimental effect on a patient's morale, and thereby his or her recovery.

"This capacity-building is also very important in a rapidly-aging state such as Hawaii. These long-term care services will be a more important aspect of our healthcare services in the coming years. HB609 HD2 will help us to address this issue of an aging population, and also free up much-needed acute care beds.

"One of the most important resources we have here in the State of Hawaii is the health of our people. This bill will allow us to care for our residents of all ages in terms of their own individual needs. That is what a modern health-care system does, and that is what HB609 HD2 attempts to create through this appropriation.

"For all of these reasons, I strongly support HB609 HD2, Relating to Health."

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

"In support, Mr. Speaker. And I just would like to say that this is a good way to support our *kupuna*."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 609, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 827-12) recommending that H.B. No. 1723, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1723, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I just want to get a ruling on a potential conflict. I am a recipient of the TRICARE program," and the Chair ruled, "no conflict."

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

"Also a ruling of a potential conflict, Mr. Speaker. I'm a user, as well as provider of TRICARE within the TRICARE program. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. Same request," and the Chair ruled, "no conflict."

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

"I rise in support of this measure, just briefly. I just wanted to inform our Members that this TRICARE program is beneficial not only to military families, retirees and veterans, but more importantly to the State of Hawaii. Because as you heard just recently, there are three of us here on the Floor that partake in TRICARE. And for every person in the State government or county government that participates, we lessen the burden on the EUTF significantly.

"In fact, I wrote numerous letters to the EUTF Board urging them to consider working with us because for every 250 families just like mine, that we get off of EUTF and onto TRICARE, the EUTF saves \$1,000,000. So I'd hoped that we can support this measure, and I eventually hope to eliminate the drop dead of 2015. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1723, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 828-12) recommending that H.B. No. 2274, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2274, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise to express my reservations regarding House Bill 2274 and the companion measure 2275, as these bills would impose a 3% additional fee on long-term care facilities and on hospitals in our State. The intended purpose of the fee is to help Hawaii draw down more Medicaid funds by providing a match for federal dollars. This is commendable, since Hawaii needs to obtain all federal Medicaid support available. However, the approach of adding a fee may not be the best way to go, as the fee will only add to the already high cost of medical care in Hawaii, and in particular entry long-term care homes who struggle to cover expenses.

"Although the newest version of the bill attempts to address this issue, the current provider fee structure of the bill may still cause difficulty for long term care homes. So while I'm in support of this, Mr. Speaker, I would like to see and would ask that we convert the existing GET tax that is paid on Medicare, and making this a fee so it can be used for Medicaid matching funds. By doing this we avoid the need to increase already costly medical expenses, yet still allow Hawaii to draw down the Medicaid money. And so I hope that our colleagues will consider this and see it as a more prudent approach. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2274, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 831-12) recommending that H.B. No. 2122, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2122, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you. In support with reservations, please. Thank you, Mr. Speaker. I understand the intent of the measure, and I think it is a good one. There certainly is a lot of complication and morass created by a complicated procurement process, which is why I'm supporting the measure. Some of the concerns that I do have though, particularly about this measure, in giving the Governor and the Mayor potential exemption from the bid protest process, as well as administrative hearings is again that, to me it upsets the apple cart a little with respect to checks and balances.

"I do fully support and hope for expeditious and publicly beneficial development, which often can be hindered. And again, I think that's the intent of this measure. But I do feel like it potentially gives the Executive Branch more power than perhaps it should. I'm willing to see where it goes, but I just would like to raise that concern. Thank you."

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

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

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

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

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

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

"Mr. Speaker, I rise in opposition to this measure. Today we are considering several measures that seek to exempt projects from our Procurement Code, as well as with many significant environmental laws. This is being done under the guise of economic development. And while I acknowledge that it is a priority for the State, we need to consider other means of addressing this issue.

"I wanted to actually use the words of someone else who has dealt with this issue for many years while he served as Governor of our State. This is what Governor Ariyoshi wrote in his book, *With Obligation to All*, with respect to our State's economic development approach:

The quick political solution for economic problems is to spend money. It is to turn one's back on what is fiscally sound, issue contracts for construction, consulting, etc. and to generate almost any kind of economic activity. Another aspect of the quick fix is to generate investment in the undertakings even if it means turning a blind eye to the negative environmental impact. The policy of managed growth was anything but a quick fix. It was unique in the history of Hawaii. It is unique at the state level within the United States and perhaps even unique in the context of the developed world. The preeminent importance I assigned to managed growth was not continued when I left office, perhaps understandably. Nonetheless managed growth will ideally only become more important as the years go on. Opportunistic politicians may hide from the need for it, but thoughtful and caring ones will not.

"Thank you, very much."

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

Representative Wooley's written remarks are as follows:

"The procurement protest provisions provide us with a self-policing system so that everyone has the incentive to play by the rules. The significant risks associated with the elimination of the right of a contractor to file a protest are not addressed in this bill."

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

"Thank you. My second time. May I change my reservations vote to no, and have the words of the Representative from McCully adopted as my own?" and the Chair "so ordered." (By reference only.)

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

"Yes, with strong reservations, and I would like to use the words from the Representative of McCully as my own," and the Chair "so ordered." (By reference only.)

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

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

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

Representative C. Lee 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 H.B. No. 2122, HD 2, entitled: "A BILL

FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Belatti, Hanohano and Saiki voting no, and with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 832-12) recommending that H.B. No. 2319, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2319, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 833-12) recommending that H.B. No. 2266, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2266, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Fontaine 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 H.B. No. 2266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Third Reading by a vote of 50 ayes, with Representative Manahan being excused.

At 11:49 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2567, HD 1
H.B. No. 609, HD 2
H.B. No. 1723, HD 1
H.B. No. 2274, HD 2
H.B. No. 2122, HD 2
H.B. No. 2319, HD 2
H.B. No. 2266, HD 1

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Aquino introduced Mr. Carl McNair, Founder and President of the Dr. Ronald E. McNair Foundation; and Mr. Claude Onizuka, Board Member of the Friends of Challenger Hawaii. They were accompanied by other members of the Office of Student Equity, Excellence and Diversity of the University of Hawaii (SEED), McNair Scholars, Friends of the Challenger Center Hawaii, and the Department of Education.

Ms. Maile Goo, SEED/GPA Program, McNair Program Director;
Ms. Charlene Cuaresma, SEED/GPA/Ancart/McNair Projects;
Ms. Kalai Castro, McNair Program Coordinator;
Ms. Liza Simon, SEED Program Staff;
Mr. Justin Ragasa, McNair Scholar;
Ms. Leina'ala Bright, McNair Scholar;
Mr. Mikhail Coloma, McNair Scholar;
Ms. Laurel Pikcunas, McNair Scholar;
Mr. Joseph Ciotti, Director for Aerospace Education at Windward Community College; and
Ms. Keolani Noa, Kapiolani Community College STEM Education.

Friends of Challenger Center Hawaii

Ms. Theresia McMurdo, Treasurer;
Mr. Stanley Seki, Secretary;
Ms. Amy Agbayani and Mr. Clint Churchill, Board Members.

Department of Education

Ms. Joyce Bellino, Assistant Superintendent, Office of Curriculum, Instruction and Student Support;
Mr. Anthony Chun, School Renewal Specialist, Campbell and Kapolei Complex;
Ms. Liane Kim, Director, Challenger Center Hawaii;
Ms. Susie Hirokane, Principal, Pearl City Elementary School; and
Ms. Traci Tanouye, Technology Coordinator, Pearl City Elementary School.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 835-12) recommending that H.B. No. 2325, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2325, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I am rising to cast a no vote on this measure and make a few comments. Thank you. This is Relating to Broadband. What it does is, it establishes an automatic approval process, and I believe that automatic approvals are a really bad idea. It means that if, for example, the government can't act because the Board of Land and Natural Resources can't get a quorum in time, then the permit is deemed approved.

"The difficulty about this one is that it includes undersea boring, and undersea boring can tie in obviously to the cable project, the interisland cable project. And it could go through a pristine marine ecosystem, and it would be automatically approved simply for lack of getting a quorum. I don't think that is good public policy and therefore I'm casting a no vote."

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

"Yes, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. Thank you, Mr. Speaker, in my private job, I work for Oceanic Time Warner Hospitality Class. Thank you," and the Chair ruled, "no conflict."

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

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support H.B. 2325 which sets a forty-five business day time frame in which the State and county agencies must approve, disapprove, or approve with modification, all broadband-related permits. It provides that if no action is taken within the time frame, the permit will be automatically approved on the forty-sixth business day. This bill creates an efficient and reliable process of issuing permits for the wide-area deployment and adoption of broadband networks. It replaces the inefficient and arduous permitting-process in place now, which causes significant and costly delays in permits being granted.

"Elected and appointive officials – from county and State agencies— have for many years touted the importance of broadband infrastructure to the educational and economic future of our community. This bill simply urges those agencies to give the development of broadband infrastructure the same priority and attention that our existing laws give to the development of affordable homes and other priority items. It will foster the growth of broadband infrastructure, which will give our Hawaii citizens and businesses increased access to information technology. It will

especially be an asset to Hawaiians who reside on Hawaiian Home Lands, and in rural areas of the State, where access to broadband is lacking. Increasing access to broadband in these areas will grant Hawaiians a myriad of resources, including the ability to preserve and transmit their cultural heritage, and participate in the global market.

"Broadband infrastructure is vital to Hawaii's economy, and a streamlined permitting process will attract much-needed broadband investment within the State."

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

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2325, Relating to Broadband Permitting. While I fully support technological advancement and making technologies such as broadband service as accessible as possible to the people of Hawaii, I have concerns over any process that receives automatic approval if no action is taken. This bill grants permit approval in response to inaction, and I believe there are better methods for improving the construction permitting process. For these reasons, I vote in support with reservations on this measure."

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

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

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

Representative Wooley's written remarks are as follows:

"I am very excited about the State's effort, and this Legislature's support of broadband. I am very concerned that this bill, which will allow for automatic approval for all State and county permits after 45 days, will lead to litigation and the approval of projects that are not acceptable to the public. This broadband bill is simply much too broad."

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

"Mr. Speaker, with reservations. I do want to note the efforts of the Chair, the Representative from Ulupalakua. Thank you."

Representative Cullen 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 H.B. No. 2325, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Fontaine, Hanohano, Pine, Riviere and Thielen voting no, and with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 836-12) recommending that H.B. No. 1511, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1511, HD 2, pass Third Reading, seconded by Representative Evans.

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

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

"Mr. Speaker, I have reservations on this bill, Relating to High Technology and I do hope the University and the Manoa Innovation Center will be able to work this out. But I have reservations because we have a constitutional amendment that requires that the University be able to handle its own internal affairs. I think this steps into those bounds, so I am voting with reservations."

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

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

"Thank you, Mr. Speaker. In support. And I would like to, for the edification of everybody, note that the Hawaii Strategic Development Corporation is not an entity of the University of Hawaii. It's an entity of DBEDT. So this is not a matter of basically keeping University issues within themselves. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1511, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 837-12) recommending that H.B. No. 1768, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1768, HD 2, pass Third Reading, seconded by Representative Evans.

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

Representative Hanohano 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 H.B. No. 1768, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 838-12) recommending that H.B. No. 2265, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2265, HD 2, pass Third Reading, seconded by Representative Evans.

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

Representative Hanohano 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 H.B. No. 2265, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 839-12) recommending that H.B. No. 2324, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2324, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to cast a no vote, and to explain why. Thank you. This measure exempts broadband facilities from all county permitting requirements and State permit approval requirements on State buildings and government land on which the State buildings were located. I don't think this is a good idea. It's one of the other exemption measures. And when we continue to carve out exemptions from different protections on our State property and our property at large in the islands, we can end up with some unfortunate mistakes. I think this is not the way to go. Thank you."

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

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

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

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

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

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

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

"Mr. Speaker I'd like to ask for a ruling on a potential conflict. In my private job, I work for Oceanic Time Warner Hospitality Class. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

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

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

Representative Wooley's written remarks are as follows:

"While I'm all for streamlining efforts to help the State become competitive when it comes to broadband, I have serious concerns that the language in this bill is much too broad."

Representative Saiki 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2324, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Fontaine, Hanohano and Thielen voting no, and with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 840-12) recommending that H.B. No. 2411, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2411, HD 1, pass Third Reading, seconded by Representative Evans.

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

Representative Fontaine 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 H.B. No. 2411, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hanohano voting no, and with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 841-12) recommending that H.B. No. 2869, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2869, HD 2, pass Third Reading, seconded by Representative Evans.

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

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

"Mr. Speaker, please note my reservations and just a couple of sentences. I understand the argument in favor of the Film Tax Credit and it does have a multiplier effect. But it's not clear to me that we actually get enough in return for what we invest, so hence my reservations. Mahalo."

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

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

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support of H.B. 2869 which extends the motion picture, digital media, and film production tax credit to January 1, 2025. This bill places the focus clearly on supporting local employment and talent, fostering more Neighbor Island location shooting, and supports an important niche in our economy that should continue to be nurtured and grown."

"This measure raises the qualified production tax credit ceiling, separates the calculation of the credit amount based on wages and salaries from the credit amount based on other qualified production costs. It also provides different credit amounts based on residence within the counties for the wages and salaries paid to all cast, crew, and musicians of the qualified production, plus an additional unspecified per cent credit amount on wages and salaries of cast, crew, and musicians who are State residents."

"Tax credits provided to local, mainland, and international producers and investors in the film and digital media industry, will result in continued growth of the film and digital media industry here in Hawaii. This energized film and digital media industry will provide Hawaii with a myriad of benefits. It will increase opportunities and resources to small, local production companies so that their employees' dreams of success in the film and digital media industry can be met here in their home state. It will create a significant number of skilled, high-paying jobs, which the film and digital media industry will have financial interests in hiring. This hopefully will result in private sector investments in training and

workforce development for the new skilled and creative jobs this industry will create. It will undoubtedly inject substantial amounts of new revenue into our State economy, which will be dispersed across many communities, businesses, and residents. Finally, the film industry is a clean, non-polluting, and compatible industry for us as a state to invest in, and it is an industry that has an active interest in preserving the natural beauty of Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2869, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

At 12:02 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2325, HD 2
H.B. No. 1511, HD 2
H.B. No. 1768, HD 2
H.B. No. 2265, HD 2
H.B. No. 2324, HD 2
H.B. No. 2411, HD 1
H.B. No. 2869, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 842-12) recommending that H.B. No. 2872, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2872, HD 3, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I rise in strong opposition. What is this? Reverse universe? I want to cheerlead this bill. In strong support, Mr. Speaker. See because usually I stand up in opposition, it gets to be habitual. I am not a naysayer. I want to be a cheerleader. Mr. Speaker, this is all about our future. This is a great opportunity to advance."

The Chair addressed Representative Ward, stating:

"Representative Ward, would you like to give you statements for these two measures? Stand. Com. Report 842-12, and 843, both at the same time?"

Representative Ward: "Do you think I'm confused about the bill number?"

Speaker Say: "No, I just want you to say one thing for these two measures that deal with PISCES and aerospace."

Representative Ward: "Combine the two together. Of course. I appreciate that."

"Mr. Speaker, this is such an opportunity. I think it's almost a game changer if we consummate it the way that it looks. Right now, we've got NASA that's in love with Mauna Kea, and in love with the Big Island. And because space is now privatized it's an opportunity to bring all of the private companies that are interested. So far they include Google, Space X PRIZE Foundation, Lockheed Martin, Shimizu Corporation, Moon Express, and Boeing. Mr. Speaker, these are the big boys. These are the ones, if we're going to get to the moon, they're going to get to the moon. But when they get there, or to Mars or to Venus, or wherever, they've got to have a base and they've got to have a sustainable environment. The stimulation of our climate, our soil, I forget what they call it. Regolith stimulants. Simulate exactly what they're going to experience."

"So Mr. Speaker, we can not only be boosting our economy, but this is a world class issue that, and you know how strong I am with APEC. This is an even bigger game changer than APEC. So I urge my colleagues to vote

for the future. Vote this up and let's back it. Let's put the money into it. Let's make the investment because this is an enterprise that we can really get behind, as the State of Hawaii. And I will save other comments for the other bill, which is just as good because it changes the PISCES from the University of Hawaii-Hilo to DBEDT by basically taking it out of academia, and putting it in economics which is what we need for the State of Hawaii. Thank you, Mr. Speaker."

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

"Just in strong support. It's just ironic I think, that we happen to have NASA up here. But Ellison Onizuka did come to visit Maemae, and I think he's just a source of such great inspiration, and a future for our children. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2872, HD 3, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 843-12) recommending that H.B. No. 2873, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2873, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 844-12) recommending that H.B. No. 2018, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2018, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In opposition. This still contains the 180 days limbo after the foreclosure transaction transpires. The property would be in an effective state of limbo. There'll be no lenders taking advantage of this bill. There will be no buyers. No title companies. There will be nothing. So we continue our track record of zero people using this program. Thank you."

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

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

"Thank you, Mr. Speaker. When we did Act 48, we left the UDAP provision in the mediation process and offshore banks were using that as an excuse not to use the mediation. This is designed to take that out of mediation. And if they continue to not use mediation, then we know there's another problem and it's probably that they don't show proper title."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I'd like a ruling on possible conflicts on both SCR 844-12 and 845-12. My firm occasionally handles cases that may include foreclosures. Thank you," and the Chair ruled, "no conflict."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Riviere be entered into the Journal as her 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 Committee was adopted and H.B. No. 2018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Riviere voting no, and with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 845-12) recommending that H.B. No. 2375, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2375, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I'd like a ruling on possible conflicts on both SCR 844-12 and 845-12. My firm occasionally handles cases that may include foreclosures. Thank you," and the Chair ruled, "no conflict."

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

"I'm standing in strong support. This is legislation that is similar to that of 11 other states. This will put criminal penalties and mandatory fines to ensure that these predators don't continue to go after our *kupuna* and our hardworking families. Thank you, Mr. Speaker."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I stand in support of HB2375. This bill would help to protect distressed Hawaii homeowners who face foreclosures from being preyed upon by individuals and companies with malicious intent during the mortgage foreclosure crisis. It recognizes the two-pronged approach that is needed to combat this problem: enforcement and public education. Innocent people deserve to know that leaders and law enforcement are effectively combating this type of fraud."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2375, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 849-12) recommending that H.B. No. 2359, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2359, HD 2, pass Third Reading, seconded by Representative Evans.

At 12:08 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:09 o'clock p.m.

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

"Mr. Speaker, I rise in opposition to this measure. I think it's well intended in that we want to have insurance for our various electronic appliances. Mr. Speaker I have here an iPhone which I rely upon, which I insure. But the holder of this insurance or the seller of this, didn't have to pay \$2,000 to get a license. Why should we be charging people to sell us something, I think this is \$7 per month, and that will probably make it \$10 or \$15 dollars a month, if we're going to hit them with a \$2,000 licensing fee.

"So, Mr. Speaker, I would only end by saying, what's the rationale behind this? And why should we bother with something that's already working well on its own without government getting involved? Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2359, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Ching, Fontaine, Johanson, Riviere and Ward voting no, and with Representatives Cabanilla and Manahan being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 851-12) recommending that H.B. No. 2526, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2526, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I have reservations on this particular measure, especially regarding the issue of privacy."

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for Oceanic Time Warner Cable," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2526, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hanohano voting no, and with Representatives Cabanilla and Manahan being excused.

At 12:11 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2872, HD 3
H.B. No. 2873, HD 2
H.B. No. 2018, HD 1
H.B. No. 2375
H.B. No. 2359, HD 2
H.B. No. 2526, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 852-12) recommending that H.B. No. 1875, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1875, HD 2, pass Third Reading, seconded by Representative Evans.

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

"With reservations. We're into this now. We have the Act 48 from last year, the program that nobody has used. We do need to fix it. Anyone who's read this bill sees it just keeps getting longer and longer, and more fixes and more patches. So we do have to do something about it. And I'm not sure that making it longer and more cumbersome and such is the right answer. But I'll vote with reservations on this one."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I'd like to request ruling on a possible conflict. My firm does occasionally handle cases that involve foreclosures. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, may I request a ruling on a potential conflict? I serve as a Director on my homeowners association in Village Park," and the Chair ruled, "no conflict."

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

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

"Thank you, Mr. Speaker. Mr. Speaker, this is the mortgage foreclosure omnibus bill which the 2011 Mortgage Foreclosure Task Force developed. It's like 140 pages. I'm not going to read my 7 pages of testimony, but I would like permission to insert it into the record. I would like to make a few comments.

"The task force made several recommendations to establish and refine the foreclosure process for associations including condominiums and planned communities. There are some issues that still need to be worked out and various stakeholders are continuing their discussions as they work towards common ground. Besides association managers, the main provisions in this bill including the temporary UDAP provision are: A permanent ability for owner-occupants to convert non-judicial foreclosures to judicial foreclosures. Establishes a time limit for when transfers of title after foreclosure can be challenged. Repealing the Part 1 non-judicial process, which was one of the real problems that we had prior to Act 48. Removes the *Star Advertiser's* monopoly on public notices and foreclosure sales. When they became the sole provider, their rates went up five times. Requires attorneys filing foreclosure actions to sign an affirmation that they reviewed the paperwork and the bank has legal authority to foreclose.

"There's just a couple of other things I'd like to comment on, Mr. Speaker. If you'd give me just a second here. It's a very complex bill. We found such fraud among the offshore banks that we need to address, and quite frankly, from my standpoint, I would rather protect the Hawaii homeowners than the offshore banks. Thank you."

Representative Herkes' written remarks are as follows:

"Over the interim, the legislatively-created Mortgage Foreclosure Task Force convened for its second year, focusing its efforts on reviewing and refining the provisions of Act 48. Their recommendations are included in HB1875 HD2 with some amendments.

"Everett Kaneshige, formerly the Deputy Director of the Department of Commerce and Consumer Affairs and Chair of the task force, explained in his testimony that the task force "focused on streamlining the process enacted by the Legislature" and tried "to bring to the Legislature's vision of a functional and fair non-judicial foreclosure process to fruition."

"The task force's recommendations predominantly concentrated on the non-judicial foreclosure process for condominium and homeowner associations. They also suggested some revisions to the Mortgage Foreclosure Dispute Resolution Program to: protect borrower's personal information; simplify and clarify some definitions and terminology; and refine certain procedural issues.

"The task force also suggested that an owner-occupants' ability to convert their non-judicial foreclosure to one overseen by the courts would be made permanent. Under Act 48, this option would be repealed at the end of 2012.

"Perhaps the task force's most potentially impactful recommendation is to amend Act 48's Unfair and Deceptive Act or Practice (UDAP) provision, which has been cited as the primary reason why lenders have since decided to pursue all their foreclosures in court. The various stakeholders on the task force reached a compromise by majority vote to

support this recommendation, which seeks to retain strong protections for consumers while also providing lenders and title insurers more specific guidance as to what actions may constitute UDAP violations. The compromise recommendation includes a 6 month time-frame on a borrower's ability to challenge the transfer of title of a home after such a foreclosure.

"The current draft of this measure further limit's the application of UDAP so that lenders need not fear committing an automatic UDAP violation while the dispute resolution program is operative. This amendment was adopted to encourage use of the program so that more foreclosure actions may be resolved with the help of a trained third-party neutral. In 2014, when the program ends, the task force's recommendations would then take effect.

"HB1875 HD2 also permanently repeals the non-judicial foreclosure law from 1874, which was used to conduct the majority of foreclosures before Act 48 and is currently under moratorium until July 1, 2012. If this bill is enacted, there would be just one non-judicial foreclosure process with numerous consumer protections built in.

"Also included in this bill is a requirement that a foreclosing lender's attorney sign an affirmation in judicial foreclosures indicating that they had reviewed and verified the accuracy of the lender's paperwork and legal authority to foreclose.

"The bill is 158-pages and predominantly deals with condominium and planned community association liens and foreclosures. A number of these provisions are still being discussed by various stakeholders. These stakeholders have been encouraged by lawmakers to continue working toward consensus so that the final draft's provisions are agreeable to all.

"Several reports indicate that the nation isn't even half way through the foreclosure crisis. Act 48 has cut Hawaii's foreclosure rate to less than half it was before enactment. This bill would further refine its provisions and help many troubled homeowners in the future. But we must stay on alert. It seems the offshore banks do not take us very seriously. According to one constituent at risk of foreclosure in Kahala, her mainland bank told her to agree to a short-sale because she had lots of equity in the property. When that homeowner suggested that the bank take her through the foreclosure process so that she may benefit from Act 48 and its dispute resolution program, the bank said to her: "we're not concerned with Hawaii's law. Act 48 is going to be overturned." That is what they think of Hawaii's people and our laws. Something they're not concerned with. We must continue to do what is best for Hawaii's people. Thank you, Mr. Speaker."

Representative M. Lee rose to disclose a potential conflict of interest, stating:

"Just a request for a potential conflict. I'm a member of a planned community association," and the Chair ruled, "no conflict."

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

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

"I have the same conflict as the previous speaker," and the Chair ruled, "no conflict."

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

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

"May I ask for a potential conflict? I serve on a condominium association," and the Chair ruled, "no conflict."

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

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

"Yes, Mr. Speaker, I'm also an officer in a condo association board. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I'm rising in support with some reservations. Mr. Speaker before I begin I just would like to note that I know the Chair of CPC has been working very hard and diligently in getting all aspects of this bill together.

"Mr. Speaker, I just want to note one area of concern. One additional area. There are several concerns, but to make movement: one is the issue that this bill may have some negative impacts on homeowner associations. I know we'll be working diligently to address these issues regarding the two year time limit for association liens and issues of violations under 667-60, as well as terminating the delinquent access to common areas as this measure moves forward. But I did want to note that some of the homeowner's associations have some concerns with the language in this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1875, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Cullen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 853-12) recommending that H.B. No. 2452, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2452, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a ruling on a possible conflict. Our law firm does employ notaries. Thank you," and the Chair ruled, "no conflict."

Representative Ching 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 H.B. No. 2452, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 859-12) recommending that H.B. No. 2476, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2476, HD 1, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. A ruling on a potential conflict. My law firm has clients that stand to benefit from this bill. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2476, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 862-12) recommending that H.B. No. 2338, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2338, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CREATIVE MEDIA INDUSTRY," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 863-12) recommending that H.B. No. 2482, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2482, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 865-12) recommending that H.B. No. 2250, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2250, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to cast a no vote, and to deliver short remarks. Thank you. This bill is relating to the emergency environmental workforce which is a very noble project and noble idea. The workforce would do watershed restoration work, but the real problem is, it's funded from the Department of Land and Natural Resources and that is a chronically underfunded department. I think you've all seen me hold up a pie chart at various times when we talk about the budget, and you look for the sliver that is the Department of Land and Natural Resources' funding. You have to take a magnifying glass. So here we're taking money from that Department to do the work.

"I support the objective, the workforce to do the watershed restoration work, and I ask the Finance Chair to look at a way that it can be funded out of the general fund instead of from the Department's budget. Thank you."

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

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

Representative Kawakami's written remarks are as follows:

"This measure does two very important things. One, it takes approximately 500 to 750 residents of Hawaii who are unemployed due to the downturn in the economy and puts them back to work. Through public and private partnerships with agencies like the University of Hawaii, the Department of Agriculture, the Department of Land and Natural Resources, and the Invasive Species Committee of Hawaii, these emergency environmental workers will supplement the State's current initiatives to protect and strengthen our watersheds and eradicate invasive species. It provides short-term relief through six month contracts.

"The second, and perhaps arguably the most important achievement of this measure, is that it takes 500 to 750 blue and white collar workers and immerses them into the heart of our watersheds. What better way to build advocacy than to get people's hands back into the land that gives us life.

"A recent experience gave me, and my wife, the opportunity to immerse ourselves into the heart of the watersheds on Kauai. Prior to this experience my only knowledge of our watershed is what I learned from presentations or from documentaries. But there was still a huge disconnect.

After Alan Rictow and Jim Hobbs graciously escorted us in, we were immediately in awe of the beauty and strength that spills from our *aina*. This experience turned me from an individual who had limited knowledge of the importance of our watersheds, into an advocate, into a believer. Can you imagine the impact that this measure would have on the 500 to 750 emergency environmental workers? They would be coming down the mountain with this knowledge and passion and spreading it to their *keiki*, to their husbands and wives, to their *Ohana*.

"If we want to protect something, I believe that the most effective means is to give people the first hand experience of the strength, beauty and yet frailty of our *aina*. If we can get people to love it, they will protect it."

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

"In support, Mr. Speaker. And just as a clarification for the Members. This includes matching funds. Actually, it includes partial special funding, and it also includes general fund matches which the special funded programs would not normally get. Thank you."

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

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

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

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

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

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

"Mr. Speaker, I'd like to have the words of the Kailua Representative incorporated as my own. I will vote with reservations. I am concerned about the loss of federal funds."

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

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

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

Representative Wooley 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 H.B. No. 2250, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Fontaine, Hanohano, Riviere and Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 867-12) recommending that H.B. No. 2793, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2793, HD 1, pass Third Reading, seconded by Representative Evans.

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

Representative Kawakami's written remarks are as follows:

"This measure will ensure that our ocean users will to continue to have a voice in the rulemaking process. Ocean and marine resources are very specialized and require the voices that have the knowledge to represent a vast community of ocean users."

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

Representative Thielen's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise with reservations on HB 2793 HD1, Relating to Board of Land and Natural Resources. I have three primary concerns with adding four members to the Board of Land and Natural Resources as specified in this bill.

"My first concern is in regards to establishing quorum at board meetings. The bill states that these four new members "may vote only on issues related to ocean resources" and that these new members would not be considered in determining quorum and majority for all other issues. However, given the broad characterization of "ocean resources," potentially every agenda may include items concerning "ocean resources." In fact, every BLNR meeting of this year (up to March 9, 2012) had at least one agenda item in the following categories: conservation and coastal lands, aquatic resources, boating and ocean recreation.¹ New board members would likely be needed to attend all meetings in order to establish quorum on those issues.

"My second concern is the potential for an off-balance make-up of the board. Shorelines and ocean resources management requires balance among recreation, commercial, and cultural approaches, as it can be complicated for experts in each area to make decisions alone without advice from other consultants. Supporters of the bill note that none of the current seven BLNR members has a marine background. However, adding these four new members to a board of seven would, according to DLNR, over-emphasize fishery science and industry. While fishery resources are important to the State of Hawaii, the Board has the responsibility of evaluating all natural resource issues.

"Lastly, I am concerned that adding board members for specific purposes sets a bad precedent. The Board's current mission is to "Enhance, protect, conserve and manage Hawaii's unique and limited resources held in public trust for current and future generations of visitors and the people of Hawaii in partnership with others from the public and private sectors." This includes all natural resources. Increasing the board membership by over 50% for fishery and marine resources could set the precedent of stakeholders petitioning the board to add members for other specific interests—already, the Ocean Tourism Coalition has requested representation on the Board if this bill passes.

"I appreciate the opportunity to express my concerns and to voice my opposition to this measure. Thank you, Mr. Speaker."

¹ <http://hawaii.gov/dlnr/chair/meeting>

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I oppose HB 2793 HD1. All of Hawaii's natural resources and heritage are worthy of protection and proper stewardship. However, adding four members to the Board of Land and Natural Resources simply for determining quorum and majorities only on issues relating to ocean resources and limiting their votes only to ocean resources issues is a strained and unwieldy way of protecting Hawaii's near shore waters and ocean resources. The law presently provides for a seven member Board of Land and Natural Resources who bring various life, work and educational experiences and knowledge to this important body. In my experience, members of the Land Board put in a tremendous amount

of time in this volunteer position and devote quite a bit of time and effort in carrying out their solemn responsibilities. And the seven members of the Board of Land and Natural Resources have a tremendous responsibility to address issues relating to Hawaii's natural environment, and to:

manage, administer, and exercise control over public lands, the water resources, ocean waters, navigable streams, coastal areas (excluding commercial harbor areas), and minerals and all other interests therein and exercise such powers of disposition thereof as may be authorized by law [and] shall also manage and administer the state parks, historical sites, forests, forest reserves, aquatic life, aquatic life sanctuaries, public fishing areas, boating, ocean recreation, coastal programs, wildlife, wildlife sanctuaries, game management areas, public hunting areas, natural area reserves, and other functions assigned by law.

Haw. Rev. Stat. §171-3. Hawaii Revised Statutes section 171-4 presently provides criteria for members and includes consideration of knowledge in marine biology and experience in aquatic resources management. The Board Members are supported by professional and trained staff who can and do provide necessary expertise on issues that come before them for decision making.

"I am afraid that this bill will severely hamper the ability of the department and the Board to act as efficient and effective stewards of Hawaii's natural resources. If passed, this bill will require at least six member majority on any issues involving Hawaii's near shore waters and ocean resources, which may effectively block important changes recommended by the in-house resource managers."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of HSCR 867-12, HB2793, HD1. Mr. Speaker, this measure adds four members to the Board of Land and Natural Resources who shall be considered in determining quorum and majority only on issues relating to ocean resources and may vote only on ocean resource issues.

"Mr. Speaker, during testimony before the House Committees on Water, Land & Ocean Resources; Hawaiian Affairs; and Finance; it had been stated that the Department of Land and Natural Resources will consolidate the Division of Aquatic Resources into the Division of Forestry and Wildlife. Historically, the Division of Aquatic Resources has been a "behind the scenes" steward of our aquatic resources. By consolidating the Division of Aquatic Resources into the Division of Forestry and Wildlife the aquatic resources sector will lose its effectiveness. Additionally, there is no statutory requirement that a present Board member be experienced or have a working knowledge in ocean resources; such as fishery science, commercial fisheries, recreational fisheries, seafood industry, or maritime industries. It has long been advocated that our near-shore marine resources and near-shore fisheries need to be better represented at the various policy making levels. Marine resource issues require a specialized understanding and are dependent on ever changing conditions.

"Mr. Speaker, over the years fishing rules and regulations have generally been initiated and adopted through two venues: 1) legislatively and 2)

Chapter 91 Administrative rulemaking process. During the Chapter 91 rule making process the proposed rules change is reviewed by the Board of Land and Natural Resources for adoption. Without a Division of Aquatic Resources or a Board member experienced or knowledgeable in ocean resources, there is no one to advocate for our ocean resources.

"Mr. Speaker, during hearings it was stated that adding four new members representing the fisheries, fisheries science, and seafood/marine industries specialties to the Board to vote only on ocean resource issues that came before the board would create an off-balanced make-up of the board. Far from it. Presently, there is no representation of the above mentioned specialties serving on the Board nor are they required to be represented on the Board. Where is the off-balance make-up of the Board? An off-balanced make-up of the Board occurs now, when there is no representation or required representation.

"Mr. Speaker, this measure is not to place a burden on the Department of Land and Natural Resources or the Board of Land and Natural Resources. This measure is really to help the Department and Board of Land and Natural Resources do a better job of managing Hawaii's precious ocean resources.

"Mr. Speaker, for these reasons I ask my colleagues to please support HSCR867-12, HB2793, HD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF LAND AND NATURAL RESOURCES," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Keith-Agaran voting no.

At 12:23 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1875, HD 2
H.B. No. 2452, HD 2
H.B. No. 2476, HD 1
H.B. No. 2338, HD 2
H.B. No. 2482, HD 1
H.B. No. 2250, HD 2
H.B. No. 2793, HD 1

At this time, the Chair announced:

"Members of the House, we will take a 45 minute recess. We will reconvene at 1:00 to continue with our deliberations and debate."

At 12:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:07 o'clock p.m., with Vice Speaker Manahan presiding.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 872-12) recommending that H.B. No. 2682, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2682, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana 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 H.B. No. 2682, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON

OCEAN WATERS," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Takumi being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 873-12) recommending that H.B. No. 2398, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2398, HD 2, pass Third Reading, 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 H.B. No. 2398, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hanohano voting no, and with Representatives Cabanilla and Takumi being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 875-12) recommending that H.B. No. 2540, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2540, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations because of the cost to the childcare providers, and remarks to the Journal."

Representative Thielen's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with reservations to HB 2540 HD2, Relating to Fees for Child Care Licensing and Registration.

"This bill establishes a fee for licensing and certification of those wishing to start or continue a child-care business. Possibly the most-affected by this measure will be small startup childcare businesses, trying to get on their feet. In these difficult times, we should be aiming to foster small business growth, not suffocating it with more fees in an already capital-starved market.

"In addition, the fees would be deposited into a new special fund whose stated purpose is just ambiguous enough to not be trusted.

"Furthermore, Mr. Speaker, the bill states that the Department of Human Services will be allowed to charge "reasonable fees" for these licenses and certificates. Quite honestly, I see nothing at all "reasonable" about creating a wholly unnecessary new special fund on the backs of small businesses. These are businesses that could potentially stimulate our ailing economy, if we would only let them.

"For these reasons, I have reservations about this bill."

Representative Marumoto 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 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 H.B. No. 2540, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Marumoto voting no, and with Representatives Cabanilla and Takumi being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 877-12) recommending that H.B. No. 1689, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1689, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Honorable Speaker, I support this measure which is intended to reduce Medicaid cost for long-term care by establishing the Long-Term Care Partnership Program, and encourages individuals to purchase long-term care partnership insurance policies.

"This program has been adopted and implemented already in other states, and removes the false choice of Hawaii residents between quality long term health care and ensuring their families do not lose the fruits of a lifetime of work. The Department of Human Services will need to seek federal waivers and approvals, and also seek appropriate amendments to its Medicaid rules and State plan. This bill contains built in incentives, asset protection, and expands upon the allowable Medicaid spend down policy.

"This bill specifies that the long term care insurance plan shall be the primary payer of long term costs and that Medicaid shall be the secondary payer. The program will then delay and/or eliminates dependence upon the Medicaid program."

Representative Nakashima rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Nakashima's written remarks are as follows:

"This measure implements the long-term care partnership program, allowing individuals to qualify for Medicaid coverage for continued long-term care prior to exhausting their assets. This will provide an additional tool that will be available to residents and families who are faced with trying to deal with the challenges that are presented by taking responsibility for the care of loved ones and the elderly."

Representative Jordan rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Jordan's written remarks are as follows:

"I would like to express my opposition to the Long Term Care Partnership Program as it is designed to protect assets of the middle-and upper middle-class populations while still qualifying for the Medicaid program without having to "spend-down" their assets to Medicaid levels. Medicaid was never designed as an asset-protecting program and the long term care partnership policies will very possibly take Medicaid dollars from the desperately needy clients who wholly depend on Medicaid.

"Private Insurance dollars are substituted for private asset dollars which creates a "dollar-for-dollar" scenario, i.e., \$150,000 policy = \$150,000 in private assets saved with Medicaid eligibility protected if all other eligibility requirements are met. Therefore, dependence on Medicaid for long term care financing continues.

"Hawaii's Long Term Care Commission, as noted in its final report to the 2012 Legislative Session, carefully considered this option but ultimately rejected it. There is no proof available from states which have adopted this option that this option encourages the increase purchase of long-term care insurance needed for budget neutrality, and without increased participation, the program would increase Medicaid dollars. For some citizens, the LTC partnership policies are in opposition to the core functions and philosophy of Medicaid, which is a means tested welfare program as opposed to a program which would protect the assets of the

middle-class and upper-income clients. (GAO, 2007 and LTC Commission, Final Report, 2012).

"The consumer is also at risk of losing all monies paid into the policies if they miss even one monthly premium causing default and cancellation thereby enriching the private insurance companies while the consumer suffers financial loss.

"The GAO in 2008 focused on the increased need for robust oversight of these types of policies regarding rate-setting in addition to the need for increased oversight to protect the vulnerable consumer from potential financial exploitation and predatory practices of private insurance companies."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1689, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Jordan voting no, and with Representatives Cabanilla and Takumi being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 879-12) recommending that H.B. No. 2290, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2290, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Hanohano 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 H.B. No. 2290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Takumi being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 880-12) recommending that H.B. No. 2448, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2448, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Takumi being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 889-12) recommending that H.B. No. 2656, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2656, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and Takumi being excused.

At 1:12 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2682, HD 1
H.B. No. 2398, HD 2
H.B. No. 2540, HD 2
H.B. No. 1689, HD 1
H.B. No. 2290, HD 1
H.B. No. 2448, HD 2
H.B. No. 2656, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 890-12) recommending that H.B. No. 2690, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2690, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to vote against another exemption bill and this one is relating to geothermal resources. If I may explain why. Thank you, Mr. Speaker. First of all, if people think back, if they were alive then, to what went on in the past when geothermal development was attempted. This was probably about 30 years ago or so. And what happened was it was stopped dead in its tracks, because the developers didn't listen to the community. They didn't develop a community process where people worked together through the difficulties. I think geothermal development is excellent. I think it's a great idea to move ahead with that, but I don't believe that we should streamline that process. When you do that, then you end up with stumbling blocks and you end up with projects being stopped. This is too important to the energy self-sufficiency of the Big Island to do it wrong.

"I think that House Bill 2690 does it wrong. When you take a look at what actually could happen under that bill, it could allow developers to dig thousands of feet through aquifers without, as I say from Sierra Club, without consideration of the quality of the drinking water, the potential for contamination or the impacts of a blowout in the surrounding areas. I think Sierra Club was correct with those statements of concern.

"There's something called laser drilling. Not being an engineer, I don't exactly know how that works. But you need to have those things looked at carefully, and not do something that would actually exempt or streamline a process. So I think this is the wrong way to go, as it did with some other projects that we know of in this Body when we tried to streamline or exempt things. Ultimately those projects were stopped dead. So I would say, don't move ahead with this idea. Let's do it the correct way, and develop it in consultation with the communities. We can have the Big Island be the leader in using renewable energy and getting off fossil fuel. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"I'm in strong support of geothermal. I do have some concerns with the bill though and I just wanted to vote with reservations."

Representative Coffman rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support with some comments here. Thank you. I just want to clarify a couple things here. First of all, the bill separates exploration from development. Development will go through all of the environmental requirements in this State. Exploration is really a scientific process. This bill was presented by the DLNR, the agency that's responsible for doing this work, and they have extensive rules about drilling wells, whether it's for water or anything else in the State, and to protect our aquifers. So this bill in no way provides any harm to our State."

Representative Wooley rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I just want to make a short comment. We're looking at a lot of exemption bills here, and I think that we have cut government services so much in the last three years that I think we need to be a little more careful as we look at these possible exemptions. We don't have anybody to look out for our public safety. I'd also like to insert written comments."

Representative Wooley's written remarks are as follows:

"I have serious reservations about this bill. Geothermal has great potential as renewable energy that is locally made. However, exemptions to allow projects to move forward without proper analysis are potentially dangerous and dramatically increase the risk of harm to people and the environment. I have yet to see any evidence that the proposed exemptions

will allow for the safe exploration and development of geothermal energy. This bill goes too far too soon."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I unfortunately rise, and I feel so sad to vote no on this wonderful chance at geothermal. But it's just that I would like to have the words of the Representative from Kailua entered as my own. I don't think there's only one route to other problems. There may be a myriad of routes. There may be different ways to do it. We should always try to do it right. Geothermal, I wish it had been done even longer ago. I was very happy to be able to visit Mauna Kea. And I'm not sure if everyone knows, but King Kalakaua was a supporter of geothermal. And you Mr. Speaker, I'm sure, are well aware of how geothermal does supply so much of the Philippines' energy, doesn't it. So it could have been done, and it should have been done even earlier. I hope it's done. I just hope it's done the right way. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand with reservations. As we move forward in looking for opportunities for alternative forms of energy for our island state, we must not throw caution to the wind when handling our most precious resource – water. As I understand, exploration of geothermal may in fact cause harm to our underground water resources and for this reason, I stand in reservations. Thank you, Mr. Speaker."

Representative Nakashima rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, the Big Island Geothermal Task Force has been working diligently for the last several years to study and ensure the prudent application of geothermal resources on the Big Island. I think that they have proposed that geothermal become the base source of energy on Hawaii Island and I would like to continue to support that. If I may submit additional comments. Thank you."

Representative Nakashima's written remarks are as follows:

"The Big Island Geothermal Task Force has been working diligently to ensure the prudent application of geothermal resources. They have proposed that geothermal become the base energy resource on Hawaii Island and I would like to support these efforts."

"Numerous discussions have been held with the various communities and interests on the Big Island to ensure education, understanding and acceptance of this effort. This bill provides for streamlining the process of geothermal resource exploration and identification. If we are to move forward on becoming energy self-sufficient, it will require that we develop base energies that would support this goal. This will eliminate unnecessary delays and move the process of discovery and identification forward. Once it is determined that a site is suitable for geothermal energy production, all necessary permits and studies will still be required before the development and production of these resources may begin."

Representative McKelvey rose in support of the measure, stating:

"In support, Mr. Speaker. And I would like the words of the good Representative of the Big Island entered into the record as my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere rose to speak in opposition to the measure, stating:

"Earlier I had stated that I was with reservations. But on Stand. Com. No. 890, I'll make that a no vote. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2690, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Ching, Fontaine, Hanohano, Riviere and Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 891-12) recommending that H.B. No. 2145, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2145, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Here's another no vote and I'd like to explain why. Thank you. Mr. Speaker what this bill does is establish the policy of this State to delineate key economic sectors of importance for economic diversification in Hawaii. Then it says it's the intent of this State to facilitate completion of these projects. You turn to page 2 of the bill and one of those projects is the interconnectivity between Oahu and the Neighbor Islands, in other words reads, undersea cable.

"I think there's a great deal of concern in this Body from a number of Members, about that undersea cable; about the cost, the wisdom of doing that, and the wisdom of burdening certain Neighbor Islands to be the energy supplier for Oahu, whether or not that is morally correct to do.

"The second item in the bill that says that it's our policy to go ahead and get this moving. It is the mass transit system, the steel on rail project of the City and County of Honolulu. I believe that's on page 3 of the bill. I believe there's concern in this Body from some of the Members about that as well. So by passing this bill, we're saying this is fine and those projects should go ahead. This is State policy and the State will work to make these go forward.

"I think that we had a lot of discussion about last year's cable bill and that bill did not move forward because of the concern from enough of the Members here that it just did not move forward. This is kind of an end run, saying we're going to go ahead with it. It's our State policy. This is one of the key projects. As to the rail, I think if you take a look at recent, I believe it was Civil Beat that did a poll and found out it was like 55% or more of the people on Oahu do not support the rail. And yet we as a Body are passing a bill that says it is State policy that that project's going to go forward, and we as a State are going to make it go forward.

"I don't think this makes sense to move this ahead. I know people want to move ahead with economic development, but I don't think the economic development should include targeting two very controversial projects, and ones that do not have the broad support in the community or in the affected islands where that cable could impact.

"So Mr. Speaker, I would ask that Members take a look at this. It may not make it through the Senate, which then I would be very glad. But if it does, we would obviously, or probably have a chance to reconsider our original approval. But right now I'm not joining in with the yes votes. I'm very definitely a no on this measure."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise on this particular measure with grave reservations. In particular the two projects cited by the previous speaker are of great concern to me.

"650 Pohukaina St. Before we vote on it, I would like some more information on it. I have no idea whether it's a private project or State project. I think it's in here by virtue of the fact that there will be a transit

station going through it. But on the other hand, is the entire 65-story building a State project? I don't know. I don't know who the developers are. I don't know whether it's for residential, or business, or mixed use.

"So I'm just really puzzled why we would be citing this as an important project for us, when it does not have any permits yet. And it is over the height limit of 400 ft. for the City and County of Honolulu. Likewise for the train, we have no idea whether it's a go yet, and so it seems like this is very premature. I think we must do our homework before we even consider this. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representatives Thielen and Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"I question the wisdom of moving a bill like this, but it's worth additional discussion."

Representative Saiki 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 H.B. No. 2145, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Belatti, Hanohano, Luke, Riviere, Saiki and Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 892-12) recommending that H.B. No. 2246, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2246, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Wooley rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand with reservations. I just want to let Members know that Haiku is a very special valley, and I appreciate the intent of this bill. Unfortunately, there was a very important player not included in the very beginning. There's a Hawaii Immersion Charter School, and their testimony is in opposition, and it raises serious concerns. As well as DLNR and DHHL. They also have some serious concerns. I think there just needs to be a lot more dialogue before we can move forward with a bill this serious, where there will also be a lot of resources allocated."

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of Stand. Com. Rep. No. 892-12, H.B. 2246 HD2. Mr. Speaker, the purpose of this bill is to preserve and protect Ha'iku Valley, a site of cultural and natural significance, by establishing the Ha'iku Valley Cultural Preserve Commission to oversee the Ha'iku Valley Cultural Preserve.

"During the legislative hearings all those who testified in favor of this measure indicated that that Ha'iku Valley is an important cultural resource in Hawaii and that establishing the Ha'iku Valley Cultural Preserve Commission will greatly assist in its protection for future generations.

"Mr. Speaker, I further learned that Ha'iku Valley, one of nine *ahupua'a* surrounding Kaneohe Bay, served as a hospital for the *moku* of *Ko'olaupoko*. It was here that the *kahuna la'au lapa'au* lived and grew their medicinal herbs, which they mixed with plants from the sea to make medicine. People came from throughout the area to seek help from these Hawaiian healers. There are *na kupuna* living today, *kupa'aina* (native) to Ha'iku Valley, who still remember going into the upper reaches of the valley to collect herbs for medicines for their family *kahuna la'au lapa'au*.

"Many burials can be found today in Ha'iku Valley, as well as two major *heiau* and other lesser known sacred places. The two most prominent *heiau* are Kanehekili or Kahekili – *heiau*, a large site just outside the H-3 tunnel, dedicated to the Hawaiian god of thunder and lightning. Nearby is *Kane a me Kanaloa Heiau*, honoring the two prominent gods – Kane and Kanaloa – who brought forth spring waters throughout the islands with the help of their digging sticks, or *o'o*. There are Hawaiian families today who still continue to visit and care for their family graveyards, including burials located at *Kane a me Kanaloa Heiau*.

"Mr. Speaker, Ha'iku Valley also has a modern day historic significance as well. In the early 1940s the Navy chose this area to locate a top-secret radar station. In the 1950s, the area was converted to an Omega Transmission Station. Due to its unique bowl-like shape, and high Pali around it, the valley played an important part in strategic communications during the war and decades after. The Omega Station was one of only eight in the world that supported communications and coordinates among aircraft and ships at sea.

"Part of Ha'iku Valley today, Mr. Speaker, is home to Ke Kula 'o Samuel M. Kamakau Laboratory Public Charter School, where the students are educated on the importance of the valley.

"Mr. Speaker, whether in ancient or modern times, Ha'iku Valley has always been there for the good of the people. We need to preserve this valley to honor both its Hawaiian and modern-day historical significance.

"Mr. Speaker, for these reasons I ask my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2246, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAIKU VALLEY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 894-12) recommending that H.B. No. 1758, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 895-12) recommending that H.B. No. 2267, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CLEARCOM,

INC., IN THE DEVELOPMENT OF BROADBAND INFRASTRUCTURE IN HAWAII," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 898-12) recommending that H.B. No. 2529, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Third Reading by a vote of 51 ayes.

At 1:30 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2690, HD 2
H.B. No. 2145, HD 2
H.B. No. 2246, HD 2
H.B. No. 1758, HD 1
H.B. No. 2267, HD 1
H.B. No. 2529, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 899-12) recommending that H.B. No. 2806, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2806, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Hanohano rose to speak in support of the measure, stating:

"Kako'o loa."

Representative Hanohano provided the following translation:

In strong support.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2806, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 900-12) recommending that H.B. No. 2153, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2153, HD 1, pass Third Reading, seconded by Representative Evans.

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. I respect what we're trying to do here, and I think it's important that our State find new ways to finance our infrastructure, but I do have concerns with this proposal. While making residents pay for tolls for new roads and highways may be something that we should consider, this bill goes a full step further and will empower the Department of Transportation to assess tolls on existing roads and highways if an alternative free route exists. What this could mean though, is that residents in Windward Oahu could be charged for driving over the Pali while driving to work instead of taking the Likelike. Or residents commuting from Ewa could be charged for using the H-1 rather than the Nimitz Highway.

"We are a state that as always strived to provide for the general welfare and common good without regard to one's ability to pay. Providing free access to our beaches, our natural resources and of course services such as

guaranteed education and basic transportation allows us to justify the taxes that Hawaii already levies. Like it or not, and wisely or not, Hawaii has purposely built this transportation infrastructure around the automobile, and today the average person relies on their cars to get around. We cannot shift paradigm so abruptly and begin to charge for transportation which has become a basic necessity when so many have little or other option to get to work each day.

"More than anything, toll roads are regressive. They place the burden of paying for infrastructure on those who can least afford to pay. Across the nation and right here in Hawaii wealthier individuals are less reliant on daily commutes than the average middle-class family that is often forced to commute great distances to work. This means lower and middle-class families end up paying disproportionately more than the wealthy for public infrastructure that's designed for everyone. In fact, studies by the Department of Transportation in the State of Washington find that tolls can place a burden four times as large on families below the median income than those families who are above it.

"Until the day when the average person is no longer forced to make long commutes to work or there are alternate forms of transportation that can be relied upon, the cost of building and maintaining roads and highways must be shared equally by everyone. It's why we already ask everyone to pay their fair share in taxes. And it's why regressive toll roads cannot be the answer to funding a better transportation future. Thank you, Mr. Speaker."

Representative Fontaine rose in support of the measure with reservations and asked that the remarks of Representative C. Lee be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Mr. Speaker, it was eloquently said by the Representative of Lanikai, and I would like his words entered in the record as my own. But I'd like to add a quote from the Chamber of Commerce of Hawaii and the Building Industry Association. It would be a rational argument if there were other alternatives available to commuters in Hawaii aside from driving a car, however in most areas the motor vehicle is your only option. Imposing tolls would essentially create more congestion and gridlock on our heavily used roads right now.

"I've said it before Mr. Speaker, that we're islands, and there is a lot of the stress of living in a small place. A very small place. Very dense. Actually one of the densest states in the United States. We need to get along with each other. You know, get along. The thing is that toll roads are going to just cause more congestion, and one of the biggest contributions to stress is traffic. So you're going to have people stop. They're going to have to be looking for their money. And it's going to be, excuse me, but it's going to be hell. It certainly isn't going to be the vision, the vision of a beautiful, healthy, Aloha State. Toll roads do not contribute to that vision, and I think that's what our people want. I think that's why people want to live here and take such a cut in pay from living elsewhere.

"But additionally, to add to what the Representative from Lanikai said, they have examples on the mainland where it started at \$2.50, but because it couldn't, that \$2.50, because it could not pay for itself, it was raised to \$8. So this again is an additional stress to our people. It's a tax and it's not the only way to do these things.

"Actually, we just need to grow our economy, be more business friendly and add to more ideas that can make income and revenue for the State that play to our own strengths, instead of trying to consistently follow mainland ideas that may not be the perfect fit for Hawaii, or for our people's health and our people's welfare. And so for the people, I don't think toll roads is the only answer. Thank you, Mr. Speaker."

Representative Takai rose in opposition to the measure and asked that the remarks of Representative C. Lee be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker and Members. I speak very strongly for toll roads. The toll road is just another tool for the Department of Transportation to have at their disposal, if at some time in the future there is no other alternative for building new highways. And as we have just witnessed and has just been stated by the Representative from Kailua, it looks like the rail might be in trouble. The poll numbers are not very good. I don't know how accurate the poll is, but as to that particular poll, it doesn't look good.

"So now we continue to increase our neighborhoods by building more houses. Ho'opili is probably going to have 3 to 5 thousand homes there, and they're going to have additional road blocks. The University is going to build sometime and that area there is going to create more road blocks also. The alternative, and of course the feds have not been very nice to the highway people. They have not passed a bill yet. And when they do pass a bill, we can be expecting less and less funds to build. So where do we go from here? The only alternative then is to possibly look at some toll road if it comes to that.

"We're not saying it's going to be right away. You're going to need to have community input before a toll road is built. The partner who may want to invest with the State or by themselves would have to see whether it would be worth their while. It may not be worth their while financially. This bill provides that there must be an alternate route before a toll road is built so that would protect you from forcing you to use the toll road. You could continue to use the regular route. In fact, in that case, the regular route would have probably less traffic, because those that are in a hurry, and we all seem to want to speed, they would want to use the toll road, unless they get some cameras over there too.

"But anyway, I believe for the long-term we need to look at this. It's not for the short-term. It's a tool that we are going to have. But what we know is going to happen, we know that the federal dollars are going to be less and less. We know that growth is going to continue, especially on the Westside, which already have bottlenecks. Unless we're going to be moving it to the Windward side. We can have growth over there. There's a lot of room for growth. Maybe we should change some of the plans for the Windward area. Maybe in Kailua. But that's all Mr. Chairman. I'm sorry for joshing. I just want to bring some levity into this very gloomy discussion that we are in now. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in favor of the measure. I realize it's not a very popular measure because it involves paying a fee to use the highways. If you live in my neighborhood, the Oahu Metropolitan Planning Organization 4 years ago said, that not unless there's an alternative to come into town, the commute time during heavy traffic would be two and a half hours. That is difficult to swallow Mr. Speaker, because time is money. I would not want to subject people to traveling to the airport or to town for two and half hours.

"So if I'm a Representative in Kailua, or Kaneohe, on the other side of town, I'd probably be giving the same speeches that they're giving. But since my community is the one that's impacted by this, I have to look outside the box at ways that can relieve our people from congestion. So far, there is none. We talk about the rail. We don't know where it's going. I hope that the rail will solve that congestion. Meanwhile, I have no option but to support the Chair of Transportation in his thinking of solving this problem outside the box. We cannot rely on just one alternative that we don't know whether it's going to deliver or not. We need relief on the Westside. We don't want to raise taxes to pay for new roads, or to improve the budget of the Department of Transportation so we can provide federal matching funds. We don't want to do that.

"There's rhetoric about improving our economy and growing our own infrastructure, and funding for it. Did you see anybody in this Chamber say let's raise taxes so we can have some relief for the people on the Leeward side? No, Mr. Speaker. In fact they will vote more projects, housing developments that would increase congestion. So there's an issue of parity, Mr. Speaker, and since the people on the Leeward side are impacted by traffic, I would like to advocate that those toll roads be on the other side of

town where there are people who can pay more for toll roads. Thank you, Mr. Speaker."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose to respond, stating:

"Thank you, Mr. Speaker. In opposition, still. I'd like to speak on this a little bit. The previous Representative, I understand her concerns. The communities that she represents are heavily impacted by traffic, but I only wish that they would consider where all this traffic is coming through. The communities of Aiea and Pearl City are very special to us. We actually call our community the Heart of Oahu. And those of you who don't believe that need to understand that the H-3, H-2 and H-1 all come through our communities. And if the H's or the freeway system are the arteries, we're the heart. It doesn't make sense to me to take a look at a proposal like this to move people from the Westside to the airport, or to town without taking into consideration the communities that you'll be impacting.

"The fact remains that I don't think we can build ourselves out of this crisis. Those of you familiar with the H-1 project going westbound over Waimalu Valley a few years ago, may recall that, that particular project was less than a mile long and cost \$67 million. \$67 million for a mile-long stretch of concrete. When you talk about a toll road, I'm assuming you're going to go from west to east, west to east right through or above Aiea, Pearl City. You're talking about miles and miles of concrete. And again I say, we cannot build ourselves out of this mess. And I do not believe that toll roads are the solution."

Representative Har rose in support of the measure with reservations and asked that her written remarks, and the remarks of Representatives C. Lee and Ching be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise with reservations on Standing Committee Report 900-12, House Bill 2153, House Draft 1. Once again we are dealing with yet another bill for the establishment of toll roads. I have actually given Floor speeches on House Bill 139, House Draft 2 from the 2009 Legislative Session and on House Bill 70 from the 2007 Legislative Session. The current bill at hand, House Bill 2153, House Draft 1, authorizes the Director of Transportation to impose toll charges on existing highways or construct new toll roads, and provides for agreement with private entities to construct, operate, and mandate toll roads. While I am not adverse to the idea of the Department of Transportation entering into a public-private partnership for the development and operation of roads in Hawaii, I have reservations to the imposition of a toll to be paid by residents of the Leeward coast for use of these roads. Mr. Speaker, I base my reservations on three reasons.

"First, the opening paragraph of HB 2153, HD1 (page 1, lines 3-6) states: "... the operation of toll roads has contributed to controlling the amount of motor vehicle traffic, thus reducing traffic congestion..." If the purpose of the bill is to alleviate traffic congestion on Hawaii's roadways, we need to get cars off the road. Constructing new toll roads will only encourage people to remain in their cars. Imposing toll roads would therefore only add more traffic congestion on heavily used roads.

"A second reason for my reservations to this bill is that this bill would allow for a lease of the toll road to the private entity. There is an inherent danger to privatizing roads because roads are for public use. Events that take place on one road undoubtedly affect other connecting and alternative routes. Toll prices, maintenance and safety standards, and congestion on a toll road therefore have a substantial impact on the number of cars using alternative routes, including local roads and mass transit. Decisions about how to operate and manage these roadways have the effect of creating traffic policy for the State. What may seem beneficial from a narrow profit perspective does not necessarily benefit transportation networks in general. As a result, public control of key toll roads is necessary to ensure coherent statewide transportation planning and policy making. Road privatization in other states shows that private operators' profit motives produce very

different management decisions than government would. Transportation policy should be made according to what is in the best interest of the public, not limited by what kinds of extra payments may have to be made to a private operator.

"A third reason for my reservations to this bill is because of the issue of geographic equity. Geographic equity refers to issues surrounding how one part of the State is treated compared to another. In the case of toll roads to be paid by only residents of the Leeward side, I submit that geographic equity is at hand. Proponents of this bill believe toll roads will work in Hawaii because they have been successful on the mainland. However, Hawaii is not like the mainland in that, on the mainland, those with higher incomes typically live outside of the urban core known as suburbia. Those with higher incomes generally live in the urban core while those in lower income brackets live in Central and West Oahu because the homes are more affordable. Moreover, there is no question when comparing the socio-economic demographics of those from East Honolulu or the Windward side from Leeward Oahu. As such, it is unreasonable to expect residents of the Leeward side to bear the burden of a toll because lower income residents would now be required to pay an additional fee if they wanted to find a faster way to get into town.

"If one person on this island is required to pay a toll, then all people living on this island should have to pay a toll. For these reasons, Mr. Speaker, I rise with strong reservations to HB 2153, HD 1."

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. I'm opposed to both aspects of the bill: both building a new toll road, and also making current highways into toll roads. But I think the construction of a new toll road is especially problematic. I agree with many of the comments of the Representative from the Heart of Oahu. There's been a lot of concern about rail. It's going to be a blight to the skyline. It's going to ruin our environment in terms of the aesthetics. But I would submit that another freeway would be even more of a blight, and would carry a lot fewer people than rail, and it doesn't actually get the people where they need to go.

"Because once you've gone through the Heart of Oahu and you arrive in the 28th District, you cannot build a freeway that goes in to this building, or into any of the Downtown towers. You have to get off on the street level at some point. And while you may be able to get from the Ewa Plain quicker to the off-ramp into Downtown, there's going to be just an incredible traffic jam getting from the end of the freeway into the Downtown area or into Waikiki where most people work. So rail gets around that problem. Rail isn't affected by traffic, and I think rail is really the only viable alternative, but it's certainly a better alternative to a toll road. Mahalo."

Representative Yamane rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm standing in opposition. Just one brief comment, Mr. Speaker. Many of us, many middle-class families, in order to afford their own home, have to be pushed out to places where they can afford it, which is in Central Oahu and the Leeward Plains, Mr. Speaker. Making the toll road suggestion would then emphasize the issue of the haves and the have-nots. So if you're able to afford it, and can pay for this toll road, you'd be able to get to town quicker. If you are like the many struggling families here today who can't afford it, who are struggling to make ends meet, Mr. Speaker, then you'd be stuck on the roads and highways that they currently pay their taxes for. There's a social issue regarding the have and have-nots, and I don't think that's appropriate for this Legislature. Thank you."

Representative Souki rose to respond, stating:

"Thank you very much, Mr. Speaker and Members. First I'd like to say I hope that the rail makes it, too. If the rail makes it, we probably won't need a toll road, for a number of years anyway. I look forward to the rail making it, but unfortunately it seems the mood of the public is changing.

"Now let me put it this way. I've heard all the arguments about why we should not have toll, but I've never had any alternatives other than the toll in the event that the rail doesn't make it. And even if the rail does make it, it will be from Kapolei through Waipahu, and right down to the mall. That's all. Three-fourths of the people will have to stand up. Seniors won't be able to ride. I won't be able to ride it in a few years I would imagine. You might have to take me in my wheelchair or something.

"But when you look at these problems here, and we do have a highway problem because of the density of the traffic. You cannot make believe that there is not a problem. We have a problem where we have difficulty to move. It takes you hours to get from the Westside to here. And unfortunately, it seems the people from the Westside are the ones who don't want it the most. They're the ones who need it. But like a good parent, I'll do my best to, in spite of what the children want to see, that they get what is best for them. Thank you, very much."

Representative M. Lee rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. I would like to say that I don't think toll roads are a good solution, particularly if you look at what happened in Chicago where a whole road was sold. Then the person that owned it kept jacking up the prices. And then if you look at what happened in Texas, there were many toll roads built to nowhere. Those kinds of things are very bad, but I can see having a toll road on perhaps the zipper lane, and then people could choose whether to use the zipper lane or to use the regular road. However, really, the best solution is the rail, including a spur to Mililani in the future. Thank you."

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise to speak very briefly in opposition. But before I do that, if I could incorporate the words of the speaker from Lanikai as my own. You know all of us, as the Representative from Mililani stated, people live in certain areas sometimes not by choice, but because of the space issue, and because of the availability of housing and where they work. The unfortunate part of that is if you work in town, you have to take the freeway, or take the highway to get to your destination. And unfortunately in this situation, the way that we're trying to deal with the traffic in this situation, is for people who have no choice but to take the freeway and the highway to get to work or to school. It's penalizing people who live farther away as opposed to live close to town. It's a very unfair situation so I would like to vote no."

Representative Cullen rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I oppose this measure because it is a true example of the have's and have not's. Being that people from my District already pay more to drive due to the amount of fuel we use, by allowing people who can afford to go through and use the toll roads would be an unfair disadvantage to those who may not be able to afford it, inevitably causing them to go through traffic. It does not seem like a fair situation and I cannot support the measure at this time."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representatives Takai, Rhoads and Luke also be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ichiyama rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support. HB2153 authorizes the Director of Transportation to consider imposing toll charges on State highways or as a funding source to construct new toll roads. It also provides for public-private partnership agreements with non-government entities to construct, operate and maintain a potential toll road. It would

prohibit toll roads where there is no toll-free comparable alternative route available for use. Finally, it requires a comprehensive feasibility study prior to construction of any toll road project.

"I support this bill because it gives the Department of Transportation another tool to use to help address the serious traffic congestion on our State highways. As the gridlock in Congress continues, it is unlikely that federal highway funding will continue at prior levels. We need to be creative and carefully look at alternative means of financing our highway projects. HB2153 will help us to continue the discussion on how to continue to provide safe and efficient transportation infrastructure while being fiscally responsible. Thank you very much, Mr. Speaker."

Representative Giugni rose in opposition to the measure and asked that the remarks of Representative C. Lee be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Brower rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition and just a brief comment. While I'm currently against this bill, I'm starting to warm up to the idea. Because as someone who chooses to live in town, and maybe have a dwelling not as nice as somewhere further away, why should people like me or my constituents pay for a service we don't use very much? And why not have those who do use the service pay more? This would likely reduce the number of cars on the road and could be used to ensure that vehicles on the road have insurance. I'm speaking to the part of the bill regarding toll charges on existing highways. Thank you."

Representative Awana rose in support of the measure with reservations and asked that her written remarks, and the remarks of Representatives C. Lee, M. Lee and Takai be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand with reservations and I ask that I be allowed to adopt the comments from the Representatives from Newtown, Lanikai and Mililani. As the Representative from the Waianae Coast, I have witnessed commuters leaving their homes as early as 4:00 a.m. each morning to drive into the urban core for employment. Mr. Speaker, currently providers are forced to spend time away from families, extra monies on fuel charges and now it is a travesty when we will create additional burdens to those residing in areas where travel is not a luxury.

"Mr. Speaker, driving is a necessity. I too can foresee that toll roads will widen the gap of the haves and those that are without. We can easily say that toll roads are an option. I beg to differ. The population continues to increase and, the lack of proper infrastructure continues to limit the ability for commuters to get to and from work. Financially penalizing hard working residents is not the way support our economy or the working class. For these reasons, I stand with reservations. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am also rising in opposition. You know, I just wanted to clarify that I don't subscribe to, while I am proud of my own district and its strengths. Every district is unique. To dividing things by district, dividing people by category. It's also for all of the people, for all of the State of Hawaii. Are we retaining our quality of life for what we are known, our beauty? There aren't a lot of oil fields around. We have our beauty. That's what we rely on, and it's the health of our people. So when I speak to this issue, I have not a toll road I think, coming perhaps near me. But for all of the people and not just the districts against each other. It's for all of the people that we not have these kinds of solutions that deteriorate our quality of life. Thank you."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2153, Relating to Toll Roads. I agree that there is merit in the creation of tolls roads, as they offer drivers a choice in planning their travel routes and offer alternatives to drivers. I do have some concerns, however, that toll roads may adversely impact the most financially vulnerable in our communities and State. The amendment made to this measure that would prohibit tolls roads from being created in areas with no other means for commuting and require that an alternative public access road exist is a good amendment that somewhat mitigates my concerns. For these reasons, I support this measure with reservations."

Representative Pine rose to speak in support of the measure with reservations, stating:

"In support, with some reservations and a brief comment. I do have a lot of reservations that have already been stated. But what I see is that this possible project is for those more rural areas that for whatever reason, this Body has not given the roads that they had really wanted. And because of the cost structure, this gives those rural areas that don't have the same type of favor as other areas throughout the State, just the possibility to expand on new opportunities for them. And if I could have written comments too. Thank you."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on this measure. This bill would authorize both toll charges on existing highways and the construction of new toll roads. I believe we should allow our communities to choose this option for themselves.

"Toll roads would significantly impact the routines and costs of living for drivers all around Hawaii. It should not be at the discretion of government to institute new tolls; rather, members of the communities around our State should have the ability to say that raising funds for roads is their priority."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2153, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOLL ROADS," passed Third Reading by a vote of 35 ayes to 16 noes, with Representatives Aquino, Belatti, Brower, Ching, Coffman, Cullen, Giugni, Hanohano, C. Lee, Luke, Rhoads, Saiki, Takai, Thielen, Wooley and Yamane voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 901-12) recommending that H.B. No. 2800, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2800, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Fontaine, Hanohano, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 902-12) recommending that H.B. No. 2485, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2485, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 903-12) recommending that H.B. No. 2613, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2613, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Here we go again. Here's another measure to exempt a department, this time the Department of Transportation from our land use and environmental laws. I'm rising to vote against the bill and to deliver some remarks. Thank you. Mr. Speaker if you take a look at that bill, House Bill 2613, and I'll read from the purpose clause. The purpose of the measure is to assist the Harbors Division of the Department of Transportation in more efficiently implementing needed maritime projects by exempting submerged lands within the State Commercial Harbor Systems from the permit and site plan approval requirements as they relate to submerged lands within a conservation district.

"Why on earth would we want to do that? I mean, that just is astounding to me, that as we sit here today in this Legislative Session, this is I think the fifth bill, possibly the sixth where we're exempting State projects and exempting entities from our environmental laws. This just doesn't make sense.

"The bill in its body says, all work involving submerged lands used for State commercial harbor purposes shall be exempt from any permitting and site plan approval requirements established under Chapter 183C for lands in a conservation district. It just doesn't make sense, Mr. Speaker. I don't know. I'm sorry, I mean, I keep looking back to what the Democrat Majority set forth thirty to forty years ago in our State, and what they set forth to say that we need to protect Hawaii's environment. They recognized the importance of Hawaii's environment. They didn't say, 'Oh well. It's okay to exempt this or exempt that.' They said there's a process you can go through. If the project can be legitimately done meeting that process, then it will go ahead. But to just sit here and with bill after bill saying we're going to gut our environmental laws and exempt things. I don't know where people are coming from. I mean, I don't think it's a generational thing.

"I know I was fighting the Department of Transportation on the stop H-3 case about thirty years ago. Actually that, I was involved in that case for 12 years, and it was because the Department of Transportation made bad decisions and didn't follow the environmental laws. So we stopped the project in the courts, and then our senior Senator went to congress and said to exempt H-3 from all laws, and Congress did."

Representative Chong rose to a point of order, stating:

"Point of order Mr. Speaker. That has nothing to do with the bill. This is talking about harbors."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, please confine your comments to ..."

Representative Thielen continued, stating:

"That wasn't an underwater project, but it should have been, Mr. Speaker. This one deals with the Department of Transportation and that is the department that is in this bill. So the Department itself has a history of not complying with environmental laws. So then we come up with this saying, 'Okay, we'll exempt them.' And it just does not make sense, Mr. Speaker.

"If there were some legitimate reason for health, safety or emergency, there are procedures for that. And those procedures even then can be followed. But to just do this wholesale for a department that has been known, well certainly for 30 years during those 12 years, we kept winning in the court because the Department of Transportation was violating environmental laws. Now we say 'you're exempt,' and I vote no."

Representative Souki rose to speak in support of the measure, stating:

"Yes, thank you. I speak very strongly in favor of this measure. And let me add that I believe the example that was given by the Representative of Kailua, that project took more than 12 years to work on. The project was

supposed to be finished in 3 years. I think that justifies all of these exemptions here.

"The road that was supposed to cost approximately \$350 million came up to over one billion and a half dollars. And it took many, many years. There was a suit every other square mile on the property. If the Representative from Kailua is proud of that, then we should be extremely careful, because other projects will follow a fate similar to what we had with H-3. It should not have lasted that long. It should have gone only for 3 years. They should have had to save the State a lot of money, but in fact we lost a lot of money there and yet, the party for the suit who made it possible for us to lose a lot of money is proud of that fact. I would be feeling very sorry for the State if I caused the State to lose so much money. Thank you, very much."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. My second time, and I'll respond to the Chair of Transportation. Mr. Speaker, violating our strong environmental laws is no excuse. And I know the speaker would like to fast track all of the Department of Transportation's projects. Now maybe that's for next year's bill. DOT doesn't have to follow any environmental laws, and is exempt. That's basically what Senator Inouye did in Washington DC so H-3 could be built. Now are we going to take that kind of an action here to say, 'DOT, you're exempt. Don't worry about the environmental laws. They're a nuisance. They kind of get in the way when DOT wants to go ahead and do a project.'

"So there's a way to deal with that. Exempt them. Don't have them go through the normal process which if they follow it and did it correctly, generally their projects can go ahead. Unless they really would be devastating to our environment and then on the sake of your children and your children's children, I would hope then that the Department would be stopped. So I don't agree with the Transportation Chair at all. That environmental laws are inconvenient. I think environmental laws are there so we preserve what we're interested with for future generations."

Representative Souki rose to respond, stating:

"In rebuttal, Mr. Chairman. I just want to go on the record that I'm not opposed to the environmental laws. I think it's very necessary for the people of the State of Hawaii. What I am concerned about is the abuse of environmental laws. Thank you."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition. Very briefly. I just want to reiterate, that this is one of many bills today that seek little exemptions. Little exemptions add up to a lot of exemptions. Environmental laws are there for a purpose. All states have environmental law. All states have a Departments of Transportation. We've got to fix it. Scapegoating environmental law is not the solution to fixing systems that aren't working properly. We need to follow the law or else we get into court and we get busted. And things cost more when we do it wrong. So let's do it right the first time.

"In just about every case, in fact in testimony in Finance the other day, the Department of Transportation testified that yes indeed there are many times when the environmental studies give them added insight and it prevents them from making mistakes. The product's ultimately better. So it's better to do it right the first time. Measure twice, cut once. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, I just would like to note my strong reservations with written comments."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on HB 2613. This bill would exempt the Department of Transportation from the approval requirements needed to protect our fragile environment. I'm concerned that

it would give the Department too much discretion and bring unintended consequences. Economic development is important but we do not have to choose between a healthy economy and a healthy environment."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm voting with reservations. This is a wholesale exemption and I think it should be narrowed. Thank you."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2613, Relating to Harbors. While I do believe it is important to pursue responsive development in our communities and I do believe we must put forth our best efforts to identify and meet the needs of the people of our State, I have concerns about exempting a State Department from the permitting and approval process as it pertains to harbors. I believe there may be more responsible and effective ways to work with lands in our conservation districts, and for these reasons I vote in support with reservations on this measure."

Representative Belatti 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 H.B. No. 2613, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Ching, Fontaine, Hanohano, Riviere, Saiki and Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 905-12) recommending that H.B. No. 1726, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 906-12) recommending that H.B. No. 2121, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2121, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition of this bill, Mr. Speaker. What this bill does is it prohibits government agencies from contracting with private energy providers that claim renewable energy technologies tax credits. And the reason I'm against this, I understand the purpose and the intent is that right now there are many schools statewide whose energy systems can no longer hold energy capacities that it needs. So they either rely on us to redo their whole school and upgrade their electrical systems there, or they can be creative and partner with private entities that can provide renewable energies to combine with energies they're using now.

"So I'm hoping that as we go through the process we can exclude some of those situations so that we allow our schools and other agencies to be very creative with the taxpayer money."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I rise in opposition to HB 2121 HD2. This bill would prevent government agencies from signing power purchase agreements with private companies that install renewable energy systems. Instead, the State would buy its own renewable energy systems by issuing general obligation bonds. This is a completely misguided approach.

"Power purchase agreements with the private sector have many benefits, such as fixing electricity rates over the lifetime of a contract. By stabilizing utility costs, government agencies are protected from rising oil prices.

"Also, if the State owned the installed renewable energy systems, then the State would be responsible for any repairs after the warranties expire. Under power purchase agreements, private companies would pay for repairs.

"HB 2121 is strongly opposed by government agencies such as the Department of Business, Economic Development & Tourism (DBEDT), University of Hawaii, Department of Education (DOE), and the Counties of Honolulu, Maui, Kauai, Hawaii. It is also strongly opposed by the Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, and Hawaii PV Coalition.

"Mr. Speaker, in their testimony DOE testified that HB 2121 would significantly delay installation of photovoltaic systems at public schools statewide. They also stated that the installation would cost about \$160 million in general obligation bonds. The annual debt service on bonds would offset any energy savings.

"Power purchase agreements, on the other hand, would reduce DOE electricity costs by more than 50 percent at today's rates. DOE would realize these significant savings with no up-front costs to the State.

"Not only would HB 2121 waste tax dollars, it would greatly harm green energy companies. The State should do all it can to support renewable energy industry, not harm it with ill-conceived legislation.

"I urge my colleagues to join me in soundly defeating HB 2121."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, with reservations. Because I don't believe GO bonds should be used for tax credits."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2121, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Fontaine, Hanohano, Pine, Thielen, Ward and Wooley voting no.

At 2:11 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2806, HD 2
H.B. No. 2153, HD 1
H.B. No. 2800, HD 1
H.B. No. 2485, HD 3
H.B. No. 2613, HD 1
H.B. No. 1726, HD 1
H.B. No. 2121, HD 2

At 2:11 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:13 o'clock p.m.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 908-12) recommending that H.B. No. 2326, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Fontaine and Marumoto voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 909-12) recommending that H.B. No. 2417, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2417, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this bill. Mr. Speaker, what this bill does is severely restricts the tax credits that would be available for your average homeowner to put in photovoltaic systems. It moves it from a per-system to a single tax map credit for one TMK. This means that if a family has maybe five children, six children, and they have more roof space because of the need of that family, they would get one tax credit for that photovoltaic system on their roof, where they would really be putting in, possibly, two or three systems. What it does is it stops people from going ahead, and leaves it available for the millionaire homeowner. But your homeowner that could stretch a little bit and be able to put in a photovoltaic system under this bill, they no longer would be able to do that.

"Let me tell you a little bit about the impact that this could have. By the year 2010, a couple of years ago, 4,336 renewable energy systems were installed statewide under this program, the Utilities Net Energy Metering and Schedule Q Program. That growth is huge when you stop to think about that. Huge both in that the solar and photovoltaic industries are one of our largest and fastest growing systems within this State. This means good-paying jobs for local people. This bill is a job killer. It's going to stop dead in its tracks, the increase of the use of photovoltaic systems.

"Now maybe some companies misuse the system. But the companies that I have talked to, your credible mainstream companies, were doing this not to gain a tax credit. They were doing it because that project legitimately required more than one system to make it run and to make it be effective. And if we do this as a job killer, it's even larger than that, because what it does is, it slows down our progress to get off of fossil fuel.

"Earlier in debate during this session, I talked about the article titled, *Oil's Tipping Point has Passed* and I'd like to just refer briefly to a comment that the authors made, James Murray and David King. I will quote again: Governments that fail to plan for the decline in fossil fuel production will be faced with potentially major blows to their economies even before rising sea levels flood their coasts or crops began to fail catastrophically.

"And then they say: The solutions are not secret or mysterious. They include redirecting tax credits toward renewable energy development among other things. And instead with this bill, we're ignoring that wise advice and we're taking away the tax credit that your average family may be able to use to be able to put up photovoltaic. We're leaving the single TMK tax credit for the millionaires that are saying, 'We can put it in. It doesn't matter. The tax credit is not really relevant to us.'

"So I'm very sorry to see it's moved forward. I know it was proposed by the Majority Leader, but that doesn't mean we have to pass it. And I would ask people to rethink their vote. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition and I ask that the words of the Representative of Kailua be entered as my own. I wanted to read from some testimony by a company, by Sunetric, Darin Nakamura said this. Sunetric employs about 140 employees here on Oahu, Maui, Big Island. That being said they oppose this, for while they are aware this bill seeks to

address concerns among public officials and members of the public regarding the use of the Renewable Energy Technologies Income Tax Credit, the solar industry has grown up around the current system and has implemented various forms of guidance provided by the Department of Taxation.

"For the residential customer, the change envisioned by House Bill 2417 is too abrupt, and would disrupt the market to a significant degree. In the commercial market, the change will undermine utility scale projects that have been in development for as much as five years, and rarely less than three years, and that have financing assumptions based on project specific letter rulings.

"It's not good for our residents. It's not good for business. We're one of the only states in the entire United States that has geothermal, that has solar, that has wind, and has wave. Yet our people suffer the highest rates in the nation, and this affects our rating for business. We are second from the last in business according to *Forbes*. According to *Forbes* only Maine is more onerous to do business. So when we're looking at revenue producing. How do we pay for roads? How do we pay for things? We must consider the whole, and our actions affect everything. Thank you."

Representative Takai rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Thank you. And I do appreciate the words of the Representative from Kailua. In fact, after we last had this conversation on Second Reading, I took a look at the measure a little further and she's absolutely right. The most problematic piece of this legislation right now is the TMK or the tax map key. That provision is actually a job killer. I'll give you one example, and there are many more.

"But what this bill says, is that if you should choose to sell your house after putting up a PV, the next owner cannot take a tax credit even if the owner wants to add or put more photovoltaic panels on the house. I don't think that's right. The other thing is that there are some places in our State that have one tax map key for a number of different residences. I'm pretty sure Mr. Speaker, that you're very familiar with it in your area.

"We do have some in Aiea, and that's problematic because with this bill, every single person in that one TMK, and it may include as many as in some cases, I think there's like 50 houses in one TMK in Aiea. That means only one person can take advantage of this \$7,000 tax break and everybody else unfortunately, can't. However, I'm going to say this, and I hope people understand it. I don't think that when we set up this tax credit that we ever anticipated people putting up multiple systems and taking multiple credits when they put up these systems.

"What's happening right now is wrong and we need to fix it. What's happening is, it's a \$5,000 tax credit per system according to the HRS, and companies out there are creating systems, systems with an 's,' on homes. Some as many as four systems and they're taking four separate tax credits. That type of abuse has to end. I don't know whether we create a phase down percentage, or we stick to describing a system in law so that there is no ambiguity. But something must be done to address that particular problem. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Mr. Speaker, I think we have to look at a little bit of history in trying to get solar water heating, not even sophisticated PV, on the roof. For 25 years we had a number of incentives and guess what percentage that we actually have installed solar water heater. About 25, maybe 27%. So with the incentives in place, we still couldn't get people to heat their water by their roof.

"Now with PV we are just now starting to climb with the green jobs, just starting to get the consciousness to go PV and we'll incentivize it. I know a lot of the people are going to stand up likely shortly to say, 'You know, this is a \$40 million proposition.' Well look at the amount of money that we ship out in terms of petroleum, \$5 billion plus per year. So pennywise and pound foolish. We say let's cut it off while it's growing, while the stalk is growing the fastest. Cut them down. Mr. Speaker, I say eventually we have

to do this, but for now let the industry flourish. Let it blossom. Let it rise up. Get that stuff on the roof. This is what Hawaii does best.

"This is what my colleague from Liliha says. Play to your strengths. Do what you got best. You got sun that blesses us, except for this Super Tuesday, dark day and storm that we're going through. But this is what we do best. We should be the national leaders and the world leaders in PV. This is a goose to get us going. Why stop it now? It's pennywise. It's pound foolish. It's untimely. Let the industry grow. And then let's clamp it down, but not now. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I guess let's start first with what the bill says. So the first part of the bill is, we actually increase some of the threshold amounts, especially for solar water heaters. So this Renewable Energy Tax Credit talks about essentially solar water heaters, and what they call other than solar, which is PV, and wind. The solar water heater went from \$2,250 and \$2,500 because we want to encourage more people to install solar water heaters. Anybody you talk to, anyone in the industry, no one will disclaim, even the PV people. Dollar for dollar, a solar water heater is the best 'bang for the buck,' not just for the consumer, but for the taxpayer who's going to subsidize it. So that's the first thing we did.

"Second, we changed the amount from \$350 to \$1,000 for a multi-family unit. Right now, if I live in a townhome, I can only get a \$350 credit. We did the same in the PV section. Why, if I'm a taxpayer and I live in a townhome, why am I restricted to \$350? But just because somebody lives in a single family home, they get \$5,000 per system. I mean, if you want to talk about the original law. So some of the things we tried to do were to fix the inequities.

"The second part of when we talk about other than solar energy systems which is PV. We worked with the industry and they actually came back with an answer. We said, 'Okay, if it's not \$5,000 per property, what is it?' Now they came up with a much higher amount, and we kind of met them in the middle. We ended up with \$7,000.

"By the way, if you look at the DBEDT statistics on PV systems, the average for a family is 4 kilowatts. A 4-kilowatt system costs approximately \$25,000. One credit is \$5,000 per system because it's difficult to build for such a small system, multiple systems. According to DBEDT, the actual effective rate of the tax credit is only 17%. So people who buy the average size normally do not get to claim the high tax credit amounts. So what this bill will do, is help them to get closer to the thirty-five or twenty-four and a half, depending on which way they go on their tax liability.

"What we also did is we said that we will continue to subsidize commercial and more importantly, independent power producers. Right now we have a system that subsidizes at 65% and yes, this creates jobs. But I'll bet you, I can find any industry and throw a 65% tax credit at them, and they will create jobs. The question is, is it wise for the taxpayer? I mean, we're just trying to be fiscally responsible and we thought both sides of the aisle wanted to be fiscally responsible.

"Right now, I have possession of a quote from various solar companies. What they do is, they up-sell to someone. 'You know what? Buy a 9-kilowatt system. Ah, that's okay. There's only two or three of you. Maybe your parents are going to move in. Maybe your kids are going to move home. Who knows? Because you know what? Instead of buying the 4-kilowatt system at \$2,500, for maybe \$5,000 I can get you double the kilowatt. And by the way, I'll structure it so instead of getting one credit, you'll get three more.' I have documentation and that's what these people are doing.

"In addition, people have to remember that this credit and this system that we have, the PUC limits intermittent power to 15% of the grid. That means, on average, only 15% of ratepayers will be able to benefit from this tax credit."

Representative Say rose to yield his time, and the Chair "so ordered."

Representative Chong continued, stating:

"Thank you. It is 15%. Now on a case-by-case basis, the PUC will allow you to go higher on the grid, but it's a case-by-case basis. Because I'm assuming that most taxpayers are not just Hawaii State resident taxpayers. They're also federal taxpayers. Now 85% of us are going to subsidize 65% of the cost for 15% of the population. You tell me if that's fair. And that's why we went the route on expanding on the power generation side. One, because it is way more cost effective to build a 5-megawatt system than it is a 4-kilowatt system. And two, what it does is, if we all have to subsidize a project at 65%, we all get to benefit.

"People talk about the middle income class not being able to afford this. This will help them because the \$7,000 will help make it more affordable. And by the way, let's remember. You still have to front the money. So it's going to be for people who can front the money, or end up in a very expensive long term lease.

"People have to remember that this was never meant to be an open-ended tax credit where people can take three to four credits. One operator even admitted, eight. He knew people who were selling eight credits for a residential unit. That's \$40,000. At a time where we kicked off 2,000 people from Medicaid, and we cut services, there's no limit on this tax credit? These people don't have to come back like the Departments of Education, Human Services, the University of Hawaii. Is this important for us to continue? Absolutely. But I ask my colleagues to look at the bigger picture and support the continued discussion, not just for the few 15%, but the other 85%."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I know, my second time. This is playing right into Hawaiian Electric's hands. And for those of you that don't recognize that, I ask you to look at it. Hawaiian Electric owes a duty to its shareholders, a fiduciary duty. They need to make money. They don't like the fact that homeowners are able to get their power from the sun through photovoltaic systems.

"Solar is nice. It gives you a hot shower if the sun is shining. Photovoltaic will take you down to like a \$20, \$30, \$40 utility bill a month and Hawaiian Electric hates that. They will do anything they can to stop that, because they owe a fiduciary duty to their shareholders to give their shareholders a profit. I hope everyone in this Body that owns Hawaiian Electric stock discloses that with the Ethics Commission.

"Then I go on to say, Mr. Speaker, photovoltaic saves the use of fossil fuel. It really reduces the use of fossil fuel, and that 15% restriction is arbitrary. That plays into Hawaiian Electric too. And the longer they delay on upgrading the grid system, it benefits them, because every time your barrel of oil ..."

Representative Chong rose to a point of order, stating:

"Point of order. We're talking about a tax credit."

Representative Thielen continued, stating:

"We are. Every time that barrel of oil increases in cost. You pay for it. Your constituents pay for it. All ratepayers pay for it. Hawaiian Electric doesn't share any of that responsibility. They pass it right through.

"So the tax credit is important. The tax credit is critical to allowing people to put the photovoltaic systems on their homes. Commercial is nice, that's fine. That doesn't do anything for your neighbors in your district. Photovoltaic does. And allowing the tax credits is what makes it feasible for your neighbors and all of our neighbors to be able to put that in. And by passing this bill, we're playing right into Hawaiian Electric's hands."

Representative Ching rose to respond, stating:

"Mr. Speaker, still in opposition. I wanted to just respond to the comment on fiscal responsibility. If you own a business, there are two kinds of things you need to look at in Economics 101: short term, and long

term. I don't think anyone in the big picture can say that Hawaii, the average, our average person here, our local people, the majority are on alternative energy. We're not there yet. We're far from it. We're still suffering high rates of electricity cost. So there may be some people who are not doing the right thing. We need to get those out. We need to solve that problem.

"But in the big picture, to speak again to the schools, to the schools in my district, to the PTSA meetings I've attended. I shall never forget when all their budgets of the schools were thrown off, not long ago, by high electricity costs. Thrown off, big time. The schools, all the budgets, because of the cost of electricity, of oil. We're always, like terrorists. We're always going to be vulnerable to that again. Second class citizens to the cost of oil. Not free. When actually we have so much alternative energy. So when I say 'big picture,' what I'm saying is, until we get to the point that we will have to put away like we put away for college education. Long term. It's not yet. The baby has not yet taken flight. When she soars, then yeah, Then we can take it away."

Representative Souki rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I wish to speak in favor of this measure, and I wish to disclose that I own some shares with Hawaiian Electric," and the Chair ruled, "no conflict."

Representative Souki continued to speak in support of the measure, stating:

"And if I can proceed. No conflict of interest? Thank you. I believe the Representative from Kailua was waiting for a ruling if there was a conflict, but there is none. But I tell you where the conflict is. The conflict is in opportunistic business people who overcharge for the photovoltaic. The opportunistic contractors who overcharge. So you have a minority that can afford a \$30,000 and \$40,000 system on their home. Where the great majority who can't afford that end up paying increasing rates, electrical rates, because of the revenue loss. This is what is happening now. And in some respect I'm very glad that this bill is trying to make some adjustment along this line. Thank you, very much."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I'd like to ask that the words from the Majority Leader be inserted into the Journal as if they were my own. Mr. Speaker, and just to add on the Transportation Chair's comments. If you look at this, when you do get all of these tax credits, and when people do put in all of these systems, who are the people that are going to be putting in the systems? Who are the people that are going to be putting in all of the systems? They're the people who can afford to do it. The people who can't afford to do it, they're going to be ending up paying the higher electrical rates. And that's what the problem is with this.

"We're not stopping the tax credit. We're just trying to level it off so it's fair for everyone. So I ask Members to consider that, and I'd also like to disclose, Mr. Speaker, that I do not own shares in Hawaiian Electric. Thank you."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. I don't want to talk about 'roof envy' or 'class envy.' I want to talk about some statistics that I think were missing. We're getting caught up in looking at the trees and missing the forest. My colleague already said that the 15% is a false ceiling. It's definitely a false ceiling because it's made a lot of fall asleep, missing the point, that if you look at the renewable energy on the grid on Oahu, it's 3%. Repeat, 3%.

"We are barely out of the foothills, Mr. Speaker. We have not declared a victory even though we have cut these incentives out. Do you think at 3% we're actually going to grow? The 15% is an artificial deadline and in fact, if we can't get beyond 15%, we ought to quit right now if that's where renewable energy is going on PV. This is a misleading statistic, but the bottom line is 3% of our renewable energy is PV. We've just started the race, and now we're going to pull the plug on it. Thank you."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, 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 H.B. No. 2417, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Belatti, Ching, Fontaine, Hanohano, Luke, Saiki, Takai, Takumi, Thielen, Ward and Wooley voting no.

Representatives Oshiro and Yamashita, for the Committee on Finance and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 910-12) recommending that H.B. No. 2524, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2524, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tokioka rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for Oceanic Time Warner Hospitality Class. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano 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 support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, and I would like the comments that I gave on Second Reading, entered into the Journal for Third Reading," and the Chair "so ordered." (By reference only.)

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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 H.B. No. 2524, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 912-12) recommending that H.B. No. 1753, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1753, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Kawakami rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Kawakami's written remarks are as follows:

"This is a measure that would protect those who we put in charge of protecting our most precious resources. Our lifeguards protect our *keiki*, our *kupuna*, our *kamaaina*, and our *malihini*. They protect our tourist industry and they are stewards of our island resources.

"On the Island of Kauai, we have County lifeguards that are in charge of protecting a State beach park in Ke'e. This measure protects our lifeguards and gives them liability protections. Without this protection the counties may not be able to bear the burden of potential lawsuits and may remove lifeguards from our beaches. If this happens there is no doubt that lives may be lost.

"My wish is that as we move forward, this measure will be amended to protect our lifeguards in perpetuity instead of just pushing back the repeal date."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1753, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 914-12) recommending that H.B. No. 2593, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2593, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 916-12) recommending that H.B. No. 679, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Hanohano, Luke, Rhoads and Saiki voting no.

At 2:43 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2326, HD 1
H.B. No. 2417, HD 2
H.B. No. 2524, HD 2
H.B. No. 1753, HD 1
H.B. No. 2593, HD 2
H.B. No. 679, HD 1

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 917-12) recommending that H.B. No. 2611, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2611, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to vote against the bill, and explain why. Thank you. Mr. Speaker, this bill relates to Environmental Impact Statements and once again, we are exempting an agency from the EIS requirements. Let me just read you a section, the findings and purpose from 1979.

The Legislature finds that the quality of humanity's environment is critical to humanity's well being, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions.

The Legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced. Cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.

"It is the purpose of this chapter 343, which is the subject of this bill, Mr. Speaker, to establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations. 1979.

"Introduced by Senator Stanley Hara, Senator Dante Carpenter, Senator Wadsworth Yee a Republican, Senator Mamoru Yamasaki, Senator Henry Takitani, Senator George Toyofuku, Senator Dennis O'Connor, Senator Norman Mizuguchi."

Representative Souki rose, stating:

"Mr. Speaker, are we having a history lesson here?"

Representative Thielen continued, stating:

"Thirty-three years ago. And so what do we do today in this Body? Ignore what they did. Ignore what they set up. And put in a bill that will exempt the Department of Transportation from certain actions. Why are we doing that, Mr. Speaker? I spoke about the Department of Transportation a while ago, that for 12 years they couldn't proceed with an interstate freeway project because they couldn't follow the law.

"So, now we're saying that law is inconvenient. We'll exempt them. So once again, the DOT, the poster child for bad planning and bad projects that harm our environment comes in with an Administration bill, a Governor sponsored bill, House Bill 2611 and says, 'Give us an exemption from the environmental law that was set up a third of a century ago by these leaders: Hara, Carpenter, Yee, bipartisan leaders, Yamasaki, Takitani, Toyofuku, O'Connor, Mizuguchi. And so we know better, so we can stand here and say we don't need to follow those environmental requirements. Department of Transportation, because you're incapable of complying with the environmental requirements, we'll exempt you, or because it's inconvenient.

"This is a sad day, Mr. Speaker. How many bills have we had today, gutting the environmental procedures and laws that were put into place a third of a century ago. And do you think that we don't need those requirements and those protections for Hawaii's environment? What do your children say? What will your grandchildren say? How do we answer them when we turn around and say, 'Well gee, it just wasn't convenient. So we're going to give them an exemption.' It's a sad day, Mr. Speaker."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Thank you. One of the things I think that all of us heard listening to the television is we have so many regulations on the book. Why in the world has government grown so much? Why is it so complicated to actually do business? And people have really, really criticized us all in making things so difficult. But when I reflect on what the previous speaker said, she paints this really broad picture of the Department. What I would like to say to the audience and people that are paying attention to this particular bill is it's not about the entire Department. It's not about exempting. It's like this broad brush.

"I think that the Chair of Transportation and the Finance Chair worked really hard to narrow this and to make it so tight that we would not get criticism for trying to bypass our environmental regulations. I believe our colleagues, I believe the Chairs, they understand the importance of the environment. I just want to put on record what this bill is really about.

"The agency, which is the Department of Transportation, may exempt a secondary action that is limited, limited to the installation, improvement, renovation, construction, or development of infrastructure within an existing public right of way. I want to say existing public right of way, or highway. Provided that the primary action requires a permit or approval that is not, not subject to discretionary consent.

"Clearly, when you put in a public right of way or a highway, you are required to do Environmental Impact Statements, and Environmental Assessments. You jump through all kinds of hoops to put in highways. This is about existing public right of ways or highways. So, I just want to point out that this isn't a broad exemption as I believe the previous speaker was implying. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Taken by itself you might be able to say, 'Well, okay. We're going to look at this as somewhat narrow.' But if it is so narrow, and it's such a *manini* kind of a thing, the Department of Transportation could go to Environmental Council. A number of years ago I served on that body, Mr. Speaker. We have categorical exemptions for projects that are *manini* with really infinitesimal environmental impact. They don't go to the Environmental Council. They come to the Legislature to say, 'Give us a broad brush exemption.'"

"But Mr. Speaker, even more important, that broad brush exemption includes construction. Maybe it is an existing right of way. But when you're talking about what does that right of way go over? What is it impacting? What water table is it above? What's going on with that? So it's not so *manini* or so unimportant. And besides that, they have a way to go to the Environmental Council to do it properly. But they don't want to, because they come to the Legislature figuring they're going to get a free ride, a free pass. But Mr. Speaker, more importantly, this is not the only bill."

"Today we have seen a gutting of a number of environmental protections that have been in place for decades. We're seeing exemption, after exemption, after exemption. When all of a sudden, Mr. Speaker, you poke holes in a bowl, pretty soon the water in that bowl becomes a flood going out the bottom, washing away our environmental laws. So it is as I said, a sad day here, Mr. Speaker. I don't think anyone should be proud to think and go home, and go home and talk to school children and others in the community to say, 'We're your environmental stewards.' Well, guess what? The environmental stewards were those names I read, those, primarily men, I believe one woman, that I read today in the different bills, discussing the different bills. Those were the environmental stewards. Today, we're the ones that are harming what they put together."

"DOT does not need this bill. DOT has a process it can follow. The Environmental Council has said that. They know darn well they could follow it. And if you want to know what held up H-3 for 12 years, it's because they refused to follow the process. And they could have. They're doing it again today, but they've learned a fast track. They don't have to go to United States Congress. They just come to this Body and they say, 'Exempt us from the law.' I won't vote for something like that, and I hope my colleagues won't. Thank you."

Representative Kawakami rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I think that this measure is a good example of something that has struck the right balance. Because you can see, at the beginning of the measure, we had concerns from OEQC. As it went through the process of Committee meetings and it got amended, we got the support of OEQC. In fact, we had testimony come in from an organization that represents developers in opposition to the latest draft."

"Now this is all, I think, ways to address the symptom. As we get frustrated by projects that may be moving along too slowly because of the permitting process and the layers of government it has to go through, the one thing I didn't hear was that we may be frustrated at that, but there are people out there that are reliant on going out and building things, and on getting projects completed. Blue collar workers that are sitting on the bench and they are frustrated because they have no income to bring home to their families. And so, this is all a symptom, I think, of the overall problem that we're trying to address. So how do we address it? We cannot keep on saying no. Do you want to increase taxes so we can build up a work force so we can move these permits along faster? We cannot keep saying no."

"I believe that this is a measure that strikes the right balance, and it's very apparent in the testimony that came across through OEQC. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just wanted to add to the remarks of both the Representative from Kauai and the Floor Leader. This is a very narrow exemption. It's for secondary projects and for right of ways. Both DOT and the OEQC supported it. This is for projects like driveways. It's not a very broad one. And actually it's similar to the predecessor in which we passed, Act 87 in 2009 under the Lingle Administration."

"The Legislature finds that the Department of Transportation is requiring a determination from OEQC for secondary actions that are clearly exempt from the Environmental Assessment requirement under the Department's own rules. As a result, the Legislature further finds that the OEQC is overwhelmed by a number of requests from the Department for action reviews which has created unnecessary delays for actions that would clearly be exempt from the environmental assessment requirement."

"This is so OEQC can focus on the real big projects and the projects that need a thorough review. And similar to what the Representative from Kauai said, we sometimes talk about this stuff in silos. Like this is the only project government runs, and it's the number one priority. Well, you know what folks? We have a lot of top priorities. It isn't the only one. And unless somebody's willing to introduce a bill to raise the fees, which some people are set against, or taxes to pay for it, then they should just ... Well, I won't say. I'll just ask the Members to support the bill. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"I rise with reservations, and I ask for written comments to be inserted into the Journal. But I think that, though I don't perhaps speak for the Representative from Kailua, what she did point out in her comments on the Floor is how this was one more bill in a slew of bills, which is very possibly perceived as a theme. A theme. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on H.B. 2611 – Relating to Environmental Impact Studies. This bill temporarily amends Chapter 343, Hawaii Revised Statutes, to clarify current exemptions for secondary actions limited to development within existing public right-of-ways or highways. It requires that applicants prepare environmental assessments when required."

"While I generally support measures that free up time and prevent unnecessary delays, I am concerned that H.B. 2611 contains problematic language. Minor roadway improvements are already generally exempted from environmental reviews. This bill defeats the purpose of the exemption, and is not an exemption at all. It would more than likely open the door for lawsuits. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2611, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Hanohano, Riviere and Thielen voting no.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 918-12) recommending that H.B. No. 2760, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2760, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 920-12) recommending that H.B. No. 1694, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1694, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Mr. Speaker, I've spoken on this measure before, so I'll keep it brief. In opposition, still. This bill requires the collection of the Use Taxes by sellers who make sales through internet linked websites. And despite whatever you want to call this bill, it's still a collection to me, of taxes on a consumer.

"Maybe I should have a conflict of interest. I do buy things on the internet," and the Chair ruled, "no conflict."

Representative Ching continued, stating:

"I often buy things on the internet because you can't find everything in Hawaii. So to me, I have always been a supporter of choice, merit, and quality for our people. That if you can't find something in the stores here, that you can go online. Sometimes you have to do that in a State that's far away from any other land mass. And so in its attempt to level the field of business, you know it's going to be still at a cost to our people. And just a reminder once again, we do pay postage on it. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to the measure. I rise in opposition to the \$250 million tax increase that this is going to put on the backs of our constituents. I know it's called a Use Tax. In fact, if you look at the Use Tax and its history of probably 30 or 40 years ago, probably this Legislature would never pass such a thing, because it's not implementable. That's basically what this is. It's an end run to implement something that was not actually operationable, which generally you can't get through a Committee here nowadays if something is not practical and able to be implemented. I know if anyone stands up in opposition, they're going to say, 'Let's level the playing field with the brick and mortar for Hawaii because we need to have an even playing field.'

"Mr. Speaker, the response to that is, every small, large, medium-sized firm in Hawaii has access to the world through the internet. All we need to do is get them online and they can start selling to the rest of the world. We've got the best brand name in the world. We've got the best products that we can sell. So when we say we have a disadvantage to the mainland, why would we not take advantage of this ability to sell all over the world and not have to pay taxes?

"So it's a two-way street and we're only emphasizing one side. But the bottom line is, this is a money grab for the pockets of the people of Hawaii to the tune of \$250 million if it passes. And that's why I'm voting no. I hope everyone votes no to protect their constituents who shop online. Thank you."

Representative Choy rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support of this measure. This is the third year I'm putting this measure in. What I'd like to do is, I'd like to just read a sentence from a letter I received from the Deputy Director of Taxation, Randolph Baldemor. This statement says, 'As stated during the hearing, on HB 1694's language facilitates the collection of taxes relating to remote sales, but does not create a new tax.'

"And I'd like the rest of this letter, in whole, to be inserted into the Journal. Mr. Speaker, I can't cure stupid, you know. Tax cheating is not, and should not, be a tax planning tool. And as the Minority Leader said, and I don't know where he got this figure of \$250 million. I hope it is, \$250 million into our coffers, because with \$250 million, I can pay for school buses. I can pay for education. I can pay for health. You know, Adult Learning Centers. I can pay for all the stuff that our society needs to make it a better society, instead of raising taxes. And we'd be collecting these taxes from the people that are cheating on their taxes right now.

"So, this is not a new tax. This just avails ourselves of collecting what is already owed to the State of Hawaii. I don't want my taxes or any other taxes raised, because these people are not paying their taxes. So for those reasons, Mr. Speaker, I support this bill. Thank you."

Representative Choy submitted the following letter from the Department of Taxation:

NEIL ABERCROMBIE
GOVERNOR
BRIAN SCHATZ
LT. GOVERNOR



FREDERICK D. PABLO
DIRECTOR OF TAXATION
RANDOLPH L. M. BALDEMOR
DEPUTY DIRECTOR

March 6, 2012

The Honorable Isaac Choy
Vice Chair, House Committee on Economic Revitalization and Business
415 South Beretania Street, Room 404
Honolulu, Hawaii 96813

Dear Representative Choy:

I would like to clarify the Department's comments regarding H.B. 1694, which were made at the hearing before the House Committee on Economic Revitalization and Business on January 31, 2012 at 8:30 a.m. As stated during the hearing, H.B. 1694's language facilitates the collection of taxes relating to remote sales, but it does not create a new tax.

Hawaii's general excise tax (GET) is a gross receipts tax on the privilege of doing business in Hawaii. The GET is intentionally broad in scope. As provided in HRS §237-2, the focus of the tax is on whether a business is engaged in activities with the object of gain or economic benefit, direct or indirect. In the case of tangible personal property (TPP), the 1935 legislature who enacted the GET law intended that sales of TPP in interstate and foreign commerce would be excepted from GET, *but only if prohibited from taxation by the Constitution of the United States*. This broad interpretation of the tax beyond State geographical boundaries is consistent with the view of the Supreme Court of Hawaii, which subsequently opined that an out-of-state corporation or individual does not have to be domiciled in the State of Hawaii to be subject to the GET. See *In re Tax Appeal of Subway Real Estate Corp.*, 110 Haw. 25 (2006); *In re Tax Appeal of Grayco Land Escrow, Ltd.*, 57 Haw. 436, 447 (1977) (stating that the GET "is based on the privilege of doing business in the State and not on the fact of domicile"); *In re Tax Appeal of Heftel Broad. Honolulu, Inc.*, 57 Haw. 175, 182-83 (1976) (holding that an out-of-state lessor who contracted with an in-state lessee for film and telecast rights was engaged in an in-state activity subject to the GET).

Hawaii's use tax supplements the GET, but the tax is not intended to impinge upon the scope of the GET. The tax applies to sales of imported products or services, so long as the use in question has not been taxed under the GET law. HRS §238-3(b).

Throughout the nation, states are grappling with the question of how to effectively tax remote sales. Our state, among all states, should give thoughtful consideration to this issue, particularly in light of the expansion of electronic commerce and Hawaii's unique challenges. Thus, we appreciate the intent of HB 1694 to provide clarification on how the use tax should be applied.

Should you have any questions or wish to discuss this further, please do not hesitate to contact me.

Sincerely,

RANDOLPH L. M. BALDEMOR
Deputy Director of Taxation

Representative Oshiro rose to speak in support of the measure, stating:

"I rise in support with a couple of points. I believe the projected revenue, the take on a fair tax assessment on those cheaters, is anywhere from \$10 million to \$50 million. \$250 million might be over a period of ten years.

"My second point I need to make is that, this has even got the stamp of approval from our perennial tax critic Mr. Lowell Kalapa, who says this is one of fairness and equity, and not a new tax. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In strong support. What this bill does is it helps local business. And it's unfortunate that the anti-business members of the Minority don't recognize that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1694, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Brower, Ching, Fontaine, Hanohano, Johanson, Keith-Agaran, Nishimoto, Pine, Takai, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 921-12) recommending that H.B. No. 2169, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2169, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"A ruling on a potential conflict. I'm a CPA. Thank you," and the Chair ruled, "no conflict."

Representative Marumoto 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 H.B. No. 2169, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 922-12) recommending that H.B. No. 1671, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1671, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Rhoads 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 H.B. No. 1671, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 923-12) recommending that H.B. No. 1840, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1840, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise with reservations, and opposition. Let me qualify why I say that. If this was the only banking bill that we had, it would be with reservations. But since it's many, I'm in opposition. This is one of four bills of which in the historical sense, we only had this bill. But this bill basically morphed or multiplied itself into four.

"I'm going to be very brief in the sense that this is a task force. Learning is good. Research is good. Finding out what is good. But reinventing the wheel is bad. Having to prove that the moon is there by going to the moon. The problem is we're going to spend the taxpayers' money to get the rocket fuel to get to the moon, just to prove that it's there. The Bank of North Dakota has already been studied by Massachusetts. We know what the results are. They rejected it. It's too expensive. There are too many things. But then again, I'm bordering on my next speech, Mr. Speaker. Thank you."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose in support of the measure with reservations and asked that the remarks of Representative Ward be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose to speak in opposition to the measure, stating:

"In opposition. This bill, Stand. Com. 923-12, would establish a task force to discuss a state-owned bank. So in a state-owned bank, you're going to have the one that's been, there are other measures that are coming on this Session with the Governor involved. Head of the union involved. A

lot of people involved, but very little with experience in operating a bank, or dealing with real estate investment and sour mortgages. The Bankers Association that testified has said more than enough. I know it's on the cover of the newspaper. But one of the things that they talked about is a level playing field. You know, we're a town of one newspaper. One everything. Now, one bank. One bank. So interesting because you know, Putin was just elected in Russia. They've got a one bank over there too, and they tell the little banks what to do.

"Let's step back from the precipice that would cause our entire State cash flow to fall off. During these times of economic difficulty, we need clear and common sense approaches to ensuring Hawaii's funds are held in a safe, secure, insured manner, and this bill would just do the opposite. It would interject politics and favoritism into lending at a time when Hawaii needs transparency, it needs fairness, and it needs honesty.

"Grow the pie. Even our local credit unions have voiced concern about the financial impacts of this idea. The credit unions are so important to us. Additional written comments, Mr. Speaker."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 1840 – Relating to State Owned Bank. This bill establishes a task force to review and investigate, and study the feasibility and cost of establishing a state-owned bank while requiring a report to the Legislature.

"H.B. 1840 attempts to extend the conversation of a concept that currently pursues a path that I find irresponsible, bureaucratic and costly to the State. I agree with a statement from the Hawaii Bankers Association, "Forming a state-owned bank is a complex and potentially costly process and deserves thorough analysis to determine whether there is truly a legitimate unfulfilled need. Legislators must ask if it can be accomplished without risking the public's money and if it can be operated in a safe and sound manner. Without proper vetting and consideration, the state could be burdened with more costly bureaucracy, not to mention the cost to set up the initial banking infrastructure."

"The underpinnings of this bill would conceivably breed unfair competition and policy conflict. Until the State can show proof of operating a for-profit business, this bill should not even be considered. H.B. 1840 lacks reasonable, intuitive support and would require an unknown amount of State money to implement. I would be astonished if something so imprudent could make its way into law in such a fragile economic environment. Thank you."

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, on HB 1840, the state-owned bank, I rise in support. Thank you, very much. Mr. Speaker, this House Bill calls for the establishment of a task force to review, investigate and study the feasibility and cost of establishing a state-owned bank. It requires a report. This legislation has journeyed to various Committees for public hearing, and there've been testimonies by a handful of consistent testifiers.

"Number 1, the Department of Commerce and Consumer Affairs. This Department supports a task force feasibility study, and I quote in part: As part of establishing a task force under the bill, the Department believes it is important for the task force to take a broader look at many options that the State should consider, and the State Bank is one of the options. That's what this task force requirement is for.

"Further, so important and so engrossed have the testifiers been, I have personally spoken with Mr. Gary Fujitani of the Hawaii Bankers Association, along with the Hawaii Credit Union League, specifically, Ms. Stefanie Sakamoto. Both made appointments with me to discuss this with me. And both have concurred that they support such a task force legislation. Thank you, very much."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I support the task force for the bank. And I would like the remarks of my namesake, who sits right next to me, be as my own. Thank you, very much," and the Chair "so ordered." (By reference only.)

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support. Mr. Speaker, my colleagues have talked about the intent of the measure. I will actually just focus my discussion regarding comments made regarding the Bank of North Dakota, the only state-owned and state-operated financial institution in the United States.

"Mr. Speaker, in addition to paying competitive interest rates to the State Treasurer, the Bank of North Dakota also invests its money in loan programs to spur economic development. In the past decade, the Bank has returned approximately one-third of one billion dollars, to the state general fund. And despite the recent financial crisis, it has earned interest of about \$57 million recorded just in 2008 alone, Mr. Speaker.

"Rather than competing with private banks, the Bank of North Dakota has created partnerships with over a hundred other North Dakota financial institutions. Mr. Speaker, in the discussion regarding one bank, negatively impacting other banks, just in North Dakota alone, there are almost 100 banks, private banks, compared to Hawaii's 11 banks.

"North Dakota has one of the lowest unemployment rates in the nation, and has the second lowest mortgage foreclosure rates in the nation. Mr. Speaker, the State of North Dakota, has about 673,000 people compared to our 1.4 million. This model may not fit Hawaii, but this is a good start. This is a task force to discuss this issue, and to give us guidance as we move forward. Thank you."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure with just a couple of points. And I ask permission to insert written comments. But first of all, this is just a task force. Hawaii is not Massachusetts. And it is not California. Thank you."

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill No. 1840, House Draft 2, RELATING TO STATE-OWNED BANK. This bill would establish a task force to review, investigate, and study the feasibility and cost of establishing a state-owned bank, also known as a partnership bank or a partnership trust. In any case, this tax payer funded bank would be similar the Bank of North Dakota and complement and support current banks in Hawaii.

"The issue of creating a state-bank in Hawaii is not new. I have stood before this august body in previous years urging my fellow colleagues to at least take a closer look at this concept without much success. It seems that the mere mention of the phrase – "state bank" – is met with immediate skepticism or scorn. This is a shame since many of Hawaii's Legislature's best policy decisions were not traditional or main-stream but "out-of-the-box" and "cutting-edge."

"I'm hoping that things will be different this year. A groundswell of support is growing as the potential of a state-owned bank is being realized. More and more people in Hawaii are starting to understand what a state-owned bank could do to better our lives. And people across the Nation are looking to Hawaii to serve as the model for public-sector banking. This year, about 17 states, both Democratic and Republican controlled legislatures, are considering whether a North Dakota style bank would be beneficial to their citizens.

"On February 29th, your Committee on Finance heard a package of measures intended to facilitate a thorough but concise discussion on the concept of a state-owned bank.

"House Bill No. 1840 was one of those heard, and it closely resembles House Bill No. 853, House Draft 1, which was reported by your

Committee and approved on Third Reading by this House last year, but failed to be approved by the Senate.

"Of the bills heard on the creation of a state-owned bank that day, this bill seemingly was the least objectionable by the banking community. If approved, this bill would begin the process of formally identifying the needs for a state-owned bank. It is similar in approach to legislation approved in Massachusetts in 2011, and in California in 2012.

"In both states, the banking lobby was successful in short-circuiting these efforts. In Massachusetts, the Governor was able to load the Commission charged with studying the feasibility of a state-owned bank with representatives from the banking industry. This resulted in a report recommending that Massachusetts not pursue a state-owned bank. In California, a bill that passed the Legislature to create a similar commission was vetoed by the Governor after strong opposition by the banking lobby.

"The banks fought for the status quo, and in Massachusetts and California, the status quo won. But, in Hawaii, it need not be this way. We in Hawaii are friends, neighbors, customers, and only one or two degrees of separation keep us apart. Indeed, as an example, I am a customer of all three major banks, First Hawaiian, Bank of Hawaii, and Central Pacific Bank. I also have several accounts with three local Credit Unions. And, because of these relationships, it needs to be understood that I am not seeking to harm or hinder any of the current banks, but on the contrary provide them with greater loan and business opportunities by the establishment of a North Dakota style bank. A bank that does not compete with local banks but acts more like a "banker's bank" and partnership bank, thereby allowing for in-state processing of banking services and charges, and also, greater extension of credit via partnership loans and underwriting and lines of credit.

"To put this in proper context, Hawaii's financial market may be one of the most concentrated in the US. We have just 11 banks with 175 branches located throughout the State. And Hawaii has been very profitable for these banks. Let's take a look at our two largest banks:

- First Hawaiian Bank posted profits of \$209.9 million for 2011, an increase of 3.4% over 2010, excluding a one-time tax benefit.
- Bank of Hawaii posted \$160 million in profits for that same time period.

"Together, these two banks earned nearly \$400 million in profits last year. . . FOR THEIR SHAREHOLDERS, many of whom live outside the State of Hawaii.

"First Hawaiian Bank is a subsidiary of BancWest Corporation, which itself is a subsidiary of the French banking company, BNP Paribas. At the time of the merger in 1998, the shareholders of the former First Hawaiian, Inc. owned 55% of BancWest. BNP, the former owner of Bank of the West, owned 45%.

"Similarly, Bank of Hawaii was reorganized as a bank holding company in 1971. In the years that followed, the company changed its name to Bancorp Hawaii, and then to Pacific Century Financial Corporation after it purchased the First National Bank of Arizona, FirstFed America, a holding company for banks in Hawaii and on Guam, Banque Indosuez in Vanuatu, the Commonwealth Bank of Australia's shares in National Bank of Solomon Islands, and Banque de Nouvelle Caledonie. Bank of Hawaii also owns shares in Banque Indosuez Nuigini in Papua New Guinea, the Bank of Papua New Guinea, California United Bank, First Federal Savings and Loan Association of America, and Pacific Century Savings in Arizona.

"Do all of these earnings stay in Hawaii in the form of investment for local businesses? NO.

"Does all of this income get taxed in Hawaii so that the State can put this capital to use for necessary programs and services? NO.

"Do the banks like how things are? OF COURSE THEY DO.

"The status quo is very profitable for Hawaii-based banks, and it is not in the best interest of their shareholders for things to change.

"But do our citizens feel likewise? Listen to the young farmers of the Ewa plain or Up-Country Maui, who are desperately seeking financing to expand their operations but are unable to secure loans. Or how about the small business owner who is trying to redecorate his successful Subway restaurant because of changes required by the corporate headquarters, but is unable to do so because he can't get a commercial loan. Or what about the struggling shopkeeper who is trying to get another line of credit to cover her operational costs until a big payment for last month's deliverables comes in.

"According to the Department of Labor and Industrial relations, during the Great Recession, more than 33,000 jobs were lost, and more than 200 small businesses went into bankruptcy – many due to their inability to secure loans.

"A state-owned bank holds enormous potential. It would allow the State to consolidate its fiscal resources to help our citizens.

"Some of these ways include:

- * Providing commercial loans to small businesses;
- * Providing "partnership loans" with commercial banks;
- * Buying down interest rates with commercial banks;
- * Financing infrastructure improvements at lower cost; and
- * Targeting State investment in emerging industries.

"And let's not forget the thousands of our citizens who are impacted by the mortgage foreclosure crisis. Our own staff has told us that a tsunami of foreclosures are on the horizon as the financial industry decides how it will handle delinquent loans in light of the enactment of Act 48 last year and the statutory fixes proposed this year.

"Last Wednesday's hearing allowed your Committee a look at how a state-owned bank could address these problems. It also gave us a glimpse of how a state-owned bank could facilitate multi-state financing of green projects. It showed us how the State of Hawaii can become a major "player" in financing.

"Mr. Speaker, let me be very clear. House Bill No. 1840, and the other bills proposing a state-owned bank are pro-small business, pro-consumer, and environmentally friendly.

"And all this can become reality one day. But we need to take the first step. House Bill No. 1840 is the first step. It would assert our belief that this idea has merit and should be investigated further. It demonstrates our ability to think outside the box to find creative solutions to today's problems.

"For these reasons, I urge my colleagues to support this bill."

Representative Pine rose to speak in support of the measure with reservations, stating:

"And we're definitely not North Dakota, Mr. Speaker. With reservations. But I am in support of a task force. I think it's important to study things when we are going to enact legislation that is so drastic like this. I think we need to prepare ourselves for the possibility that perhaps this is not something that we're qualified to do. And something so serious as a state bank has multiple ramifications. Would it hurt our current banking industry? Would it hurt our consumers? Would it hurt our overall ability as a community to be able to give loans?

"So I'm in strong support. Well actually, support with reservations, of this task force, and I hope that we tread lightly in actually establishing a bank before this is implemented."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1840, HD 3, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED BANK," passed Third

Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 924-12) recommending that H.B. No. 2103, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2103, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I yield to the Chair of Finance if he would like to speak. If not, I will proceed. Mr. Speaker, I stand in opposition. Clearly, as those who just voted with at least a few words, to say that we've got to study it before we do it. Let's look at this bank, that bank, and the other bank. If that's the case, this thing should be dead already. Because this says it's going to be established. This is the State Bank. This is the Bank of Abercrombie. Let me give you seven reasons why this is bad policy, a bad idea, and bad for the people of the State of Hawaii.

"First of all, and this is what my initial speech was. We've been there, done that, vis-à-vis, this study on the Boston Reserve Bank about what Massachusetts found as they looked at the Bank of North Dakota. That is something that we should learn from. Those who don't remember the past, they are destined to repeat it. And I think we're going to head into the same thing. Our homework has already been done. We can learn from it. We can save money from it. So reinventing the wheel, as I spoke of earlier, is number one.

"Number two, is that this is really a risky proposition, Mr. Speaker. This is not an FDIC, Federal Deposit Insurance Corporation fall back. It falls back on the tax payers. And as the Bankers Association said, there's a difference between a bank which loans money, and investments which you risk and try to get in a return. And this bank that's going to buy toxic mortgages, probably the worst asset, the riskiest asset there is, is going to make money? So the risks are extreme. The risks are serious. The risks are all over. It's got flashing red lights all over it.

"Another reason why this is a bad proposition, bad policy, bad for the people of Hawaii, is that it could jeopardize our bond rating, which already, Mr. Speaker, has been downgraded. We borrow money. We have a rating. We have no difficulty buying our bonds, and at favorable interest. But if we enter into something such as a State Bank that buys toxic mortgages, our bond rating is going to go down.

"And for the sake of those who have been following the Bank of North Dakota, get a load of this. Standard & Poor's raised the Bank of North Dakota's credit rating in its latest review of the bank's released statement of December 6th 2001, its long-term credit rating is now raised to AA- from A+. Mr. Speaker, A+ is nothing. AA- is like stable. So when we tell this bank, which actually only puts \$30 million into the treasury every year, you know this is not exactly Fort Knox. I was very shocked to know of this lack of stability. Or let's say the lack of a AAA rating et cetera, et cetera.

"I should also note that from its 1919 beginning, and its purpose for farmers, for agricultural loans, people should know that right now they are so far out of that. Their investments now are primarily student loans. The biggest thing that they buy is student loans at 37% of their portfolio. Commercial loans are 36% of the Bank of North Dakota. Residential loans, that is real ones, not foreclosed loans, is 17%. And agricultural loans 10%.

"So with that portfolio of total assets that are valued at \$4 billion, they get \$30 million in profit per year, which is the fourth reason. What money do we get out of this? We have now \$4 billion that the State of Hawaii invests. \$2 billion is probably in the Bank of Hawaii, and in First Hawaiian Bank. We get about \$16 million per year from them. Mr. Speaker, these have been almost 100 years old, and they get \$4 billion in assets. In order to make that much money to put in the treasury, we're going to have to have a lot of money to invest. Question, where do we get the money?

"Where do we get the money to start the Bank of Hawaii? Council on Revenues is coming up in a matter of hours. Gas prices are going up. Tourism may go down. Who knows what's going to come up in the November election. Who knows what's going to go on with Israel and Iran. We've got a lot of uncertainties, but yet this bill says we're going to do the bank. Not like the study that says we should study the bank.

"The fifth reason. Not only do we not have the money, we don't have the time, Mr. Speaker. If we're doing this for actually a money maker, to help ..."

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Ward continued, stating:

"Thank you. Thank you. As our good friend from Manoa noted, you know, we've got to have money to pay for schools. And we've got to do all these other things. Well how long are we going to wait? And how much are we going to risk to do that? Remember the Bank of North Dakota is about 100 years old and it gets \$30 million in its coffers for \$4 billion worth of assets. That's not a huge return. Not a huge return at all.

"Number 6. The governance model, Mr. Speaker. How you run an operation is important. And who runs the operation. If we mimic this governance model from the Bank of North Dakota, the Governor is the Chairman of the Board, and let's face it. Our Governor is very smart. He has a PhD, but it's not in economics. It's not an MBA. But it puts him at the head of the pack. The head of the Board. It also has a seven member advisory board, and in Hawaii's case, members of the AFL-CIO would be board members. Would these members be knowledgeable also? Maybe. Maybe not.

"But the problem is Mr. Speaker, that when we look at the role of the Legislature in North Dakota and our Legislature, I noticed in doing my research there were a dozen pieces of legislation that the North Dakota Legislature passed to fund money. For example \$3.3 million went to the Lieutenant Governor's Office for a computer project. There was also a loan to the Department of Human Services for operational purposes. Mr. Speaker, this is supposed to be a bank, and it's already funding government operations or loaning money back and forth, and voted on people such as us that are elected. Do we want political leaders doing financial leadership for the State of Hawaii with the assets that would be pledged for doing this?

"Lastly, Mr. Speaker, this State Bank would blur the lines between the private and the public sector. Hawaii is already the largest public sector in the nation. 30% of our labor force works for federal, State, or City and County individuals. Corporations are only 70% of the labor force. 30% are government workers. We have two of the best banks in the nation. One was number one last year; and number two this year. That's Bank of Hawaii. We don't need another bank. There's not a shortage of money that we need to borrow. There's not a lack of funds that we have. We have good interest rates. The reason for getting into this is a puzzle except when I speak on the third State Bank of Hawaii, we may uncover even more reasons why this is a bad idea, bad policy, and not good for the people of the State of Hawaii. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. One of the things that I might say is that the purpose of this proposal is to give the local homeowner a place to go to deal with the big banks, and to give them some strength. This Representative would rather support the local homeowners in their fight against the big banks, than to support the big banks.

"I might note that in the current draft, I don't believe there's anything in it that names the Chairman of the Board being the Governor. Having said that, I'm just going to read portions of my testimony, I'd like to submit the rest into the record, because it's fairly long.

"Mr. Speaker, we're getting some national press on our proposal, and I'd like to read from the *Huffington Post* article on February 27th, on the front page of their business page. It's an article championing HB 2103,

describing it as innovative. It said that HB 2103 takes a novel approach that proposes a program to deal with the housing crisis and the widespread problem with breaks in the chain of title, due to robo signing, faulty assignments and MERs. Concepts in this bill, according to the paper, may be difficult for a lot of people to wrap their heads around. They are indeed novel. They are indeed innovative.

"Mr. Speaker, we are experiencing an economic crisis with unprecedented characteristics. We must take unprecedented novel and innovative measures to address the crisis. We're in an economic crisis and our nation's middle-class homeowner's are bearing the brunt of it. Our federal government is quick to bailout our 'too big to fail' banks, that have failed to deliver for our hardworking people who've been victimized by these banks. Our State Bank proposal has attracted national attention. There are, if I haven't already said it, there are 17 other states considering similar legislation.

"For those of you who have not yet read the bill, the *Huffington Post* article aptly explains, and I quote: In case of foreclosure, in which the mortgagee cannot prove its right to foreclose or to collect on the mortgage, foreclosure shall be stayed and the Bank of the State of Hawaii may, not shall, may, may offer to buy the property from the owner-occupant for a sum not exceeding 75% of the principle balance due on the mortgage loan. That's called 'cram down.' The Bank of the State of Hawaii can then rent or sell the property back to the owner-occupant at a fair price on reasonable terms having bought it for a discount.

"The bill also allows homeowners who have been denied a modification under the federal loan modification program to apply for consideration. Just how widespread is this problem? It's interesting to note, Mr. Speaker, that just a few weeks ago on February 15th, the *New York Times* reported in an audit of four hundred recent foreclosures in San Francisco County found that 84% contained clear violations of law, and two-thirds of those foreclosures contained four separate instances of fraud and illegality. I'm sure that Hawaii's problems are very much the same.

"There seems to be a criticism that the State will expose itself to unnecessary risk by buying toxic mortgages. And there seems to be widespread confusion and misinformation about what this bill provides. The opponents seem to think that the bill will compel, compel the State to buy toxic mortgages. First, the State can, and will have the option to decide whether it wants to invest in. Let me emphasize that the word, 'may' appears in the bill multiple times. The State may purchase residential property from owner-occupants, but only if the Bank paperwork fails to show that the Bank has the right to collect and the debt or has a legal authority to foreclose on the property.

"As far as some of the time elements, this bill also takes advantage of Hula Mae ..."

Representative Yamane rose to yield his time, and the Chair "so ordered."

Representative Herkes continued, stating:

"Hula Mae, which is already in law while we're working through the rest of it. Some additional points. We need to ask the local banks how many of their loans do they keep in-house? How many do they sell on the secondary market? And a recent study conducted by the National Committee Reinvestment Coalition found that local banks are not providing enough loans to low and moderate-income borrowers, which is in violation of State law. I urge your support."

Representative Herkes' written remarks are as follows:

"Mr. Speaker, I rise in strong support. Our State Bank bill received national press. On February 27, the *Huffington Post* put on the front of their Business page an article championing HB2103, describing it as "innovative." It said HB2103 takes a "novel approach" that "proposes a program to deal with the housing crisis and the widespread problem of breaks in the chain of title due to robo-signing, faulty assignments, and MERS."

"The concepts in this bill may be difficult for a lot of people to wrap their heads around. They are indeed "novel." They are indeed "innovative." Mr. Speaker, we are experiencing an economic crisis with *unprecedented* characteristics. We must take unprecedented – novel, and innovative measures to address the crisis.

"Many of the successful aspects of FDR's New Deal, which helped lift the nation out of The Great Depression, had come from New York State when FDR was its Governor. They were indeed unprecedented, out-of-the-box ideas borne by a state. And they worked.

"We are again in an economic crisis, and our nation's middle-class homeowners are bearing the brunt of it. Our federal government is quick to bail out our 'too big to fail' banks – but has failed to deliver for our hard-working people who've been victimized by these banks. Our State Bank proposal has attracted national attention. We need to keep pressing this, because it might just work.

"Mr. Speaker, a lot of the criticism that has been leveled at this bill is focused on provisions in earlier drafts. There is nothing in here about boards of directors. Nothing about expertise of the bank's president. The DCCA will essentially come up with the "business plan" to make it work. This HD 2 has revised the measure significantly. There are now 3 discrete parts:

"Part I – simply charges the DCCA, with the help of various other State agencies, to take approximately two years to undergo an intensive and extensive review of the State's laws for the express purpose of developing proposed legislation to establish a State Bank. The DFI commissioner will be charged with submitting status reports twice a year, and a final report before the 2014 legislature. The report will include a graduated schedule of how much of the State's reserves will be transferred from private banks to the State Bank. DFI/DCCA can assure the local banks can systematically adjust from the withdrawal of these monies to guarantee their safety and soundness. Relative profitability needs to be distinguished from safety and soundness. The proposal will also establish a program to be administered by the State Bank to purchase owner-occupied residential properties that are encumbered by mortgages to which the legal ownership is not adequately established. Some sum of money from the multi-state mortgage foreclosure settlement will be appropriated for this purpose.

"Part II – places the interim purchase program within the Hawaii Housing Finance and Development Corporation (current administrator of the Hula Mae mortgage program) until the State Bank is established.

"Part III – would actually establish a graduated schedule of how much of the State's reserves will be transferred from private banks to the State Bank.

"The *Huffington Post* article aptly explains that, *"in cases of foreclosure in which the mortgagee cannot prove its right to foreclose or to collect on the mortgage, foreclosure shall be stayed and the Bank of the State of Hawaii may offer to buy the property from the owner-occupant for a sum not exceeding 75% of the principal balance due on the mortgage loan. The Bank of the State of Hawaii can then rent or sell the property back to the owner-occupant at a fair price on reasonable terms."*

"The bill also allows homeowners who've been denied a modification under a federal loan modification program to apply for consideration. Foreclosure proceedings need not be initiated.

"Just How Widespread is this Problem?"

"Just a few weeks ago, on February 15, the New York Times reported that an audit of 400 recent in San Francisco County found that 84% contained "clear violations of law" and that two-thirds of these foreclosures contained 4 separate instances of fraud or illegality. This audit shows that this problem is pervasive.

"Where the State can Profit:"

"What is the potential risk? A homeowner may not be able to pay back the new loan, under new terms, that is issued by the State. But there can

be no accurate assessment of the risks is without looking closely at what the potential gain can be.

"Here's one possible scenario:

"Typical dual income family. One has been furloughed by the State, the other suffering a temporary health problem. They cannot keep up with their mortgage payments, but fully expect to in 6 to 8 months once the health issues are resolved.

"The home is worth \$500,000; and the family owes \$400,000 principal on the mortgage. The bank refuses to modify the loan, but has bad paper. The State Bank/HHFDC can purchase the loan for up to 75% of the principal - \$300,000. The family then rents the property from the State Bank for 6 months at a fair market value – which will go to the profit of the bank.

"If, after 6 months of consumer credit counseling, the family shows it can afford a mortgage loan, then the bank can decide to sell the property back to the homeowner for 90% of the original mortgage balance - \$360,000. In 6 months, the bank just made \$60,000, not including income from interest.

"If the family later decides to sell the property to a 3rd party, and the property value has increased, the family must share some of that appreciation – a figure that represents a proportion of the price the family bought the property back from the State Bank: \$360,000 divided by the sale price to the 3rd party. If the property appreciated in value by \$50,000 and is now worth \$550,000, then the family must pay to the State Bank 64% of the appreciation – which would be \$32,000.

"In this scenario, the State Bank invested \$300,000, saved this family from foreclosure, and made a profit of \$92,000, plus whatever it charged for 6 months of fair market rent. (The original bank took 75% of the loan principal, and is spared from the cost of litigating its right to foreclose.) The neighborhood benefits because there will be no blight or decreased property values created by a vacant home.

"If the family can't afford to buy the property back, the State Bank still has an asset worth \$500,000 (which may have appreciated) which it paid \$300,000 to attain. And can make at least \$200,000 on the sale of that property on the market.

"Mr. Speaker, we can leave homeowners to fend for themselves, or we can step in and take full advantage of the indiscretions of the behemoth banks so that we can help homeowners, enable the state to profit, promote responsible local lending for local people and businesses who need it, as well as relieve the big banks of their bad paper. This proposal is a win-win for all. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. In the past I've called this a very socialistic proposal, and I still believe it is. I don't think it's wise for us to dedicate \$500 million to this particular hair-brained scheme. If the banks, if you can't get a loan there, you can probably get one through the Ag Department or through the DBEDT. Maybe a venture capital firm. So I think there's always money to be available for good investments. I don't think we should throw it away.

"Where do we get the money from? Do we get it from the Education Department? The Health Department? Human Services? I posit that they don't have a dime to spare for this particular venture. The Attorney General last month announced a \$70 million-plus plan to help purchase underwater mortgages in Hawaii, and help with people who have suffered from fraudulent practices. So I think we should wait to see what happens with this particular program and how it'll help some of Hawaii's homeowners. I think we should not go ahead with this bill. It's very unwise. Thank you."

Representative Johanson rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise in opposition to HB 2103, Relating to the Bank of the State of Hawaii. While I am sympathetic to the hardships being endured by those facing foreclosures and have supported other measures in the House to mitigate the mortgage foreclosure situation in the past, I am extremely concerned about the systemic risk posed by a State Bank. I have doubts that the State is capable of effectively implementing and overseeing a project of this size and scope and successfully managing an operation of this complexity. I appreciate the intent of this bill as an effort to help those facing financial crisis, but this unprecedented undertaking of a conceptual State Bank constitutes a great risk for all the people of Hawaii and the future of our State's economy. For these reasons, I oppose this measure."

Representative Oshiro rose to speak in support of the measure, stating:

"I rise in strong support. First if I may have the words of the Representative of Ka'u, the Chair of the CPC Committee, adopted as my own. Mr. Speaker, I just wanted to emphasize the fact that this is a work in progress. There are a lot of i's to dot, and t's to cross. But the general intention is well placed and deserving of further work on it."

"I think the Chair of the CPC Committee hit the nail on its head. We still have a mortgage foreclosure crisis. It can probably get worse if you read the reports. If you're literate and can understand what the *New York Times*, *Wall Street Journal*, *Huffington Post*, etc. are saying about what might happen once the final settlement of the 49 states is enacted and approved by the judge."

"And while I'm on that, I think, Mr. Speaker, I think we need to remind ourselves as I did in the Finance Committee, there has been no acceptance by the court of that settlement. We do not know the final terms and conditions of the settlement. There has been no judgment or order by the court. So I'd put at this point in time, all we have is a nice press release, giving a little slap on the wrist for some of the Big 5 banks who benefitted from the TARP bail out of several years ago."

"I think this is well placed for us to consider on behalf of Hawaii's people who we're representing here today. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker and Members. I wish to vote on this measure with reservations. I believe that the Chair of Finance mentioned that it's a work in progress and I will want to cautiously watch the bill as it develops. I believe it could be, and possibly is, premature. And the fact that you have a task force, and the task force should report to the Legislature as to the feasibility of having a State Bank."

"So, this might be a might too early yet to pass any legislation, but should it be passed, then of course I would vote with reservations and watch it develop in the Senate, and back in Conference to see what comes out of it."

"Just let me make this oxymoronic statement again. One or the other needs to go. You cannot have a task force, and set up a system for the bank right away. Then you make the task force useless. So, it should be one or the other. Thank you, very much."

Representative Riviere rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. I was going to sit quietly and just vote no, but a couple things were said and I've got to comment. I want to thank the previous speaker from Wailuku, Speaker Emeritus. I think he's right. The task force is something that needs to be handled first."

"I do support creation of the task force. Rushing headlong into this process is ill-advised. The comment I wanted to make is to not make a long speech, but there was testimony where it said, this Housing, Finance, and Development Corporation may purchase residential property occupied by one or more persons who hold title of the property. And here's the

clinger and here's what I don't understand. If the mortgagee's lien and its supporting documentation failed to adequately demonstrate the mortgagee has a right to collect the mortgagee's indebtedness. In other words this Legislature is challenging lenders saying, 'You have no right to foreclose on that property. But if you have no right to foreclose on that property because you don't have clear title, we'll buy it from you and then maybe we'll sell the property.'

"If we don't have clear title, if we're challenging perfect title, it is crazy for us to even pretend that we're going to buy something that has imperfect title. Thank you. I oppose this bill."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. And I think that it's an inappropriate thing to say 'Big 5 banks.' I know what the Big 5 is, and I don't think our banks are the Big 5."

"Our banks are some of the award winning banks and I don't think that it's elitist to say, 'Oh, I believe in my bank who gives small businesses their loans.' I think that's class warfare. If you do your homework on North Dakota, I urge all the Members to do so, it ain't Hawaii. We're one of the few states that has the golden cash cow, the golden egg of tourism. Boy, let's go see how much income and revenue comes in from tourism. But we don't have a real great track record on how we spend our money. So now you want to make a State Bank? Thank you, Mr. Speaker."

Representative Herkes rose to respond, stating:

"Second time, in support. We can give title if we cram down on the bank. We can give title. I want to give you a couple of observations and real life things that have happened."

"There was somebody who works at the Volcano Arts Center. Their family owned a home in Pahala. There is no way that they could deal with Bank of America so they walked away from the house. They could have rented it. That home has been vacant now for three years. I don't know how that benefits Bank of America. I don't know how that benefits the people that left it. And I don't know how that benefits the State of Hawaii. In this case I think that Bank America would have been a lot better off with 75% of that mortgage than having it just sit there doing nothing."

"There was another case with a Mrs. May who was dealing with one of the major banks. She wanted a remodel and what the lender told her was, 'Don't pay your mortgage and then we'll deal with the remodel.' So that's what she did. She took the lenders advice and then they foreclosed on her. And the only reason she knew about it was that her real property taxes went from a few hundred dollars, to a thousand because the lender no longer had the exemptions. She no longer owns her home, although she did exactly what the lender told her to do. This proposal gives Mrs. May an opportunity to deal with that abusive short lender. Thank you."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, very much. I rise in support. I'll try to address certain questions that were, or points of view that were brought up here this afternoon or even previously. The Representative from Ka'u, Volcano District has emphasized about, may consider repurchasing mortgages, and did emphasize 'may.' Countering that as has been said by the adverse force, who says, 'How can you purchase one without clear title?' I think this is the whole topic about this mortgage that is known as subprime mortgages because of the lending procedures and the disclosure procedures that were improper, mortgages were being defaulted and including title."

"However, if the purchaser, like the Representative from Ka'u, Volcano stated, that there may be a possibility to repurchase, that would be without doubt, considering holder in due course. In other words, the new mortgagee would be compelled and impelled to protect the State Bank and make sure that you have rights. In fact, not only rights to title, but superior rights. Also this portfolio as stated in this bill, says there will be a review about repayment source, income verification, and counseling service. But is this not what even community banks that we have here in the State of

Hawaii are trying to really do under the CRA, the Community Reinvestment Act?

"Therefore I applaud the author of this legislation in trying to bring back and promote community endeavors. Some of those testifiers are fearful also, that the banks would be in competition. That the State Bank of Hawaii would be in competition with our neighborhood or local banks. I say, fear not. In the terms of lending, it has been emphasized that we could do participation or guaranteed lending. What does that mean? Collaboration, not competition. This legislation also says what is the minimum capitalization. What's the purpose of that? Again, to make sure that funds would be able to be processed out to our local banks, and to have liquidity in our financial institutions throughout the State of Hawaii. Thank you, very much."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition and rebuttal. Mr. Speaker, I first want to mention that I take great umbrage in the type of discussions of class warfare that has been mentioned, or implied, since 9 o'clock this morning. This does not solve the problems that we need to solve. I come from a poor Filipino immigrant family. We lived in poverty for many years. I represent the district that has the highest mortgage foreclosures in the State, and the reason I'm against this bill, Mr. Speaker, is because this bill will not help those that are suffering with mortgage foreclosures."

"On one hand, I hear these passionate speeches saying we're going to save these people. And you evil people who are against this bill, shame on you. And on the other hand Mr. Speaker, I said, 'Oh but this doesn't require us to buy these mortgages. It says, may.' Is this going to help these people or not? I say no. Just by the discussion I've heard today, I'm confused. Actually I'm not confused, Mr. Speaker. Although, many of you do confuse me sometimes. It actually makes it even more clear that we are all over the place with this bill, Mr. Speaker. That we don't know what we're focusing on."

"I have a solution. While we have this task force, why don't we use the money we get in the settlement to actually put in a fund that already exists. And instead of saying 'may' help these who are suffering, Mr. Speaker, how about we say, 'shall'. We don't even have to create a bank for that, Mr. Speaker. I want to support this idea, Mr. Speaker and that's why I support the task force. But this bill does not help people who are suffering from mortgage foreclosures."

Representative Oshiro rose in support of the measure 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 rise in support of House Bill No. 2103, House Draft 2. This bill would direct the Department of Commerce and Consumer Affairs to draft legislation to establish a state-owned bank. The bill would also require the Hawaii Housing Finance and Development Corporation to establish and operate a "mortgage cleansing" program to assist the homeowners of foreclosed properties."

"Generally speaking, we, as lawmakers, are generalists who set the broad policy decisions for the State. Because the issues raised by House Bill No. 2103 are multi-faceted, complex, and very technical by their very nature, any undertaking to establish a state-owned bank must proceed cautiously to ensure that unintended consequences do not occur."

"The establishment of a state-owned bank will require the harmonization of statutes pertaining to banking, lending, housing, land use, development, leases, contracts, and finance. It will also likely entail other issues that have not yet been broached at the committee level. These would include, among others, the position classifications of prospective employees, the job skills of government workers, and the availability of government facilities to fully implement this important policy goal."

"The scope of this undertaking is massive. To my knowledge, the closest we've seen in this generation has been the recodification of Hawaii's banking laws in 1993. For those who were not here back then,

the Legislature spent \$350,000 over a three-year period to have the Department of Commerce and Consumer Affairs to review all of the banking laws and rewrite them."

"In my mind, the best people to draft the enabling legislation for the establishment of a state-owned bank are the experts – the government regulators and administrators in the various departments and agencies of the State. And who better to spearhead this effort than my former colleague, the Commissioner of Financial Institutions, whose in-depth critiques of the state-owned bank bills have made it so clear that she and the administrators of the various departments and agencies are much better capable of drafting such important legislation."

"In developing this bill, I have consulted extensively with the Chair of the Committee on Consumer Protection and Commerce, and will continue to do so as this measure proceeds. In addition, I will also consult with the Chairs of the Labor Committee, the Committee on Economic Revitalization and Business, and the Housing Committee to ensure that their contributions are shared as we shape this new public policy."

"The funding for this review will come from the recent multi-state settlement on mortgage foreclosures. Let me emphasize, it is your Committee's intent that no general funds be used for this review."

"Capitalization would be realized through the use of the State's deposits. According to the Department of Budget and Finance, more than \$2.8 billion of state funds are currently deposited with Hawaii-based financial institutions, for which the state spends more than \$500,000 each year in general funds to pay their administrative fees."

"Last Wednesday, a proposed draft containing these provisions was heard. Based on the testimony received, your Committee found that:

- (1) Conceivably, there are numerous options available to the State in capitalizing a state-owned bank. These include bond financing, ARRA funds, transfer of tax revenues deposited with private financial institutions, and settlement awards from the banking industry. It is the role of the Legislature, and in particular, your Committee on Finance, to determine the most effective and efficient utilization of all of these resources to implement the public policies we establish.
- (2) The transfer of tax revenue deposits from private financial institutions to a state-owned bank would need to be gradual to mitigate the impact it will have on the lending ability of Hawaii-based financial institutions. However, in the long run, any decrease in lending capacity by some banks will likely be offset by the increased lending opportunities of other financial institutions, such as savings and loans and credit unions, as well as those provided by the state-owned bank.
- (3) The Attorney General's settlement of mortgage lending litigation must be scrutinized further to fully determine the ramifications this agreement will have on Hawaii's consumers.
- (4) Additional work must be done to provide adequate relief to consumers who have been injured by out-of-state banks. As such, I will continue to work with the Chairs of CPC and Housing to move a measure creating a "mortgage cleansing" program after crossover.
- (5) Pursuant to the Constitution, it is the Legislature and not the Attorney General that determines how state funds are appropriated. Any funds received by the AG as part of the settlement should be appropriated as the Legislature determines.

"It should be noted that this measure received broad support from advocate organizations, such as the Legal Aid Society of Hawaii, IMUAlliance, and FACE, as well as business organizations such as the Hawaii Farm Bureau."

"In addition, your Committee received supportive testimony from Hawaii-based businesses as well as "green" businesses situated outside the State."

"The best summation heard (and prophetic) was the testimony of Mike Krauss, President and Chair of the Pennsylvania Project, a non-partisan and non-profit public policy advocacy organization chartered in the Commonwealth of Pennsylvania. He wrote:

"We understand the attraction of a study, but other studies have generally been an opportunity for large, out-of-state banks to kill the proposed legislation, which they fear (and perhaps rightly so) will deprive them of deposits and business. We understand that.

"But we believe that 'too-big-to-fail' banks have had their day, with ruinous consequences, and if a study is decided, we urge that it be to determine HOW to proceed with a state bank, and not WHETHER to proceed. . ."

"House Bill No. 2103 serves as a blue print on HOW we should proceed. In my view, it is a logical approach for the Legislature to advance if there is sufficient political will to pursue this policy goal. It relies on the expertise of our departments and agencies. It provides the resources for administrators to do the job. It sets forth a reasonable timetable to make implementation gradual so that any negative impacts on private financial institutions can be lessened. And, it provides a mechanism to address the mortgage foreclosure crisis in our State.

"In my view, this is a pro-business, pro-consumer protection, and pro-economic development bill. And most importantly, this bill puts our citizens first before the profits of a few big banks.

"In these dire economic times, we must be bold and make no mistake, this bill is bold.

"For these reasons, I urge your favorable consideration of this bill."

At this time, Representative Chong called for the previous question.

At 3:44 o'clock p.m., Representative Choy requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:45 o'clock p.m., with Speaker Say presiding.

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support and ask to insert written comments, as well as include the comments made by Representatives from Ka'u, South Hilo and Wahiawa. Thank you Mr. Speaker," and the Chair "so ordered." (By reference only.)

Representative Awana's written remarks are as follows:

"Mr. Speaker I stand in strong support and I ask that the words from the Representatives from Kau, South Hilo and Wahiawa be entered into the Journal as if it were my own. In addition Mr. Speaker we have had too many foreclosures, people who are struggling to keep afloat. As a legislative body, Mr. Speaker, I see it our responsibility to seek alternatives to address this economic meltdown in Hawaii. Sitting by patiently will not make it go away. Doing nothing is not acceptable at a time when residents and businesses need us the most. Thank you, Mr. Speaker."

Representative Pine rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition to HB2103 for many reasons. This bill would create a state bank outright. I feel that it would be irresponsible to take such a large risk with taxpayer dollars. There are far too many unknowns at this point in time.

"As other speakers have noted, North Dakota is the only state to own and operate a public bank. Mr. Speaker, North Dakota is an extremely different state than ours.

"The bank would require a significant amount of initial capital investment in a time when we ought to be most careful with taxpayer dollars. And the risk would be immense: North Dakota's public bank deposits are backed by the full faith and credit of the state and are not insured by the Federal Deposit Insurance Corporation (FDIC). Furthermore, this bill would not even require most of its directors to have any experience whatsoever in banking. That would be like entrusting someone with no expertise to perform a complicated brain surgery. No matter how good one's intentions, they cannot substitute for skill.

"The government should not try to become expert in all industries. I believe in the strength and fortitude of our people instead. Thank you, Mr. Speaker."

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 2103, HD 2, Relating to the Bank of the State of Hawaii. Contrary to some of the comments heard on the Floor, tough economic times are really the appropriate time to think of establishing a State Bank.

"Many local banks are struggling, and credit for small businesses and consumers is tight. Therefore a number of states have introduced legislation for state-owned banks. In addition to Hawaii; Maryland, Illinois, Virginia, Oregon and Massachusetts are considering the idea. A State Bank need not be built of bricks and mortar, but most likely be a "virtual" branch.

"The growing movement to establish local economic sovereignty thru State owned banks has been encouraged by many progressive grassroots organizations in the states - it may be that the time is right for Hawaii to act. Therefore, I support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2103, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BANK OF THE STATE OF HAWAII," passed Third Reading by a vote of 43 ayes to 8 noes, with Representatives Ching, Fontaine, Johanson, Marumoto, Pine, Riviere, Thielen and Ward voting no.

At 3:47 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2611, HD 2
H.B. No. 2760, HD 2
H.B. No. 1694, HD 2
H.B. No. 2169, HD 2
H.B. No. 1671, HD 2
H.B. No. 1840, HD 3
H.B. No. 2103, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 925-12) recommending that H.B. No. 1974, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1974, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. I'm a veteran. I request a ruling on this," and the Chair ruled, "no conflict."

Representative Souki continued to speak in support of the measure, stating:

"Thank you very much. I'm in strong support of the measure. Hopefully it will be some years from now."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1974, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 928-12) recommending that H.B. No. 2514, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2514, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. This bill has some admirable qualities. It raises the total number of Paroling Authority Board Members from 3 to 5. It increases the percentage collected from inmates for victim restitution from 10% to 25% of an inmate's account. It requires as part of a prisoners parole plan, a prisoner to leave a phone contact where the prisoner can be reached.

"Other parts of the bill, however, are cause for concern. During a Public Safety and Military Affairs Committee hearing, Honolulu's Prosecuting Attorney Keith Kaneshiro noted that there seemed to be, and I quote him, 'a single minded effort to release more individuals from custody without clearly defining how this will be done consistent with the needs of both public safety and victim safety.' End quote.

"Some amendments have been made to the bill, however he still expressed many of his same concerns at a recent House Finance Committee hearing. The first concern is that the bill mandates a pre-trial risk assessment within three days of an accused person's admission to a Community Correctional Center, unless the accused is subject to county or State detainers hold, or is detained without bail, detained for probation violation facing revocation of bail or supervised release, or has had a pre-trial risk assessment completed prior to admission to the Community Correctional Center. Mr. Kaneshiro stated that the consequences were unclear if the Department of Public Safety failed to meet this three day deadline.

"The bill has since been amended, but the uncertainty remains. Further, while the current House Draft 3 has been amended to call the assessment an internal assessment, it requires the submission of the risk assessment to the court hearing the inmate's case.

"I'd like to note the testimony of Mr. Linblad, bail agent and former pre-trial release officer. He strongly objected to the idea of a risk assessment within three working days. That is too little time for an accurate assessment. He noted that sometimes accused persons are still under the influence and may not provide proper information for an accurate assessment. Further, it may take time to obtain background information.

"The second concern is with regard to the fact that if a parolee violates parole, the longest amount of incarceration that he or she can receive for the violation is six months. The exceptions are for those who have: one, been charged with a felony; two, left the State without permission; three, violated conditions applicable to sex offenders; or four, been previously imprisoned for violating the conditions of parole on the current offense.

"As Mr. Kaneshiro has noted, if there are factors that lead the Paroling Authority to believe a particular offender should be incarcerated for longer than six months, up to his or her maximum term, then HPA should have the discretion to make that decision, as this is clearly within its area of expertise.

"The third concern is that the bill mandates supervised parole release of Class A, Class B, and Class C felons, prior to the expiration of their maximum terms. The length of supervised release varies by felony class.

"Given the way the bill is drafted, the Board may set an earlier release date if it wants to, but if it doesn't set an earlier release date, then the Paroling Authority cannot deny supervised release to a maxed-out inmate, regardless of whether or not the inmate is a management problem, regardless of whether or not the inmate refuses to cooperate with those in authority, and refuses to acknowledge that he is responsible for his or her own actions.

"We should consider that such individuals may be among those who recommit crimes, while on supervised release. Or who may abscond, while on supervised release.

"Maui County Prosecutor John Kim, in a recent *Civil Beat* article on January 18th, stated, 'I don't see why we should extend supervision. They are just going to run away. And that has been our experience.'"

Representative Riviere rose to yield his time, and the Chair "so ordered."

Representative Marumoto continued, stating:

"Thank you, Representative. My concern is that this bill will pass due in part to the perception that we need to increase efficiencies and reduce the prison population. A common statistical sound bite that is cited in support of the bill is that while crime rates are down, the State prison and jail populations are up. Perhaps we need to ask ourselves, could it be that the crime rates are down precisely because the people who commit the crimes are in prison?

"The bill makes unspecified appropriations for a number of employees, including parole officers. Before one votes for this bill, we should heed what Mr. Kaneshiro has noted. What you need to have is the parole and probation officers in place before you take the inmates out. I would add that it's going to take awhile to find the right people to fill those positions. Hard working, dedicated employees will be needed to deal with potentially troublesome offenders.

"In the same *Civil Beat* article, Burt Matsuoka, Chair of the Hawaii Paroling Authority, stated, 'some parolees are refusing to cooperate, and have a real attitude problem.'

"For the reasons I have noted, I will be voting no on House Bill 2514, House Draft 3. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"In support with very strong reservations, Mr. Speaker. You know, we all come to this building because we've been motivated by something very strong in our lives to make a difference here. And for me, I've always been a victims' advocate. And that's where my perspective comes from. So I want to apologize to my friends in this building who have worked very hard on this bill who come from a different perspective. It is my hope that by the end of this Legislative Session, we will find a way to come together.

"But the reason I have reservations, and do support partial parts of this bill, Mr. Speaker, because there are parts of this bill that are good for victims, and that was mentioned earlier by the previous speaker. I do want to thank members of the organization that did work on this, for considering this part of the bill. This is very important for the victim community, and we appreciate them for that.

"But I think what's really troubling with this bill, Mr. Speaker, and what worries a lot of victims who see this legislation, not just in Hawaii but all over the nation, who have been calling me about this, is that we are trying to base this model on the Texas model, which is very successful. But Texas is very different from Hawaii, Mr. Speaker. Texas is known as a law and order state. It's been long tough on crime. Hawaii unfortunately, we are not known as such, and we are known in contrast as having a reputation of being a little bit more tolerant for criminals.

"In our State, courts tend to give convicted criminals chance after chance on probation, before even sending them to prison. This has deeply troubled many victims of crime in Hawaii, Mr. Speaker. This is especially true for first time offenders, and even second time and third time felony offenders, Mr. Speaker. In other words, only the worst criminals actually end up in our prisons in the State of Hawaii. They ended up there as the last resort, because they failed to take advantage of the multiple opportunities given to them along the way. Opportunities that gave them a chance to turn their lives around. To succeed in the community with the support of their probation officer, and stay out of prison.

"That's exactly why section 7 and 13 of this measure is so troubling to so many victims in this State, Mr. Speaker. They seriously restrict the Board's discretion and authority of our parole board. The very people who are in the best position to decide if and when an offender is ready to be released back into the community.

"Section 7 puts a limit on how long a parolee has broken rules and can be sent back to prison for. And the previous speaker briefly mentioned that.

"I do want to mention, Mr. Speaker, that in the 1990s, we did try to do something very similar, not exactly the same, but we conducted a trial emergency release program in the 1990s, where defendants on bail for \$11,000 or less, were released on the premise to appear with public supervision by the court. The City Prosecutor's Office was extremely opposed to this program, just like they are today, Mr. Speaker. The program was abolished at the end of the trial period, because the failure to appear was greater than 50%, and it scares victims of crime in the State of Hawaii, Mr. Speaker, that we are trying to do this again.

"According to the 2011 Annual Statistical Report of the Hawaii Paroling Authority, parole revocation hearings were held for 279 inmates from 2010–2011. Of those 279 inmates, 275 were charged with committing technical violations of their parole, or 98.5% of the cases. Ultimately, 236 of those 279 inmates had their parole revoked, and were sent back to prison.

"Obviously, these so-called technical violations can add up, and be so serious that the parole board needs to put the offender back into prison. So I'm sure that was what the complication of what the motivation behind this was those technical violations.

"But, section 13 is perhaps the most problematic portion of this measure, Mr. Speaker. Again, it's a mandate to the parole board. It's a mandate to the parole board, and ties their hands."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Pine continued, stating:

"I apologize. In certain cases, the offender has prior felony convictions that make them repeat offenders who must serve a mandatory minimum prison term. Certain repeat offenders have such extensive criminal records that they are ordered to serve their full prison term with no possibility of parole. This is what's scary to these victims, Mr. Speaker. They are so dangerous, that they need to be in prison, and kept away from the public for as long as the law allows. This measure would completely do away with that. The measure would instead release the most serious offenders from prison, and give them parole, anywhere from 6 months to 18 months, before the end of their sentence, no matter what.

"Before and if they have committed the most heinous crimes, Mr. Speaker, even if they have demonstrated no interest in making any effort to rehabilitate themselves. Even if they have a history of running away from probation, or a drug treatment program. Even if they have a history of domestic abuse and stalking their victims the minute they get out of prison. No matter how many people they have hurt and how many rules they have broken, Mr. Speaker. This gives them freedom and a chance to hurt people again, in the eyes of the victims who are concerned about this bill. And the parole board will have absolutely no discretion. Is this what we really want for our communities, Mr. Speaker?

"Mr. Speaker, I'm especially concerned about victims of domestic violence, or violent crimes. These victims can go about their daily lives counting on the fact that the perpetrator has been sent to prison, and that they and their families are safe. They know that as long as the perpetrator is in prison, they can maybe feel like they can survive another day. They know it won't be forever, but at least they have some comfort in knowing the perpetrator will be there for a good while. This measure changes all of that, in the minds of the victims that I've been speaking to.

"It will let those perpetrators thumb their nose at the system, by mandating their early release. The fact that the perpetrator will be on supervised parole isn't going to be any assurance to these victims. I had a woman who had a TRO against a man in Ewa Beach. She was hiding in my community, and he still found her, and he shot her in broad daylight. This brings chills down the spines of many victims that I know.

"Again Mr. Speaker, while this measure has respectable long-term goals, and I hope we can figure this out by the end of Session where we can all work together. The frightening truth is that it has an immediate effect on placing us, our families and our fellow citizens, at high risk. Risk of being victimized by offenders who are sent to prison for a good reason in the first place.

"So fellow Members, I apologize for this very long speech, but it was the best that I could do for the many women especially, that I'm working with that oppose this measure strongly. Mahalo."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Aquino rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. House Bill 2514 is a result of the collaboration between our Legislature, the Judiciary, the Administration, and other State and local entities. Justice reinvestment is a data-driven approach to reduce corrections and related criminal justice spending, and reinvest savings in strategies designed to increase public safety.

"The purpose of justice reinvestment is to manage and allocate criminal justice populations more cost effectively, generating savings that can be reinvested in evidence-based strategies that increase public safety, while holding offenders accountable.

"The justice reinvestment working group, which by the way is a bipartisan group, met with analysts and staff, with the CSG Justice Center to analyze our State's justice system, and has made policy recommendations to realize cost savings and reinvest these savings back into our system to reduce recidivism, decrease the prison population, and strengthen public safety.

"Key findings revealed that although crime and victimization rates have declined, as have arrests and felony convictions for violent and property crimes, incarceration however has not declined.

"This bill addresses three parts: the pre-trial process, parole, and payment of restitution. This measure amends statutes to require a 3 day pre-trial risk assessment and expansion of the parole board to increase frequency and efficiency of parole board meetings, and an increase in restitution to victims of crime.

"I would like to highlight some components of the bill that both supporters and opponents have worked hard to address. First of all, the intent of the 3 day risk assessment is to expedite the process for those that would most likely be released anyway. This language addresses the concerns that were brought up by two bail-bond companies, which clarifies that the 3 day deadline is an internal deadline or timeframe for PSD to expedite the evaluation, so the courts can figure out what they want to do. This is to ensure that PSD conducts the assessment on a timely basis. It's an internal tool.

"In working with the Hawaii Paroling Authority, language was inserted so that a detainee would receive credit for time served prior to

adjudication, or when a decision is made pending on a hearing on parole revocation. After further consultation with the Paroling Authority regarding the 6 month for technical parole violations, they will require additional information. Additional information that would really, really help, Mr. Speaker.

"In regards to the payment restitution, 25% of the total monies, total monies earned, through deposits, credits, to an inmate's account, will be deducted monthly, to go towards restitution payments. It is also important to note, Mr. Speaker, that this bill is budget neutral. It is not asking for new appropriations.

"A Governor's Message, which may come down soon, will require or ask the Legislature to transfer funds from our out-of-state contracts, into the different PSD programs. \$6 million or so in up-front costs to fund needed positions and provide program costs for pre-trial and re-entry programs will hopefully realize this year, or for FY13, \$2 million in net savings, and possibly nearly \$100 million in net savings from FY 2013 to FY 18.

"These savings will continue to increase over the years, as they are reinvested in expanding the various areas of pre-trial and risk-assessments, re-entry, and community-based treatment programs for pre-trial probation and parole officers, strengthening victim services and notification, and restitution collections."

Representative Awana rose to yield her time, and the Chair "so ordered."

Representative Aquino continued, stating:

"Thank you very much. And research and planning staff within the Department of Public Safety.

"By addressing these areas, this measure aims to reduce the cost of corrections, hold offenders more accountable, and re-invest those savings. Some may say that we are changing too much, too fast, Mr. Speaker. I don't believe that is the case. This bill is still a work in progress, but it is a step forward. Thank you, very much."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support and I want the words of the Chair of Public Safety in the Journal as my own.

"And I wanted to add that, there was a time where we were just about tough on crime. Make them have a punishment. They complete your time and then we put them back on the street. But I think we finally wised up and realized that we had to have reentry. We had to have reintegration. We had to try to at least attempt to make sure that people succeeded when they got out of prison.

"I think that the Chair of Public Safety was very eloquent in how he described what it is we're really trying to achieve. And I think what we're really trying to do is make sure that people do not get victimized. That we try to break the cycle. I really like the fact that this bill had all these people work on this, the Justice Center, and the people across the whole United States that realize that reintegration and reentry, and to actually invest in people so they succeed, is going to save us in the long run. Because we don't want to keep building prisons and incarcerating, because that's not a model that ultimately works.

"We incarcerate more people than any country in the world. Well, what's that all about? We've got to stop that trend. And so I really support, and want to thank the Chair of Public Safety for the hard work. Clearly this was a lot of work to get this bill where it needs to be. Thank you."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose to respond, stating:

"I just want to leave with this. I don't want to be remiss in reading an actual message from a victim.

Years ago, I was a victim of sexual assault. My attacker was released early, as this bill would release attackers early, in my opinion. And I have lived in fear ever since. Every day was frightening. Even without the man walking the streets free, but now that he is out I can barely function. I'm speaking for other victims who may feel the same way today. There will be widespread panic that could cripple Hawaii, in my opinion. I am writing this email to beg you, please do not let perpetrators of violent crimes off and get a 'get out of jail free' card. I fear that the consequences of letting them out are greater than you realize. If these people get out and continue breaking the laws that put them in jail in the first place, many lives will be in danger.

"So as you can see Mr. Speaker, no amount of restitution is going to put these victims at ease. So I hope we listen very strongly to their voice, and as we proceed, Mr. Speaker, we strengthen this area. Mahalo."

Representative Evans rose to respond, stating:

"Mr. Speaker, in rebuttal. I'd really like to speak to the person that wrote that letter, because when it comes to sexual assault, it takes maybe a lifetime to repair yourself from that. I'm not sure you ever recover. I'm sure the person that served their time eventually will get out. So I would say that we as the Legislature, and as a community, need to figure out how we are going to deal with sexual assault in general.

"This bill, because of the way it's written, with the planning and the people that are going to supervise, that they're going to work with them. If we want to talk about sexual offenders and go that route, then I would say, let's work on it this summer. Let's come back next year with bills that completely focus on sex offenders. Because that is a very unique group of people, and maybe we need to focus on that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2514, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ching, Marumoto, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 929-12) recommending that H.B. No. 2515, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2515, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Har rose in support of the measure with reservations 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 with reservations on Standing Committee Report 929-12, House Bill 2515, House Draft 3. This is a Justice Reinvestment bill that would permit a sentence of probation for certain second-time drug offenders and a three-year probation term for individuals convicted of certain class B and C felonies, as well as increase the threshold property and services valuation for theft in the second degree to more than \$750. Mr. Speaker, I base my reservations on two reasons.

"First, shortening and restricting probation terms from five years to three years for Class B and C felonies is not necessary to cut costs. The law already allows for shorter probationary periods. Under Hawaii Revised Statutes, Section 706-623, at any time during the initial sentencing or at any late time, a defendant can be discharged from probation upon a motion to the judge by the probation officer, the defendant, or upon the judge's own motion. There is also the possibility of unintended consequences. If

the probationary term is too restrictive, prosecutors may be unwilling to risk probation plea bargains.

"A second reason I am with reservations on this bill is because of the increase in theft valuation from over \$300 to over \$750. Although the intent of this increase is to adjust for inflation, there is the unintended consequence of further encouraging professional shoplifters. The Retail Merchants of Hawaii reported in their testimony before the House Committee on Finance on February 23, 2012, that over 1% of annual sales, or \$240 million, is lost to theft. Chronic shoplifters and repeat offenders who know the system and understand the laws will only be persuaded to steal significantly more merchandise. Furthermore, this considerable loss in annual sales will undoubtedly affect consumers. Because stores will have to make up for a loss in revenue and counterbalance increasing insurance premiums resulting from stolen merchandise, the burden of cost will be unfairly passed on to the consumer.

"For these reasons, I stand with reservations on this measure. Thank you, Mr. Speaker."

Representative Pine rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I stand in opposition to HB2515, which permits a sentence of probation for second-time drug offenders, and a three-year probation term for individuals convicted of certain class B and C felonies. This bill also strives to increase the valuation amount for theft in the second degree from \$300 to \$750.

"We must consider the costs that lessening penalties for theft will have on our local businesses and consumers. Theft is devastating to our community. It forces businesses to pay for expensive security equipment, cameras, and the hiring of loss prevention workers. These costs, in addition to the actual value of the stolen merchandise, are then passed on to consumers. Small businesses that don't have the resources to implement these security measures would be among the hardest hit if this bill passes.

"Many repeat offenders for theft stay informed on the laws and the specific penalties associated with each degree in order to avoid receiving higher charges and harsher penalties. If we increase the valuation amount, criminals who have previously only stolen goods valued at less than \$300 to avoid being charged for theft in the second degree would now be able to steal up to \$750 dollars while still receiving the second degree charge. Repeat offenders are going to take advantage of an increase in the valuation and almost be encouraged to steal more expensive goods and services if this bill passes. Thank you, Mr. Speaker."

Representative Marumoto 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."

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of H.B. 2515 HD3, which permits a sentence of probation for certain second-time drug offenders and a three-year probation term for individuals convicted of certain class B and C felonies and increases the threshold property and services valuation for theft in the second degree to more than \$750.

"Drug offenders should be punished for committing a crime as public safety and accountability are vital to crime deterrence. I am concerned that this bill is too lenient towards second time offenders; this bill allows for second time offenders to be given probation instead of jail time, however, lowering the population is not the main priority; the safety of our residents is. The testimony provided by Brian Iwaishi, Loss Prevention Manager of Times Super Market states that "this [bill] will only increase the theft

problems retail establishments face every day. As some of you have noticed many retail establishments have increased their efforts to combat the rising problem of theft by installing EAS security systems, more cameras, security guards and loss prevention personnel in an effort to reduce the theft problem and losses from associated with theft."

"I urge the Committee to defer this bill. Thank you."

Representative Fontaine 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 H.B. No. 2515, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ching, Pine, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 930-12) recommending that H.B. No. 2415, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2415, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 932-12) recommending that H.B. No. 2275, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2275, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Mr. Speaker; I rise in support; however with reservations, to HB 2272 and the companion measure HB 2275. These bills would impose a 3% additional fee on long term nursing care facilities and on hospitals in the State of Hawaii.

"While the intended purpose of the fee is to help Hawaii draw down more Medicaid funds by providing a match for federal Medicaid dollars, this is laudable since Hawaii needs to obtain all of the federal Medicaid support that is available. The approach of adding a fee on top of existing nursing care and hospital costs is flawed. This fee will only add to the already high costs of medical care in Hawaii and could particularly injure long-term care homes who already struggle to cover the expenses of taking care of our *kupuna* and disabled.

"A better approach would be to convert the existing GET tax that is paid on medical care and make this a fee that could be used for Medicaid matching funds. Doing this would avoid the need to increase already costly medical expenses and would still allow Hawaii to draw down Medicaid moneys. I hope our colleagues in the Senate will consider this alternative as a sensible, fiscally prudent approach to help our hospitals and care facilities with uncompensated care. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2275, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 936-12) recommending that H.B. No. 2358, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2358, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In very strong support. This proposed legislation is critical for Hawaii's faltering economy. If enacted, it will put people back to work, and people into homes that they can afford. Mr. Speaker, this bill is an attempt to find a balance between public safety and costs.

"Mr. Speaker, some background information. There has been a steady decline over the last few years in building permits for single family homes, but an increase in owner-builders. And you know they're not completely complying with the code. Who knows how many homes or home improvements are built with no permits at all.

"Mr. Speaker, it's been estimated that as many as 80% of the homes built in some rural areas of Hawaii Island are built with no permits at all. As one newspaper reporter suggested to me that he thinks this figure is too low.

"This also means that these homes or home improvements are not reflected on the Hawaii County tax rolls. Why? Our building codes have become too excessive and costly.

"The *Pacific Business News* on Thursday, January 19, 2012, reports that Hawaii has lost 30% of its construction jobs in 4 years. *West Hawaii Today* on January 19, 2012, reports that bids for Big Island Gym roof repair, were 3 times higher than expected. Why? Changes to the County fire code are blamed. There was a similar problem with the Hilo High School Gym, and we are experiencing the same problem with the proposed Ka'u High School Disaster Shelter Gym. And because of the requirements of the building code, it will no longer be a FEMA approved facility.

"Wikipedia defines a building code as, quote 'A building code, or building control, is a set of rules that specify the minimum, minimum, acceptable level of safety for constructed objects such as buildings and nonbuilding structures,' close quote. The *Star Advertiser* reported that the Board of Water Supply, in April, began enforcing a 34 year old rule that requires home owners seeking building permits to install a sprinkler system if their home is more than 175 feet from the nearest fire hydrant, or the nearest fire hydrant has a flow rate of less than 1,000 gallons per minute.

"The Fire Council also believes that minimum road widths are required before building permits should be issued. Mr. Speaker, there are thousands of people on Hawaii Island who live on private, below-standard roads, who will ask you, 'What's a fire hydrant?' I have two 30-mile stretches in my district with no potable water and no fire hydrants. And I assume that people like me cannot improve their home or build.

"Mr. Speaker, in reviewing the testimony before the Finance Committee, it was interesting to note that many testifiers in opposition of the bill, benefit financially from complex building codes. The others, such as the State Civil Defense, who are in opposition to the proposed bill. Obviously, a civil defense job would be easier if every building in the State, including barns and greenhouses, were built of concrete and had fire sprinklers. This, in spite of a statement in *Forbes* magazine by Ray Lovell, spokesperson for the Hawaii State Civil Defense, in a report of the safest and least safest places in Hawaii, that said that Hawaii is the safest place in the country, the safest place in the country from natural disasters.

"Members, why weren't the contractors and developers out in strong support of this bill? Members, this should be of concern to everyone on this Floor. They are afraid of getting on the bad side of county public works departments and having their permit applications held up for no reason. And people in the Hawaii County told me the same thing.

"Mr. Speaker and Members, I have talked about this bill through just plain people on the street. And they say, 'Wow, you're going to put people to work? And have homes that people can afford to buy?' Then they add, 'Do something about the hurricane insurance.' And we're trying to do that too."

Representative Ichiyama rose to yield her time, and the Chair "so ordered."

Representative Herkes continued, stating:

"I'm through. Members, please support this 'make sense' bill."

Representative Oshiro rose to speak in support of the measure, stating:

"I just rise in support. Strong support. But I need to point out for the record that there was an error in the Committee Report, House Standing Committee Report No. 936-12. In the Report that you have received, that's on file, there should have been two lists of testifiers in support. Actually there was one list of testifiers in support, and testifiers in opposition.

"So those in opposition include testimony from the Department of Defense, State Fire Council, Honolulu Fire Department, Maui County Council, Department of Planning and Permitting of the City and County of Honolulu, Department of Fire and Public Safety of the County of Maui, Kauai Fire Department, Hawaii Steel Alliance, National Fire Protection Association, Insurance Institute for Business and Home Safety, Structure Engineers Association of Hawaii, and numerous individuals. Thank you."

Representative Ching 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 H.B. No. 2358, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE BUILDING CODE," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Fontaine and Riviere voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 937-12) recommending that H.B. No. 2553, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2553, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Third Reading by a vote of 51 ayes.

At 4:23 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1974, HD 2
H.B. No. 2514, HD 3
H.B. No. 2515, HD 3
H.B. No. 2415, HD 2
H.B. No. 2275, HD 2
H.B. No. 2358, HD 3
H.B. No. 2553, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 938-12) recommending that H.B. No. 2519, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2519, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 944-12) recommending that H.B. No. 2703, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2703, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just in strong support, and I think it's kind of probably obvious. So written comments, please."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 2703-Relating to Self-Sufficiency. This bill creates a new chapter in the Hawaii Revised Statutes requiring the Department of Agriculture to develop a food sustainability standard to promote local food production to help diversify the local economy.

"H.B. 2703 has the ability to promote local food production that creates jobs, while strengthening and diversifying the local economy. I firmly believe that this measure would funnel more money to local Hawaii farmers rather than farmers on the mainland and other countries. Not only this, H.B. 2703 would improve food security and leave us with a stronger footing in the case of natural or manmade disasters that subsequently disrupt food importation. Thank you."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB 2703 HD2, which would require the State Department of Agriculture to develop a food sustainability standard that promotes local food production and thereby strengthens and diversifies our local economy.

"The Sierra Club Hawaii Chapter, the Hawaii Food Policy Council, Olinda Farms and numerous individuals join me in supporting this important measure.

"HB 2703 HD2 would improve food security – a vital goal given that Hawaii currently imports about 90 percent of its food and we have only a ten-day supply of fresh produce at a given time.

"Hawaii currently spends an estimated \$3 billion annually on food imports. According to the Department of Agriculture, replacing just 10 percent of our food imports with local produce would create more than 2,300 jobs.

"Moreover, the people of Hawaii would enjoy fresher, more flavorful produce grown in local fields and sold by local businesses.

"Hawaii's dangerous overdependence on imported food leaves our residents vulnerable to rising oil prices that could significantly increase the cost of shipping. We are also vulnerable to food supply disruptions in case of natural or manmade disasters.

"In summary, HB 2703 HD2 promotes the growing of local food for local consumption. This initiative would enhance our quality of living, improve food security, support the local agricultural industry, create new jobs and keep billions of dollars circulating in our economy.

"For all the above reasons, I strongly support HB 2703 HD2 Relating to Food Sufficiency."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2703, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD SELF-SUFFICIENCY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 946-12) recommending that H.B. No. 2019, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2019, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Riviere rose to disclose a potential conflict of interest, stating:

"Before I go further, I was going to do this on the next measure, but I should ask for a potential conflict of interest. For Stand. Com. Rep. Nos. 946 and 948, and actually for a couple of mortgage related bills that occurred earlier today, if that's possible. I am a mortgage loan officer. So for any bills related to mortgages today, I'd like to ask for a blanket ruling," and the Chair ruled, "no conflict."

Representative Riviere continued to speak in opposition to the measure, stating:

"On Stand. Com. Rep. No. 946, it relates to mortgage deficiency judgments. Everything I do when I get up to stand is about fairness. People may disagree with my position, but I'm always going to stick to what I believe is fair and proper. And this bill would change the law such that no lender could solicit mortgage deficiency judgments. That is voiding of contracts, contracts that have existed over the last 30 years that have been made, mortgages that have been made on the premise that a lender could seek deficiencies under certain circumstances.

"This bill on its face I believe would be constitutional, and I guess that will be found out later. It did attempt to do something that was reasonable in that it did attempt to say, well someone who bought their house, they financed it, and then the value went down and they got in trouble. Then they cannot afford it. That is an admirable goal, because that is of no fault of the borrower.

"The bill presently though has been expanded to include refinances, and that opens up a whole world of trouble, because of people who have been taking cash out, the value falls, and they walk away from it. And they may own other properties or assets, or maybe they didn't make their mortgage payment, they're saving up for whatever they're going to do next.

"To blanket wipe out mortgage deficiency judgments is a bad idea, and the fact that it's not even prospective is a terrible idea. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"I request for a ruling on a possible conflict. In my practice we do take on cases that sometimes involve mortgages," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2019, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Marumoto and Riviere voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 948-12) recommending that H.B. No. 2501, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2501, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Riviere rose to disclose a potential conflict of interest, stating:

"For Stand. Com. Rep. Nos. 946 and 948, and actually for a couple of mortgage related bills that occurred earlier today, if that's possible. I am a mortgage loan officer. So for any bills related to mortgages today, I'd like to ask for a blanket ruling," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2501, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 949-12) recommending that H.B. No. 1848, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1848, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 950-12) recommending that H.B. No. 2773, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2773, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Aquino rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I request a ruling on a potential conflict. I work for a nonprofit that serves as a fiscal agency for one of the program sites. Thank you," and the Chair ruled, "no conflict."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HB 2773, which appropriates \$336,000 to the Young Men's Christian Association of Honolulu to support the Weed and Seed program on Oahu.

"The Weed and Seed Program has reduced crime and increased community involvement in Ewa Beach and Waipahu. Our communities are better because of this program. I offer my full support and gratitude to the Weed and Seed Program."

Representative Cullen rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I stand in support of this measure because I believe we should commend and show our appreciation to the men and women who work with the Weed and Seed Program of not only my district – District 41 – but also those of other districts to keep the struggling communities a safer place. They continue to be a great asset to the State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2773, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 951-12) recommending that H.B. No. 2152, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2152, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I wish to speak on this measure with reservations. The original intent of this bill was that we provide some medical relief to labor, to increase the Medicare formula from 110 to 130. The formula, from 110 to 130, to provide for the working people on workers comp accidents was

from 1995. So its approximately 17 years or more that has passed since that time without any change at all.

"Employees, labor who has been injured in the job, have been having a very difficult time, if not impossible, to find a doctor, a primary care doctor, to provide medical treatment. And so what it does is, it prolongs the patient's injury and rehabilitation. They are not able to go to work, and in the end it costs a lot more.

"The action that the Committee took, and I can understand, it's very difficult making hard choices when you are in a Committee. The basis for making a study was what they perceived as what the Labor Chairman wanted as he made his testimony. But let me give you some excerpts from the Labor Chairman. This was to the Labor Committee, but I said basically the same thing to the Finance Committee. This is from the Chairman. It says:

The Department supports the intent of increasing the allowable charges for medical care, services and supplies above the current one hundred ten percent (110%). We offer the following comments:

ACT 234, effective June 29, 1995 amended Section 386-21 to provide that charges for services shall not exceed 110% of Medicare Resource Based Relative Value Scale system. Act 234 was implemented in response to physicians' concerns that reimbursement rates were too low. Overtime, the reimbursement rates of providers have failed to keep pace with the higher costs of medical care, leading some physicians to opt out of providing treatment to injured workers in the workers' compensation system.

The Department is aware that any increase in reimbursement to medical providers may result in additional cost and higher insurance fee premiums for employers. The Department notes that from 2005 -2010, Workers' Compensation premium levels have cumulatively decreased by 69%. This trend of decreasing premiums may be reversing, however, as evidenced by the leveling of premium costs last year.

The Department believes a reimbursement of 110% of Medicare to medical providers who treat injured workers is inadequate. The Department, however, has some concerns health care providers who are already adequately compensated for their services would receive an increase in allowable charges if the ceiling for charges were raised to 130% of Medicare."

Representative Ichiyama rose to yield her time, and the Chair "so ordered."

Representative Souki continued, stating:

"Thank you very much, Representative.

The Department can and has adjusted reimbursement rates based upon surveys of prevalent charges when the surveys indicated reimbursement rates were higher than Medicare. Changes to reimbursement rates are made to the Department's Supplemental Fee Schedule known as Exhibit A of the Medical Fee Schedule Administrative rules.

"Let me make mention that the previous Administration failed to update the Medical Fee Schedule on a regular basis. That further aggravated the problem. And presently, as we have no information on that, but the anecdotal information is they are not getting the care that they need from the Department of Labor, who needs to provide the automatic that goes through appeals, and that takes a long time.

"So what he proposed, as an alternative approach to an across-the-board increase in allowable charges to 130% of Medicare reimbursement rates. The Department suggests the Legislature look at providing some relief attached to a comprehensive study on long-term fiscal impact of this relief in the context the adjustment would have.

"So what he's saying in effect is that some relief should be provided, and not maybe the 130%. Maybe somewhat lower. But he would want also at

the same time they provide the relief, and that a study be made to see the kind of impact this relief is having on the providers.

"However, that section was not taken in total. In the wisdom of the Finance Committee, they chose only to make a study. The danger with that, if you're only going to make a study, is the practicing providers are not getting reimbursed enough, and will not be providing the care to injured workers, which will be prolonging the rehabilitation period and making additional and higher costs to the State of Hawaii.

"So I ask that the Finance Committee, as they go into Conference, if they could re-look at this testimony again, and in their hearts consider that the labor out there, who could be our own family, our own friends, is not getting the care that they need. Hopefully as you go into Conference, you will have the wisdom to increase the rates somewhat in a more fair response.

"Thank you, very much. And I wish to again thank the Committee on Finance. I know you did your best, but I ask you to try a little harder. Thank you, very much."

Representative Ching rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I ask for a possible conflict of interest. My husband is a primary care provider," and the Chair ruled, "no conflict."

Representative Ching continued to speak in support of the measure with reservations, stating:

"Thank you. Slight reservations, then."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2152, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 51 ayes.

At 4:38 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2519, HD 2
H.B. No. 2703, HD 2
H.B. No. 2019, HD 1
H.B. No. 2501, HD 1
H.B. No. 1848, HD 2
H.B. No. 2773, HD 3
H.B. No. 2152, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 952-12) recommending that H.B. No. 2661, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2661, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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 H.B. No. 2661, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 953-12) recommending that H.B. No. 2264, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2264, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Fontaine 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 H.B. No. 2264, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 957-12) recommending that H.B. No. 2569, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2569, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations and brief comments. Mr. Speaker, I was hoping, and thought actually, this would be resolved by now. The Finance Committee had a great hearing last week. The AG and the representatives from the churches had a great dialogue. It was almost *Kumbayah*, because they were going to continue it the next day, and then suddenly the issue was broken off and negotiations stopped.

"The great news is that the language is perfect. The difficulty is that the language is in a different place than some people believe it should be. It's placed in public accommodations. Some people feel very strongly the churches should not be put into statutes that contain public accommodation, because then that gets into even more difficulties. Anything that's a public accommodation, you can't do this, that and the other things, particularly discrimination wise. And churches actually have that one religion discriminates against another.

"So the point is that we need to keep the dialoging between the AG and those particular interested parties, and otherwise. They should be able to come up with something. Thank you."

At 4:40 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:41 o'clock p.m., with Vice Speaker Manahan presiding.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB 2569 HD2 which fills some unexpected gaps in last Session's historic civil unions bill. Important provisions of this bill clarify the rights and responsibilities of couples who must terminate existing reciprocal beneficiary relationships in order to enter a civil union. This measure protects these families by allowing them to maintain property held by the entirety in that status. It also clarifies which unions from other jurisdictions will be recognized as civil unions in Hawaii. The bill also further clarifies the protection given to religious bodies which have religious objections to the use of their property to solemnize civil unions by adopting language similar to public accommodations exemption provisions in effect in jurisdictions that recognize civil unions or same sex marriage. These clarifications do not change the intent of the Legislature – as set out in Hawaii Revised Statute sections 572B-9 and -11 -- with regard to the scope and effect of our civil unions law:

Partners to a civil union lawfully entered into pursuant to this chapter shall have all the same rights, benefits, protections, and responsibilities under law, whether derived from statutes, administrative rules, court decisions, the common law, or any other source of civil law, as are granted to those who contract, obtain a license, and are solemnized pursuant to chapter 572.

A party to a civil union shall be included in any definition or use of the terms "spouse", "family", "immediate family", "dependent", "next of kin", and other terms that denote the spousal relationship, as those terms are used throughout the laws of the State."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, likewise. I would like to submit written comments in strong support."

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill No. 2569, House Draft 2. This bill provides amendments to Act 1, Session Laws of Hawaii 2011, to correct technical problems with the law in a manner that does not alter the Legislative intentions for the original act. It incorporates technical changes recommended by the Attorney General to clarify the transition from reciprocal beneficiary to civil unions status to ensure that couples do not lose any rights or benefits that have accrued.

"At the outset, I would like to thank the Representative from Kapolei for spending hours researching this subject and assisting with the drafting of the bill and the Committee Report. Her legal insight was invaluable to your Committee in its review of this bill.

"Critical to this bill are the amendments made to clarify that religious institutions are protected from civil liability in denying the use of their facilities for the purpose of solemnizing civil unions. This language is intended to clarify the religious exemption already in section -4(c) of the law, which states:

"Nothing in this section shall be construed to require any person authorized to perform solemnizations pursuant to chapter 572 or civil unions pursuant to this chapter to perform a solemnization of a civil union, and no such authorized person who fails or refuses for any reason to join persons in a civil union shall be subject to fine or other penalty for the failure or refusal."

"It should be noted that the United States Supreme Court has held that government regulation cannot interfere with a citizen's First Amendment right to associate for the purpose of engaging in protected speech. In *Boy Scouts of America v. Dale*, 530 U.S. 640 (2000), citing *Roberts v. United States Jaycees*, 468 U.S. 609 (1984), the Supreme Court ruled that:

"... implicit in the right to engage in activities protected by the First Amendment is a corresponding right to associate with others in pursuit of a wide variety of political, social, economic, education, religious, and cultural ends. This right is crucial in preventing the majority from imposing its views on groups that would rather express other, perhaps unpopular, ideas. ... Government actions that may unconstitutionally burden this freedom may take many forms one of which is 'intrusion into the internal structure or affairs of an association' like a 'regulation that forces the group to accept members it does not desire.' ... Forcing a group to accept certain members may impair the ability of the group to express those views, and only those views, that it intends to express. Thus, freedom of association. ... plainly presupposes a freedom not to associate."

"Regarding this bill, it is my opinion that religious organizations are expressive associations that are free to NOT associate with persons wishing to solemnize or celebrate civil unions at their facilities. To do so through the application of the public accommodations statutes would significantly affect its expression in violation of the First Amendment.

"For this reason, I believe the language found in House Bill No. 2569, House Draft 2, makes clear that religious organizations may selectively

provide services, accommodations, advantages, facilities, goods, or privileges to some individuals with respect to the solemnization or celebration of a civil unions but not to others.

"This follows the common law of the United States. . . no more, and no less.

"Accordingly, I urge my fellow colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2569, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 958-12) recommending that H.B. No. 1829, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1829, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Say rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? My potential conflict is that I'm a sublessee on Kalani Street in Kalihi," and the Chair ruled, "no conflict."

Representative Fontaine 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 Luke rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker. Briefly, in opposition. This bill interferes with the private contract between lessors and lessees, and it attempts to re-write the contract terms. As such, it is clearly unconstitutional and it could go into the takings clause."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, 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."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. This measure is basically a re-hash of Act 189 which we enacted 2 years ago and which was struck down by the Hawaii Federal District Court last year as a violation of the federal contracts clause.

"The contracts clause basically has three requirements. First, whether the statute has in fact operated as a substantial impairment of a contractual relationship. Second, whether the State has a significant and legitimate public purpose behind the statute. And third, whether or not the rights and responsibilities of the contracting parties is based upon reasonable conditions and is of a character appropriate to the public purpose, justifying the adoption of the statute.

"The Federal District Court found that Act 189 did not meet this standard, and because the provisions in this bill are so similar to those of Act 189, this legislation will probably also fail once it is challenged. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1829, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASES," passed Third Reading by a vote of 39 ayes to 12 noes, with Representatives Belatti, Coffman, Giugni, Hanohano, Johanson, C. Lee, Luke, Nishimoto, Riviere, Saiki, Takai and Wooley voting no.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 959-12) recommending that H.B. No. 2751, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2751, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Riviere and Thielen voting no.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 960-12) recommending that H.B. No. 2277, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2277, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto submitted the following:

"Concerned Families for ATV Safety

RECENT STUDIES

- In November 2011 The Safety Record found that young riders are not big or heavier enough to ride ATVs.
- The April issue of the Journal of the American Academy of Orthopaedic Surgeons (JAAOS) found that the rapid rise in ATV-related injuries is due to increased use and also to the production of larger, faster, and more powerful vehicles.
- An ASOS study found that there is a significant risk of morbidity for children who sustain spinal cord injuries from All-terrain vehicle accidents.
- A study by researchers at the University of Kentucky found national size guidelines for all-terrain vehicles (ATV) are inadequate to ensure the safety of young riders.
- A Cincinnati Children's Hospital Medical Center study looked at ATV-related injuries to children over a six-year period throughout the state of Ohio and found that helmets did not provide any significant protection for child ATV riders.
- The American College of Surgeons recently did an assessment of the injury and death rates among ATV riders in Oregon that were treated at trauma centers. The study found that "an alarming increase in the number of ATV...riders requiring treatment in Oregon's trauma centers," with approximately 20% of them being children under the age of 15.
- The Journal of Pediatric Surgery recently published a study that found child injuries from ATV accidents are more severe than bicycle-related injuries. ATV accidents are more likely to involve multiple injuries, the need for operative intervention, and longer stays in hospitals. The study also found that after these accidents, children continue to ride ATVs and "safety behaviors are unaltered,"

reinforcing the need to enact a common sense safety standard that keeps children under age 16 off these powerful vehicles

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<http://atvsafetynet.org/parents.php?page=studies>

"Police officer injured in ATV mishap

KHON2.com

Published: 2/09 4:48 pm

Updated: 2/09 4:51 pm

A Honolulu police officer was sent to the hospital after crashing during a training exercise at Ala Moana Beach Park.

Around noon Thursday, HPD was giving several officers a course on how to maneuver ATV's at the park, when an officer driving a 4-wheeler lost control.

Witnesses said he went up on two wheels, and came down, hitting a parked car.

...."

<http://www.khon2.com/news/local/story/Police-officer-injured-in-ATV-mishap/snm27FNIMUanm3IYOOKSPQ.csp>

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2277, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hanohano and Riviere voting no.

At 4:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2661, HD 2

H.B. No. 2264, HD 2

H.B. No. 2569, HD 2

H.B. No. 1829, HD 2

H.B. No. 2751, HD 2

H.B. No. 2277, HD 1

THIRD READING

H.B. No. 2852, HD 1:

Representative Chong moved that H.B. No. 2852, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Morikawa 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 support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Reservations. And may I just briefly give my comments as to why? I applaud the intent of this. I understand it has become a problem for a community here on Oahu. However, what bothers me about this is, and my concern has always been, how do you define 'nuisance'? But as you look at how they've tried to redefine it, a lot of the elements of what is quote, 'called a nuisance,' actually is everyday life in Lahaina.

"Section A, for instance, it talked about dismantled motor vehicles and fishing boats. Well, that's about a quarter of my constituents right there. Let's see, automotive parts and equipment, appliances and furniture. That's about another 40 families. And containers, packing materials, scrap metal, wood and building materials. That's pretty much any house that's either being repaired, or a lot of what's happening is you have agricultural operations going on, farming and such. And there's one that says 'indecent material,' which seems like now that we're stepping across First Amendment boundaries and are now dictating what you can put up on your property that would constitute indecent materials.

"So maybe if this measure goes forward, they could look at perhaps restricting it to this county where the problem seems to be. Or really taking a very close look at this language, because again, it's pretty general. And like I've said, half of my town falls underneath this thing. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I favor this bill. This is a particular case where, although this bill has statewide applications. As I introduced it in a previous Legislature it called for a nuisance violation if any landowner had five violations, on five properties, in the past five years, within a one square-mile neighborhood, and only in residential areas. So I don't think it should catch all but the very irresponsible landowners. I have some articles which I would like to request submission into the Journal with your permission. Thank you."

Representative Marumoto submitted the following:

"Billionaire Genshiro Kawamoto under fire after neighbor's wall destroyed

KHON2

Published: 1/21/2011 9:43 pm

Updated: 1/22/2011 6:12 am

A Kahala homeowner is threatening to take Japanese billionaire Genshiro Kawamoto to court.

She claims Kawamoto hired crews to bulldoze a rock wall along an easement to her home, that she had paid for.

Honolulu police were called to stop the demolition but by the time they arrived, an estimated 50-feet of the wall was torn down.

And when officers asked the workers to produce a city permit for the demolition, there was none.

Rose-Marie Rafael is furious a rock wall she had built 7 years ago, is now partially in pieces.

"Where is your permission to do this there is an easement, we built it you cannot just tear it down," Rafael said.

Rafael says she was inside her home having lunch when she heard the commotion and ran outside to find a crew with a bulldozer tearing apart the wall.

"I was there cause they didn't stop so I stepped on that stone and I said will you please stop," Rafael recounted.

She says she called police, and when they arrived learned they had been hired by her neighbor Japanese businessman Genshiro Kawamoto to demolish the wall and other areas of his property.

"They said, 'where is your permission to do this?' We find out he doesn't have one," Rafael said.

She says the City's Department of Planning and Permitting also notified her no permit had been issued to do the demolition.

Rafael says she doesn't know whose property the the rock wall is on, but says she personally paid for it to be built to line an easement which is the only access to her home.

"Yes and we had an agreement with the former owner that we build the wall," said Rafael. "To see what happened today is not right."

Close friends of the Rafael's are outraged.

"Every piece of property he bought in Hawaii he turned and demolished it and made it nothing," said Rafael family friend Danny Kaleikini.

Kawamoto has purchased more than two dozen properties along Kahala Avenue and many of them have fallen into disrepair.

Attempts to reach Genshiro Kawamoto were unsuccessful. A lawyer who has represented him before says Kawamoto had not contacted his office."

<http://www.khon2.com/news/local/story/Billionaire-Genshiro-Kawamoto-under-fire-after/F8g4yokr6E-xVbFPhdwn2w.csp>

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations and brief comments. I don't want to reiterate the good comments from the Representative from Lahaina. I just want to extend on them and why I also have some reservations with this particular bill. I think in seeking to preserve property values for different neighbors, the bill ironically may also compromise private property rights. And it's for the very reasons that the Representative from Lahaina articulated, because it's so prescriptive in what it determines can and cannot be in a person's private property.

"What I also want to draw the Members' attention to in the event that this continues to advance and we have dialogue about this, is that there are standards established in the bill that are rather vague. For instance, when the personal property reduces the value of other properties in the neighborhood, or is otherwise detrimental to nearby property. I certainly don't have any problems with that, except that's not particularly defined, and I think it's going to be very hard to trace an exact root cause of someone's degradation of property value, and whether it's in respect to one neighbor or another.

"Additionally, on the third page of the bill, creating or permitting or maintaining any dangerous or unsightly condition that is detrimental to the health, safety or welfare of the public. I certainly am sympathetic to the health, safety and welfare component, but again, it is somewhat arbitrary in who defines what is unsightly.

"So it is for those reasons that I have some concerns about this bill, well intended as it may be. Thank you."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support with reservations of H.B. 2852 – Relating to Landowner Liability. This bill creates a cause of action against any person who maintains a property nuisance on residential property that causes injury or damage to the person or property of another person.

"The safety of our citizens is our priority which landowner liability preserves. The situation with Genshiro Kawamoto, the Kahala resident whose has received 56 violations since 2005 from the Honolulu Department of Planning and Permitting for his dilapidated mansions, is a prime example of the importance of landowners accountability. One of his violations was due to cylindrical footings that fell in the shoreline of one of his Kahala Avenue properties.

"However, while I support landowner liability, I am concerned that the subjective language of this bill will harm farms, ranches, and our agricultural processing facilities because activities that are the norm for one area may not be a norm for another area or demographic. Furthermore, this bill, as stated by the City and County of Honolulu, Department of Environmental Services, does not honor activities that have already been appropriately zoned, permitted, and designated for public benefit, including City refuse convenience centers, refuse transfer stations, landfills, base yards, wastewater treatment plants and pumping stations, and construction base yards. Thank you."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Reservations, Mr. Speaker. With a brief comment. I think this is a lawyer-specialty bill, because you can be sued for everything and anything. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1771, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1771, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hanohano and Rhoads voting no.

H.B. No. 1709, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Third Reading by a vote of 51 ayes.

H.B. No. 1776, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1776, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATION SERVICE PROVIDERS," passed Third Reading by a vote of 51 ayes.

H.B. No. 2241, HD 1:

Representative Chong moved that H.B. No. 2241, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with very, very, very mild reservations. Mr. Speaker, this is a, I guess a shipment clearance for inoperable slot machines or gambling machines. It looks pretty innocuous, and it probably is, except sometimes there are devious minds who would love to get a toe-hold into the State of Hawaii, because we, as well as Utah, have no gambling yet.

"So my reservation is, if it has one more word, it would be so iron-tight it would be perfect. And that is, instead of just saying that they are 'inoperable gambling devices,' that it says, 'permanently inoperable.' Because if something is inoperable, you can just take the battery out, or you can unplug a wire or you can take a fuse, and then you get it in here as inoperable. But then you fix it and then instantly you're in business.

"Devious minds may have ways of doing this cleverly. But if we put 'permanently inoperable,' it looks like that will do the trick. So that's a suggestion, and that's my mild reservation. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Reservations. Strong reservations actually, with the words of the Minority Leader," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and H.B. No. 2241, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANTIQUE GAMBLING DEVICES," passed Third Reading by a vote of 51 ayes.

At 4:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2852, HD 1
H.B. No. 1771, HD 1
H.B. No. 1709, HD 1
H.B. No. 1776, HD 1
H.B. No. 2241, HD 1

At 4:53 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:55 o'clock p.m.

H.B. No. 1589, HD 1:

Representative Chong moved that H.B. No. 1589, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB1589 designating February as Hawaiian Grown Cacao Month. I first want to thank the Representative from Liliha for her visionary efforts to promote the cacao industry. We should be proud that our State is the only in the nation that can grow cacao, an industry that provides jobs and growth for our local economy. Our unique State has an exclusive economic opportunity in this crop and raising awareness would provide nothing but benefits for Hawaii.

"Recognizing this market-sustaining industry would reaffirm the recognition already present in both the national and international markets.

"The growing cacao market worldwide currently generates approximately \$75 billion annually. Hawaii is ideally in close proximity to both Asia and mainland US, located to capture and prosper from the opportunities from a growing cacao market. Asia has already developed into a major chocolate market and Japan and China have experienced a significant increase in chocolate consumption during the past decade. Worldwide, chocolate festivals achieve outstanding success for international tourist destinations. Hawaii's unique environment and climate position make it the only state in the US that can grow cacao.

"Recently, a federal grant in the amount of \$50,000 was awarded to the Hawaii Department of Agriculture to help support this sustainable agriculture industry. Monies were directed towards the 2012 Chocolate Festival, which welcomed more than twice the number of attendees from the previous year, confirming the special ability of chocolate to attract revenue. It must also be noted that according to the Census Bureau of Foreign Exchange, "cacao preparation" saw a 16.8 percent increase in export, making cacao Hawaii's eighth largest overall export and the largest overall consumable export. This past summer also introduced the Hawaii Chocolate and Cacao Association (HCCA), where the increasing membership includes residents from all Hawaiian Islands.

"Inclusive to the economic benefits of cacao, the Harvard School on Public Health stated that cacao consumption is linked to longer life. Full with antioxidants, which surpass those found in blueberries, cacao can lower blood pressure and help prevent heart disease.

"Cacao also holds a special place in history. Theobroma cacao, otherwise known as chocolate and translated into English as the "Food of the Gods", was introduced to the Hawaiian Islands in 1850. Cacao has been used for centuries as a medicine and cacao has high concentrations of theobromine, a purine alkaloid that has both a calming effect on the brain and an energizing effect on the nervous system. It has also been found to stimulate the appetite and to reduce fatigue.

"Unlike various other crops, cacao self-pollinates, making cacao environmentally friendly. We must embrace the opportunity where Hawaii is the only state that can cultivate cacao. Hawaii has a once in twenty

years' opportunity to seize the momentum of the growing success and popularity of locally grown agricultural products."

Representative Riviere rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Riviere's written remarks are as follows:

"HB1589 designates February as Hawaiian Grown Cacao Month. This bill will enhance awareness of a burgeoning agricultural product that Hawaii is uniquely qualified to produce. Similar to coffee, Hawaii is the only state in the Union where cacao can grow. While Hawaii will never compete for quantity, we compete very favorably in quality. Besides helping our State diversify our agricultural markets, cacao is an environmentally friendly crop. Cacao continues to gain recognition for medicinal values; it contains anti-oxidants and minerals; and it both calms and provides good energy. Promoting cacao production in Hawaii is exactly the kind of statement we should be making."

Representative Keith-Agaran 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 H.B. No. 1589, HD 1, entitled: "A BILL FOR AN ACT DESIGNATING FEBRUARY AS HAWAIIAN GROWN CACAO MONTH," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

H.B. No. 2079, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2079, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MICROBE," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Hanohano voting no, and with Representative Chang being excused.

H.B. No. 2024, HD 1:

Representative Chong moved that H.B. No. 2024, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 2024 HD 1, Relating to Employment Security. This program also known as Self-Employment Assistance Program (SEAP) helps create jobs and provides training for those who wish to start their own business. SEAP is a unique opportunity for eligible workers to enter into self-employment entrepreneurial training and receive business counseling while collecting unemployment benefits. Once enrolled in the training program, the worker will not have to look for other work and can concentrate on their business interests.

"This bill is an option for unemployment insurance claimants who have been identified as likely to run out of unemployment benefits before the return to work. Claimants qualify using a computerized mathematical formula that determines the likelihood of exhausting unemployment benefits. The requirements are simple: the worker must qualify for regular unemployment benefits, receive a letter that determines the work is likely to exhaust regular unemployment benefits before finding a new job, and enroll in an approved training business program. I urge the Members' support."

The motion was put to vote by the Chair and carried, and H.B. No. 2024, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

H.B. No. 2238, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2238, HD 1, entitled: "A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

H.B. No. 2047, HD 1:

Representative Chong moved that H.B. No. 2047, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in opposition to this measure. I have nothing but sympathy for my fellow citizens who have been victims of identity theft, or who have had their confidential personal information compromised as the result of careless or sloppy business practices. I do respect the intent of this measure. The problem is, it's not effectively tailored to achieve its purpose.

"Government is one of the biggest collectors and stockpilers, if you will, of our personal information. But they are only required by existing law to protect our social security numbers.¹ Nothing more. This measure is far more comprehensive, yet it doesn't even apply to government.

"This measure deals with "personal information". We're not just talking about social security numbers here. "Personal information"² means any one of the following combinations:

- Name and social security number.
- Name and driver's license number.
- Name and credit card number.
- Name and debit card number.
- Name and bank account number; and so on.

"Every business that accepts credit cards or debit cards would be affected.

"This measure would require every single private business that maintains such personal information, regardless of size, regardless of industry, to implement a "comprehensive, written policy and procedure to prevent identity theft."

"Furthermore, every business would be required to train ALL their employees on the policy and procedure. Not just the employee or employees who have access, or potentially have access to personal information, but ALL employees – no matter what their jobs actually entail.

"Mr. Speaker, I am very concerned about the impact of this measure on our local businesses – especially our smaller businesses. Because this mandate would place a very heavy burden on them – and not even guarantee any results.

"Businesses, even the smallest mom-and-pop businesses, would be required to design their identity theft prevention policy to "protect against any anticipated threats or hazards" to the information, and prevent any security breach.

"This means, despite their best efforts, any business that follows the law, has this policy in place, and trains their employees, but nonetheless experiences a security breach, will be in violation of the law. Such a result is unfair. Are we going to punish businesses, especially our smaller family-run businesses, for failing to predict how exactly the crime would be committed? For not having the ability to read the minds of identity thieves and predict their next move? For violations that could only have been prevented with the benefit of hindsight?

"Mr. Speaker, I agree that something must be done to address identity theft, but this measure is based on unrealistic expectations. This simply isn't the way to go.

"Thank you, Mr. Speaker, for the opportunity to express my opposition to this measure."

¹ HRS §487J-2.

² The definition of "personal information" in chapter 487J references the definition in chapter 487N: "personal information" means a person's FIRST NAME, or FIRST INITIAL AND LAST NAME, in combination with any one or more of the following: SOCIAL SECURITY NUMBER; DRIVER'S LICENSE or HAWAII ID CARD NUMBER; ACCOUNT NUMBER, CREDIT CARD NUMBER, DEBIT CARD NUMBER, ACCESS CODE, or PASSWORD.

Representative Marumoto 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 H.B. No. 2047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PROTECTION," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Ching and Thielen voting no, and with Representative Chang being excused.

At 4:58 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1589, HD 1
H.B. No. 2079, HD 1
H.B. No. 2024, HD 1
H.B. No. 2238, HD 1
H.B. No. 2047, HD 1

H.B. No. 283, HD 1:

Representative Chong moved that H.B. No. 283, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Jordan rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Jordan's written remarks are as follows:

"I would like to express my opposition to the authorization of the transfer of \$140,000 during fiscal year 2012-2013 from the Agricultural Loan Revolving Fund to help fund a program to control and eradicate the coffee borer beetle. Although I recognize the importance of eradicating the coffee borer beetle, I do not believe that addressing this issue with funds from the Agricultural Loan Revolving Fund is in the best interest of the Agricultural Loan Program or aligns with the program's main purpose.

"The operation of the Agricultural Loan Program/Department is funded thru the program's revenue and in recent years revenues have been severely curtailed due to historically low interest rates and the effect of the slow economy on collections. Currently the Fund has an estimated \$26 million of which \$19 million has been loaned out and \$6 million is available for loan funds, recent yearly revenues are estimated at \$800,000 due to historically low interest rates. Estimated cost to operate the Program/Department is \$1 million per year, which equates to a negative operational cost of about \$200,000 per year which is taken from the reserve fund.

"Our State economy is slow and is not projected to change the pace for several years to come much less interest rates being increased to make up any departmental short fall, since interest rates are based on national prime rates we are in a position to hold steady with the intent of the program. So although \$140,000 may seem like a small amount it is almost a one year shortfall for the Agricultural Loan Revolving Fund program, understanding that Puerto Rico has spent close to \$1 million to address the coffee borer beetle and looking at recent introduction of pests to the islands tend to show us that a more appropriate and permanent means of funding must be developed to protect our State's fragile environment. Not the use of the Agricultural Loan Revolving Fund."

The motion was put to vote by the Chair and carried, and H.B. No. 283, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Jordan voting no.

H.B. No. 1454, HD 1:

Representative Chong moved that H.B. No. 1454, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Yamashita rose to disclose a potential conflict of interest, stating:

"Thank you very much, Mr. Speaker. May I ask for a ruling on a potential conflict? I am an owner of a gas station," and the Chair ruled, "no conflict."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, this allows the small guys to band together to get discount petroleum. And that may be fine, but what about grocers? We've got a grocer I think, from somewhere here on this Floor. What about bulk purchases with other small grocers so they can compete with Costco or maybe Sam's Club. Other things that otherwise when we get into the marketplace like this, I think it's a dangerous kind of thing. Because this has always been the price of gas for so long, I'm not sure why this is coming up now. But it's a price control phenomenon that I think is going to, if we made the news on the State Bank, I think this will probably make the news also. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Real short comments. This is to help a lot of independent gas dealers. The difference in other sectors of retail is that the refiner also operates the retail. Thank you."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations and brief comments. Again, I think the intent of this bill is certainly understandable. Everybody would like to have lower gas prices, and so that's why I'm willing to support it. I hope that certainly the end that's engendered. I particularly support the provision that enables dealers to form a cooperative. Where I do have some concerns is that enforcing everyone to observe the volume discount, or applying that to everyone, that we may actually, ironically end up increasing costs because that will eliminate some of those arenas that currently offer discounts to consumers. Thank you."

Representative Fontaine rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamashita rose to speak in support of the measure, stating:

"Mr. Speaker, again in support. Just to let the Members know, this is not something that's not out of the ordinary. Under liquor law, liquor distributors are required to sell at the same volume discounts to everyone, and that is currently under statute. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, I do not drink what is in my gas tank. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I just wanted to note my reservations and hopefully we move slowly on this particular issue. I'm sure we all remember many years ago we passed the gas cap, saying they would actually lower the cost."

Representative Chong rose to a point of order, stating:

"Point of order, Mr. Speaker. We're not discussing that measure."

Representative Pine continued, stating:

"I was actually going to explain why I have reservations, because they're similar. It's called price control, and that's what we're doing. Is that still point of order?"

"We tried to pass price control legislation many years ago, and we're trying to pass price control legislation relating to gas, petroleum, oil, I guess. So I just hope that we can thoroughly study this issue. Alcohol is very different from the petroleum industry. We unfortunately can only buy petroleum from very few places around the world right now, so we are limited with our flexibility. Whereas we have a lot more flexibility in terms of the alcohol industry."

The motion was put to vote by the Chair and carried, and H.B. No. 1454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," passed Third Reading by a vote of 51 ayes.

H.B. No. 2606, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES," passed Third by a vote of 45 ayes to 6 noes, with Representatives Ching, Fontaine, Johanson, Pine, Riviere and Thielen voting no.

H.B. No. 2874, HD 1:

Representative Chong moved that H.B. No. 2874, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support H.B. 2874 HD1 with reservations. It's entirely laudable for the Legislature to propose a funding support for the Governor's proposal to provide laptops to all public school students. I am not sure that this measure identifies the best source for meeting the Governor's goal.

"This bill creates the broadband special fund to support funding public school broadband and laptop initiatives and funds that special fund by capping recipients of moneys to Public Access, Education and Government (PEG) programming derived from cable fees at the lesser of the 2011 appropriation or the amount that a PEG recipient would otherwise receive in the current year. The excess funds—after capping the PEG recipients—would be deposited into the broadband special fund.

"I support increasing broadband and making laptops or other more appropriate and useful digital devices available in our public schools, as well as supporting this proposed broadband special fund. I generally support the notion that providing modern and better tools for our public school students has the potential to foster significant improvements in the education of Hawaii's *keiki*, and the special fund will make a significant improvement in access to education and opportunities for Hawaii's citizens at large. However, I have grave concerns regarding section 2 of H.B.

2874, which "freezes appropriations of moneys derived from cable fees at the lesser of the 2011 appropriation or the amount that a recipient would otherwise receive in the current year". Appropriations derived from cable fees encompasses appropriations made to public access television, and freezing these funds will deny public access networks the resources they need to meet their mission of providing treasured community programming, and Hawaii citizen's right to access media. According to some testimony, ironically, section 2 would itself defeat the very purpose of the bill, because it may freeze appropriations for broadband infrastructure and services for the Department of Education, the Department of Transportation, and University of Hawaii. Further, it would also freeze appropriations in support of State efforts in proceedings before the F.C.C. In further irony, it would hurt Hawaii's ability to access federal funds related to broadband and telecommunications that are regulated by the F.C.C.

"Let's certainly move forward on broadband and support providing new tools for our public school students. But let's look carefully at how we fund these efforts."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on HB 2874 – Relating to Broadband. This bill creates the broadband special fund to support funding public school broadband and laptop initiatives and freezes appropriations of moneys derived from cable fees at the lesser of the 2011 appropriation of the amount that a recipient would otherwise receive in the current year. It requires excess moneys to be deposited into the broadband special fund.

"This bill provides a concrete funding source for a laptop program for the Department of Education, which will benefit Hawaii's future and current generation of students. However, as the testimony provided by the Department of Commerce and Consumer Affairs states, placing a limit on the amount of funding that certain programs provide will inhibit the State's ability to access funds necessary to support expansion of telecommunication infrastructure and broadband communications. Furthermore, HB 2874 does not provide clear explanation in the bill as to who the "recipients of moneys appropriated" are. This bill also assumes that fees collected from cable operators will exceed amounts paid out, however, every year, the fees vary. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Chairman, with reservations, noting that this is a work in progress. Hopefully we'll see some changes as it moves along."

Representative Tokioka rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job, I work for Oceanic Time Warner Hospitality Class. Thank you," and the Chair ruled, "no conflict."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Reservations please with my concerns that were previously echoed on Second Reading. Thank you."

Representative Wooley 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 H.B. No. 2874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Third Reading by a vote of 34 ayes to 17 noes, with Representatives Belatti, Ching, Fontaine, Giugni, Hanohano, Johanson, C.

Lee, M. Lee, Luke, Marumoto, Pine, Riviere, Saiki, Takai, Takumi, Thielen and Wooley voting no.

H.B. No. 2328, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

H.B. No. 530, HD 1:

Representative Chong moved that H.B. No. 530, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, I'm rising to cast a no vote and to speak on this measure. Thank you. Mr. Speaker, this is the last and probably the worst of the 'dirty 8' bills on today's Order of the Day. And I call them 'dirty 8' because they really are destructive of the environmental laws that we have in place.

"This one I would first note was yanked from Water Land, and Energy & Environmental Protection, and directly re-referred to Finance. It reads 'cable' all over the bill, but it also applies to other projects yet to be determined. This bill grants the Department of Land and Natural Resources and the Department of Transportation the authority to exempt State projects from the requirements for special management areas and shoreline setbacks under Chapter 205A. And it does say that they have to, those Departments, the DLNR and DOT, they have to consult with the Office of Conservation and Coastal Lands, and the Office of Planning. Well consultation is, 'Hello, I'm calling up. We're going to go ahead with this,' and there you are.

"For those Neighbor Islanders that care about your land use plans and are protective of those, take a look at page 16 of the bill. It states, 'consistency of a State project with a county general plan and zoning shall not be required.' It will be encouraged. But it shall not be required. Take that home to your Neighbor Islands, and ask them what they think about this measure.

"The bill also states that no person or agency shall commence an action against the lead agency. That's DOT or DLNR, for granting or denial of a Special Management Area permit for a State project. So no one, no person, no one, and that includes our environmental watch dogs. No one can commence an action against DOT or DLNR for granting a special management area permit for a State project.

"The bill has numerous other sections that are very troubling. There's one about, on page 23, for a variance application for a State activity, the lead agency may hold a public hearing. And that's in the lead agency's discretion, whether they do or they don't. That's so unusual. This is not what our land use laws have provided in the past.

"Then it goes on that the lead agency, on page 26, shall be responsible for granting a variance for State structure or activity in the shoreline area. And then if the lead agency doesn't act within 21 days, that permit shall be final and granted. And then, remember, you can't challenge any of this. Then under page 27, Chapter 91 shall not apply to the lead agency.

"The bill is, as I say, the worst of the 'dirty 8.' And take a look at this and see if you want to go back to your Neighbor Island and say, 'Guess what guys? This trumps everything that you've put in place. You can't sue. And within 21 days these decisions will be final, and too bad.'

"I'm just astounded and dismayed. And I also highly object to the fact that Water Land, and Energy & Environmental Protection were not allowed to have the first review of this measure. Thank you."

Representative Morikawa rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. My concern is about the less public participation on the Neighbor Islands. The measure states, 'A public hearing may occur in the county impacted by the State project.' Rather than stating it shall occur, as with all other development. With the highly compressed time frame and lack of staffing, it is unlikely public hearings would occur, particularly on the Neighbor Islands. Thank you."

Representative Riviere rose to speak in opposition to the measure, stating:

"Thank you. In opposition. But I just want to make one comment here on the Floor. And that is, this has been a long day, and there's been a lot of what I think is a lot of attacks on the environmental law. I think it's a death by 1000 cuts. I think each one may be arguable, but each one is wrong, in philosophy and in action. And together, they make a really bad stew. So please note my observations. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just want to clarify some of the comments that have been made. First of all, the contents and the subject matter of this bill did go through Water Land, and EEP. House Bill 1813 was a pure exemption. And that was the original idea. The problem is, the title of that bill is 'Relating to Special Management Areas,' and that title was too narrow. So we found another vehicle, and instead of giving a complete exemption, we heard a proposed HD 1 saying that we understand the community's concerns. We heard what the people said in Water Land, and EEP in the Joint Hearing. And we said that instead of a pure exemption, why don't we have OSP do it?

"OSP was presently planning, and is in the process of planning to do it. We think it's appropriate for them to do it for State projects. Counties, like everybody else, are strapped for cash and limited resources. This allows a State agency to do it for State projects. And if people don't think they can do it, well, they do it now. Who do you think does HCDA's SMA? It's OSP. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just briefly in opposition. People have already talked about the effect on the county authority, and taking power away from the county authority. The concern that I have is, currently, the Office of State Planning only has one planner to deal with SMA related issues. The various counties, they have 16 total SMA related staffers, and so at the same time that the counties can look at and review the various projects, you have 16 or several people who look at that. If you transfer all that authority to one person in the State office, the reverse effect is going to be not an expedited planning stages, but it's going to be a delayed planning stages. So either they are not going to review these plans and then just approve it without having a good review, or it's going to add even more delay, because we can't really have the Office of State Planning with one person doing everything. Thank you."

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I just want to also add a brief comment. The Majority Leader mentioned the Office of Planning testimony. And they did testify and they made clear that they are already working on a proposal that will be introduced next year by the Administration. So they've been working regularly with other State agencies to develop a streamlined process.

"I don't see the need for this. I do have big concerns about the broad language. I also have concerns that this has not gotten enough review. I encourage my colleagues to vote no on this bill. Thank you."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. First, I'd like to incorporate the words of the previous speaker as if they were my own. And I wanted to make just two more points. First, increased State liability. Building permits may still be required on conservation districts. This will either hold up projects when a contractor applies for a ministerial permit, or places the liability burden squarely on the State to ensure that structures meet current health, welfare and safety standards.

"Number two, I believe it's a violation of the Hawaii State Constitution, because this bill indicated no judicial review shall occur with respect to any State project approved under this measure. This violates the constitutional right to a clean environment, including ensuring State actions conserve and protect our natural resources."

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am also in opposition, and just to add to some of the comments. My concern is that this measure may jeopardize current agreements with the federal Office of Coastal Resource Management, and thereby jeopardize federal funding. Thank you."

Representative Johanson rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise in opposition to HB 530, Relating to Coastal Zone Management. While I am supportive of expanding and improving projects and development in our State, I have strong concerns over exempting State projects from environmental regulations that exist to protect our shoreline areas. This bill would grant a virtual carte blanche to developers with very little checks and balances. I fully support responsible development that takes into consideration long-term economic and health considerations and appropriate environmental checks. I do not wish for unnecessarily protracted reviews or delays in responsible development, but there needs to be appropriate checks and balances to ensure the preservation of the environment on which our economy is fundamentally based."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. I'd like to summarize and just clarify what the major problem is with this bill.

"As was alluded to earlier, the Hawaii Constitution includes a provision that was adopted in 1978, that provides Hawaii residents with the right to challenge environmental actions. And it's actually a very important provision in our Constitution, and I'd like to read it. It's just a few sentences. This is found in Article XII, Section 9, and it reads as follows:

Each person has the right to a clean and healthful environment, as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of natural resources. Any person may enforce this right against any party, public or private, through appropriate legal proceedings, subject to reasonable limitations and regulation as provided by law.

"The problem with this bill is that Section 4, which denies persons any opportunity to challenge the granting or denial of a permit, or decision to exempt an agency from seeking a permit cannot be challenged at all, and that runs afoul of Article XII, Section 9. Thank you, very much."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in support. Today we've had a lot of conversation about the eroding of our environmental laws. It's unfortunate that people don't remember the facts of what actually happened, so let me just refresh peoples' recollection.

"The whole point of us passing these laws is to ensure that our environmental laws are not circumvented. Back in 2006, this Body may recall that then-Governor Lingle did an emergency Proclamation for the Leeward side, under the guise of building shelters for the homeless.

"The fact of the matter is, that it was for building residential homes. And attached to that Proclamation, which I have right here in front of me, was a blanket exemption, including from procurement, Chapter 205A – Coastal Zone Management, a complete exemption, a blanket exemption from Chapter 343 – Environmental Impact Statements, a complete blanket exemption from anything relating to the counties.

"And so again it's perplexing that people want to somehow believe that we are eroding our environmental laws. If anything, what we are trying to do is ensure that these laws are actually being adhered to. And if we have to make certain exceptions, we can certainly do so.

"Secondly, I want to refute some of the comments that have been made with respect to procedure. As noted by the Majority Leader, we had a bill in Water Land, House Bill 1813. This bill would have exempted any State or county CIP from SMA guidelines. On February 10, 2012, Water Land passed out that bill, amending it to include shoreline areas, as this was suggested by the verbal testimony of DLNR. This bill was then heard by the Finance Committee on February 28, and deferred due to the fact that the bill was rendered unconstitutional because of the title flaw by amending it in Water, Land & Ocean Resources.

"As such, the Finance Committee inserted the contents of HB 1813 into House Bill 530, but narrowed the scope to only DLNR and DOT projects. But any projects implemented under this subsection were subject to consultation with the Office of Conservation and Coastal Lands, the Office of Planning, and Chapter 343. But more importantly, this bill sunsets, should it go through, on June 30, 2013.

"We keep talking about blanket exemptions. 'This' was what a blanket exemption was. And 'this' is what we're trying to avoid and trying to be responsible for letting certain projects go through. DLNR testified ..."

Representative Ward rose to a point of order, stating:

"Point of order, Mr. Speaker. Is 'this' the Lingle Administration that she is referring to? Or the Abercrombie Administration? Or a piece of paper of which we have no idea."

Representative Har: "This was a Lingle Administration. 2006"

Representative Ward: "As the Majority would say, would you please keep your comments relevant to the bill."

Representative Har: "I can certainly do that."

Vice Speaker Manahan: "Representative Ward, the Chair will allow Representative Har to make her point. Please proceed."

Representative Har continued, stating:

"In addition, as noted by the Majority Leader, the Office of Planning already grants SMAs and shoreline variances in Kakaako, so this is not unheard of, to give them this power. In addition, the Office of State Planning, in this bill, is given appropriations for two planners to deal with the specifics.

"The point here is that the Office of State Planning, yes, they're working to streamline their regulations. They admitted it. And when asked in Finance, 'Why do you feel the need to streamline?' Basically, because they admit it. That their own regulations have become overly burdensome, and over regulatory.

"And so the fact is, that this bill really puts the Office of State Planning's feet to the fire. And that's why I stand in support of this bill. Thank you, Mr. Speaker."

Representative M. Lee rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations. Special management areas are one of the most sensitive of shoreline areas and must be protected. As time goes by, encroachment into these areas is more difficult to avoid. The wisdom of exempting State projects from requirements is questionable even if for a short time. It is almost certain those exemptions will become permanent in the future. Therefore, I stand with reservations."

Representative Thielen rose to respond, stating:

"Thank you Mr. Speaker. I just want to respond to that. You can't whitewash this bill. There's no way to whitewash it and claim that it's just innocuous."

"And also Mr. Speaker, I would like to have the words of the Representative from Moiliili, McCully, Kaimuki, about the unconstitutionality of the measure, be put into the Journal as if they were my own."

"Mr. Speaker, take a look at the Committee Report. What this bill does is grants the Department of Land and Natural Resources, and then our good old Department of Transportation, the authority to exempt State projects from the requirements for Special Management Areas and shoreline setbacks in Chapter 205A. All they have to do is consult. Pick up the phone, 'Hi.' The Office of Conservation and Coastal Lands is within DLNR. The Office of Planning, 'Hi OP, this is what we're doing.' And then it goes on and says, 'Too bad about you counties and your general plans and your zoning. We don't have to be consistent with that. And, too bad, you can't file a law suit.'"

"I remember back with Town vs., and I'm trying to think of who that was, but it's Judge Town, who brought one of the early environmental cases against, it was probably against the State. And we set landmark law back in that period of time. A lot of it was used to keep the environment clean and cared for."

"This bill is now saying, 'Sierra Club, Life of the Land, any of you groups, cannot sue to enforce environmental laws, because number one, we've gutted it with this bill, and the other of the 'dirty 8,' and you can't bring a lawsuit. And we don't even have to go out to the communities when we, DLNR or good old DOT, takes some action. This bill exempts us. We may, permissive, but we don't have to.'"

"There's no way to whitewash this. It is a bad bill. It goes further than the others, and it should not be passed forward. Thank you."

Representative Riviere rose to respond, stating:

"Again, in opposition. There was some testimony about the Office of Planning. The Office of Planning was quite clear. They did not want this *kuleana* at this time. They are working on procedures that they hope to roll out. And they did in fact ask to have the next off-session to work on the plan. They want to roll in with some legislation next year."

"There's another grave risk here. If we are messing with our Coastal Zone Management, the federal funding may be in jeopardy. And the couple of million dollars that is involved in the Coastal Zone Management goes to pay for this activity. And there was testimony that it's possibly 23 positions that could be affected. So even if the Office of Planning gains one or two jobs, as previously stated, they're going to be overwhelmed. So this is going to have the exact opposite effect, risking federal funding, and exempting challenges for reasonable purposes."

"It's bad legislation. I've noticed there's a lot of opposition, a lot of opponents to this. It will be interesting to see how the vote tally comes. Thank you."

Representative Har rose to respond, stating:

"Thank you, Mr. Speaker. Just briefly, if you look to the Committee Report, Members, you'll see that the Finance Committee did in fact amend the bill. It makes it very clear in paragraph 4. It says, specifying that the intention of this measure is not to jeopardize the receipt of federal funds, and that any provision that has that effect, shall be void. And accordingly the Finance Committee then inserted a severability clause. So that should address the concerns of those worrying about federal funding. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Again, I want to point out, we started the Session understanding that creating jobs and really moving our economy forward was a key thing."

"I really don't understand why people are so worried, because there are so many permits and so many regulations to do what we do in Hawaii. This particular one is focused on one small permit. And it's only for State agency projects."

"Now we all know if you're a State agency, and you're an elected official, you're transparent. You're under the public eye. You have mayors, you have county council people. There is no way that we are going to go into a community and do things without having scrutiny and without having plenty of opportunities, because there are other permits and other actions in place."

"It's amazing to me the conversation that I've heard from the Minority, given that there's so many regulations on the book when it comes to the environment. We have layered and layered regulations for the environment. This one is State agencies. This one is because the people want jobs and economy. But more importantly than that, these are State agency projects. These are public projects. These are projects that probably people all across the State want in their particular district, some of these projects."

"So Mr. Speaker, I think it's with good intentions that this bill is being forwarded. If there are certain concerns, people want to tighten it up, they've got some opportunity. We're still early in the process. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Just in opposition and just a brief rebuttal. I just want to make it clear that the Minority is in very strong support of jobs. We just believe that you shouldn't have to cut off your left arm to get one. We believe that we can be good stewards of the environment and still promote what gets us jobs here in the State of Hawaii, and that's our wonderful tourism. If we lose the beauty of our State because we have skirted the environmental laws to get jobs, that will be a temporary fix that will hurt our economy for the rest of our existence, because we will no longer have jobs, because our number one job creator in our State is tourism."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, very much. I rise in opposition. I appreciate the intent of the measure, but quite frankly, the SMA area is one of the most sensitive areas, access to which is protected by our State Constitution. I think it's one of the things that our population values most. We want to have the most scrutiny of anything that is going to occur in that area, while at the same time protecting the intent of projects that go forward to benefit the community, to benefit the public. And we certainly welcome some of those in our area, should they go forward with proper public vetting and meetings and so forth."

"And I do have some concerns regarding that process, regarding some of the other issues that have been raised. Thank you."

Representative Tokioka rose, stating:

"Mr. Speaker, in strong support. And we've had a lot of great debate on this issue. I'd like to call for the question."

At this time, Representative Tokioka called for the previous question.

The motion was put to vote by the Chair and carried, and H.B. No. 530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 32 ayes to 19 noes, with Representatives Belatti, Ching, Fontaine, Giugni, Hanohano, Johanson, C. Lee, Luke, Marumoto, Morikawa, Nishimoto, Pine, Riviere, Saiki, Takai, Takumi, Thielen, Ward and Wooley voting no.

At 5:31 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 283, HD 1
H.B. No. 1454, HD 1
H.B. No. 2606, HD 1
H.B. No. 2874, HD 1
H.B. No. 2328, HD 1
H.B. No. 530, HD 1

H.B. No. 304, HD 1:

Representative Chong moved that H.B. No. 304, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, you saved the best for last. You've got two bank bills on the last page. We thought we would be tired by now, but I'm going to get a second wind, because I want to say a few things in opposition if I may. Or I will yield to the Chair, as I did before, of Finance. I think he's not looking at me so I will proceed.

"Mr. Speaker, this is a bill that allows the Department of Budget and Finance to enter into agreements with other entities that issue bonds such as municipal or other states, in effect a way of pooling and leveraging assets. In short terms, it's a clever way to borrow more money. Well let me say this. As Americans, we should be embarrassed by the amount of money that we borrow. 40 cents on every dollar that our federal government spends, is borrowed money.

"Mr. Speaker, this falls in the same line as that trend for borrowing money. Do we need to borrow more money? Have we had a shortfall of bonds? Have we had high interest rates? We have not. Why do we need to do this? One would scratch one's head and say, 'What has this got to do with leveraging projects?' Unless you connect all the dots. That's how you see that you're at the airport, the runway connects all the dots together. And you see, if you don't need to borrow any money and you want to borrow money, the bottom line may be that this is State Bank component number 3. That this is something that we can seed the State Bank with, and with more capitalization, add on to what otherwise was a bad policy with a bad idea, with bad use of taxpayers' money going further and further in debt. Mr. Speaker, this is not a good bill. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Fontaine, Marumoto and Thielen voting no, and with Representative Chang being excused.

H.B. No. 1033, HD 1:

Representative Chong moved that H.B. No. 1033, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Johanson rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I first want to preface my comments with, I don't deny that we need to be addressing renewable energies and we need to have a state-wide solution. I think all of the bank bills have been predicated upon something good and achieving something good for our communities. So I'm not in disagreement with that. Most of my comments will focus more on the mechanism, and whether it's appropriate to achieving those ends.

"My opposition is mainly based on a few points. One being underscored by the fact that there's such widely disparate purposes and visage by most of the bank bills, I'm not sure that we clearly have a definite idea of why we would be establishing a State bank.

"This bill is interesting in that it says that it's not a State institution, which I understand. But I think what's problematic also about this bill is this bill basically creates a government sponsored enterprise. And what we've seen on the federal level, as well as in a bunch of different states, that that can often be a problematic nebulous area, because it has both attachment to the government, while not necessarily running on the same transparency standards and public sector standards of accountability and transparency.

"By creating a separate enterprise that has attachments to the State government for instance, this particular measure is the one that appoints the Governor of the State of Hawaii as the Board Chairman, as well as gives this Body and the Senate the ability to appoint the Board of Directors. It again has ties to the State, whether or not it's a private enterprise. I think that that's an awkward area that even the federal government has not managed to successfully navigate. And that has consequences, and it will have consequences for our State.

"Lastly, I oppose this measure because it will have consequences, potentially for our constituents. I would ask Members to turn to page 27, lines 12 to 14 that make this bill relevant to all of us and all of our constituents, irrespective of the nature of this bill. This says that the deposits are guaranteed by the State. And that's a big, big deal. If they're guaranteed by the State, then that puts all of us, as well as all of our constituents, on the hook for the liability of this particular bank.

"Again, I don't disagree with the intent of trying to find a solution to achieve a viable renewable energy strategy and a clean economy. I think that's a good one. But I think there are just a lot of potentially adverse impacts that this bill may have, and clearly there's need for more deliberation, which is why I did support the creation of the task force. And I would prefer that rather than simultaneously advancing all of these measures. Thank you."

Representative Fontaine rose to speak in opposition to the measure, stating:

"I'm rising in opposition. If I could have the words from the previous speaker entered as my own. I'm just really concerned about putting taxpayer dollars at risk, and the potential risk with this type of project. Thank you," and the Chair "so ordered." (By reference only.)

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, also in opposition and the same request, that the words of the Representative of Moanalua be entered as my own. Reiterating the strong support for the environment and having a clean economy, but recalling also how this smacks so much of another measure we've seen year after year, the gaming industry. When one year it's for the elderly. The next year the money's for the education of the kids. The next year it's some other very important issue. It's still a State Bank, and it's still a bad idea, I think."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. First of all, I think it would serve the purpose of your constituents if you would read the bill and understand the bill. But more importantly Mr. Speaker, I make myself available to any of the Members of this Body if they have any questions on how this bill came to be, it's intention and what it aims to do.

"But let me just touch upon a few things, and I ask permission to submit written comments so I can shorten my comments. But just that, people would understand what's going on right now, given the rank partisanship in Congress right now, they've been stymied to creating something similar to this on the national level, where they can go and actually collectivize the interest of several states in really promoting the funding of green jobs and green projects that serve so many different purposes and address so many

certain needs that we all aspire to have for our constituents and our communities.

"Connecticut and Kentucky have a program like this, but what prevents them from moving ahead really and collectivizing the interests of other states is that they cannot go outside their borders to draw down any of the federal monies that are available.

"Back in 2008, 2009, Congress, through the ARRA, American Recovery and Reinvestment Act, set aside about \$2.6 billion in funding, distributing it to states and municipalities and counties for their energy related projects. But because they are done in such small amounts, it really didn't make sense business wise for them to go and float those bonds and sell those bonds, and incentivize and attract investors to it. So the idea was that if you can allow for bundling in bigger packets of bond sales, it would make sense both for the states, small municipalities and counties, if they could do that.

"And that's why this bill came to us. We were contacted by some of the folks up in Washington D.C. and the East Coast, who are involved in these kinds of green banking activities, that looking at cost of land. They thought that Hawaii could be the leader, given our stable political establishment, given our understanding of the need for renewable energies, and given our interest in promoting green jobs. So that's how this came to be.

"We're talking about this Qualified Energy Conservation Bonds, also known as QECBs, and QECBs enable states and counties to finance clean economy projects at low interest rates. But most of the remaining QECB allocations far in excess of \$1 billion are allocated to counties too small to benefit from them.

"For example, right now, we have about \$13 million set aside for the State of Hawaii and the City and County of Honolulu, Maui County, Kauai County, Hawaii County that we cannot access right now.

"So I just wanted to ask Members for their support. This is a work in progress. We've still got a ways to go, but it is worth exploring. And I offer myself for any questions you might have. Thank you."

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill No. 1033, House Draft 1. This bill would establish the Clean Economy Bank of the State of Hawaii.

"Since 2008, several members of the United States Congress have introduced bills to create a national clean economy or "green" bank. Due to the rank partisanship in Washington and the increasing politization of all things "green," these bills failed to pass. Yet the need for such a bank remains paramount. Investors, business leaders, and local government officials agree that in order to accelerate the deployment of new technologies, replicate successful financing models across the country and attract greater investment from the private sector, the United States needs a clean economy bank.

"In the absence of federal leadership, a handful of states have already launched state green banks. Connecticut and Kentucky are two notable examples. And while these state banks are powerful instruments within their own borders, none of them has the power to aggregate capital and economic opportunity on a scale that will create millions of jobs and make the United States more competitive in the global economy.

"On February 29th, your Committee on Finance heard a proposed House Draft 1 for House Bill No. 1033. This proposal was developed by experts in Washington, D.C., to utilize a state-bank model to function nationwide as a clean economy bank for all states, territories, and municipalities of the United States that wish to support it and benefit from its unique qualities.

"In Washington, D.C., federal officials and a core group of stakeholders are currently working to accelerate the deployment of \$2.6 billion in unused ARRA funding that was allocated to states and municipalities in the form of Qualified Energy Conservation Bonds, or better known as QECBs. QECBs enable states and municipalities to finance clean economy projects at extraordinarily low rates. However, most of the

remaining QECB allocations, far in excess of \$1 billion, were allocated to municipalities in amounts too small to benefit from the low interest rate and efficiencies of scale.

"One such municipality facing this problem is the City and County of Honolulu. It received an allocation of \$13 million but as of yet, none of it has been issued.

"A larger entity, like a state-owned bank with a nationwide focus, could conceivably aggregate and jointly issue these bonds on behalf of participating municipalities.

"Here's how it would work. Say a corporation wants to build biofuel facilities in Houston, Texas, Phoenix, Arizona, and Butte, Montana. The corporation needs to proceed quickly in order to take advantage of certain tax benefits offered in each State. However, because each of these jurisdictions had just recently sold bonds and because the amount of bonds needed to be sold for these projects are relatively small, these states do not plan to sell bonds until next year.

"Hawaii's state-owned clean economy bank is contacted. It is able to aggregate the amount of bonds to be sold for Houston, Phoenix and Butte into a single transaction. The bonds are sold at lower administrative costs and the proceeds are turned over to each city. For its services, the state-owned clean economy bank receives a reasonable service fee. Everyone benefits. The corporation gets its financing, the municipalities are able to utilize low interest bonds at even lower costs, and the State of Hawaii receives revenue for its services.

"Experts in Washington, D.C. believe Hawaii is the ideal state to establish the clean economy bank:

- (1) Hawaii's progressive and relatively stable political environment would allow the bank to be established and grow without constant partisan attack, and the laws governing the bank can be enacted quickly as new opportunities arise and best practices are identified;
- (2) Over the past several years, Hawaii has emerged as a national leader in clean economy industries. Such businesses like Pacific Biodiesel, Sopogy, and Oceanit are driving investment, creating jobs, and making the United States more competitive in the global economy;
- (3) Hawaii has been a key strategic partner to Western states like Oregon, Washington, California, and Colorado. The West is arguably the region of the United States with the greatest executive leadership on clean economy; and
- (4) The Hawaii State Legislature is considering the establishment of a state-owned bank at the same time that up to \$2.6 billion is available to capitalize it.

"Many agree that this concept holds much promise. Among them include:

- Oregon State Representative Jules Kopel Bailey, who testified, "Why would a legislator from Oregon care about a Hawaii bill, especially when it might create competition? In actuality, more investment in clean energy means lower costs across the nation in this sector, a bigger, more robust industry, and critical progress on climate change. The more states that act, the more we win for good-paying, American jobs."
- Michelle Wyman, Executive Director of Washington, D.C.-based Applied Solutions, who testified, "the combined resources of the participating governments will spur local investment and open new markets to clean energy industries. This will save energy, reduce carbon emissions, and make the United States more competitive in the global economy."
- Kelly King, Vice President of Hawaii-based Pacific Biodiesel, who testified, "... Pacific Biodiesel has been receiving much attention for our sustainable business model and can attest to the advantages and

ability of Hawaii to undertake the ambitious Clean Economy Bank. Our experience operating from perhaps the most remote of the fifty states has at times been challenging, but also rewarding. In fact, our remote location may be the biggest factor in our ability to remain mission-driven while still focusing on getting the job done and realizing economic success."

- Colin Bishop, Senior Advisor of Clean Economy Development Center, who testified, "I write today in support of House Bill 1033 because business leaders and local governments – in Hawaii and all across the country – urgently need a new partner, a clean economy bank, and they are not going to get it from Washington. In the absence of federal action, we need Hawaii, a state with strong leaders committed to clean energy and the environment, to step forward and establish a clean economy bank that will work alongside commercial banks to co-invest in businesses, technologies and projects that help us improve the way we use energy, water, and waste."

"Of the bills heard last Wednesday, House Bill 1033 exemplifies how a state-owned bank can move Hawaii to the forefront of clean energy both nationally and internationally. It shows us how we can become financially self-sustaining in the economy of the 21st century."

"I'd be the first to say that much more work will need to be done to make this concept reality. Hawaii's banking, lending, investment, and bond-financing laws are extremely complex and we must proceed cautiously to mitigate any unintended consequences."

"But I ask for your support for this measure to continue the discussion on this concept. This will allow us to continue to refine this legislation to make it workable in the future."

"For these reasons, I urge your favorable consideration of this bill."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I'm glad that the previous speaker ended on a note of work in progress, because that means that maybe this study will take precedence and we won't jump into formation of a bank. As the Speaker Emeritus said, you either choose one or the other. And maybe that could be the choice at the end of the Session."

"But Mr. Speaker, I'm not sure that this is the best name for this bank, the Clean Economy Bank. Or is the Poor Economy Bank? You have to have the timing to start a bank, and now is the worst time to start a bank. Timing is very important when you start a business. If you start a bank now, it's almost like what we do in entrepreneur training, and I've been training people to start a business for the last 20 years. You've got to watch out for the dinosaurs. The dinosaurs for example are like, if you say you want to start a new business, I want to get into the video rental business. Not knowing that after Blockbuster knocked out the mom and pops, Netflix is knocking out Blockbuster."

"This is a dinosaur. Banks have been dying and gobbled up left, right and center since the 2008 recession. We want to get into a bank, in effect in an industry that's dying off. And one that we think we're smart enough to be able to do. That's amazing. That's what I think is false confidence and false entrepreneurship."

"So what we have here, is the people who run the government, DCCA, Budget and Finance, all came to the Committee and said, and I quote, 'Given the State's current financial condition, the bill would overextend the State's financial resources in such a way that it could have a detrimental effect on the State's credit rating.' This is something that we said before. It also said that we don't have the money to do it. General funds to finance this would be generally impossible."

"DCCA, B&F said that. The Hawaii Bankers Association, Mr. Speaker, they were so diplomatic, you could see the right words coming up, but by the body language, they are very concerned about this bill. The private sector, the credit unions, are all concerned. What are we going to do with this?"

"So Mr. Speaker, what's the solution to all this? I think I have one suggestion. Let's for example, consider doing a green bank. I did a little bit of research on this green bank of Kentucky. So we haven't only flirted with North Dakota. We've flirted with the green bank of Kentucky. However, do all of us know that the green bank is a revolving loan fund for energy performance services contracts on state owned facilities? There are various mentions in the Committee Report and it's for state owned facilities. Not for the people in their houses, PV or solar. It's for state owned facilities."

"The green bank of Kentucky was created in 2009 with a grant from ARRA. ARRA is the federal bailout money, \$15 million. So far to date they have invested in 9 projects for \$14 million. And I must mention, Mr. Speaker, as I mentioned before, the governance model. You know what the governance model of the green bank is? Guess who the loan committee's comprised of. The Finance Director, the Secretary of Energy, and the Budget Director. If they are like here, they are political appointees. Mr. Speaker, probably not a good model."

"So what's the solution? I say let's gut and replace this bill with the PACE bill. The PACE bill puts a solar and a PV on every roof, it's something that's amortized over 20 years using the property taxes for people to do it. The people of Hawaii need to have energy. They need to get funding. This is a way to do that, Mr. Speaker."

"So in summary, this is fake entrepreneurship. This is the State trying to get in and pretend like it knows what it's doing. And I would suggest the Speaker Emeritus and what we had said be taken totally to heart. Let's study this baby. I'll vote for that big time. But let's do a study before we jump into a State Bank and start using taxpayers' money for the bad idea, for bad policy, for bad investments. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm going to vote no on this particular. I don't know why we are passing this bill. I'm thinking perhaps we want to put some financial institutions out of business. We have plenty of credit unions in this community. We have finance companies we could borrow money from. We have big banks and we have small banks. We could borrow money from federal and State programs."

"I'm bewildered by the rationale. Why risk public funds in this venture? I simply see it as another socialist scheme. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1033, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCE," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Ching, Fontaine, Johanson, Marumoto, Pine, Riviere, Thielen and Ward voting no, and with Representative Chang being excused.

H.B. No. 42:

Representative Chong moved that H.B. No. 42, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to vote against the bill, and to just briefly say a couple of comments. Thank you. The Chinatown Business and Community Association contributed \$10,000, to have a public restroom at the River of Life Mission on Pauahi Street. It was open for 90 days, weekends only, and it closed on February 26th."

"The CBCA says there haven't been any public bathrooms in Chinatown for 13 years. There's one on the outskirts at A'ala Park, but because there's an abundance of drug activity, most people don't want to go there."

"There are three parks in the Downtown Chinatown area. None of them have restroom facilities. And occasionally the Chinatown Police Department opens a unisex restroom, but it's mostly closed due to being out of operation, or out of order."

"So I would urge Members to rethink this one. We're criminalizing behavior, but instead of going in the way that we should be going, we're criminalizing behavior. The better way would be to do an appropriation to the City to enable them to have a 24-hour public restroom in a location that would be acceptable to the Chinatown community. But the way it is now, the CBCA is, I think very frustrated from not having the adequate facilities. Thank you. Remarks to the Journal, please."

Representative Thielen's written remarks are as follows:

"Public Restrooms within the Boundaries of Downtown Honolulu

"As part of a pilot program, the public restroom (usually open for individuals doing business on-site) at River of Life Mission on Pauahi Street was opened for public use from 10:00 a.m. to 9:00 p.m. on weekends only. The City along with the Chinatown Business and Community Association (CBCA) contributed \$10,000 to keep the facility open for 90 days beginning on November 19, 2011 and ended on February 26, 2012.

"Now that the 90-day trial period is over, the public restrooms in Chinatown are now closed. The CBCA says the program was a success, but is now concerned Chinatown merchants and residents will have to deal with unsanitary conditions on the sidewalks. The CBCA is hoping funding can be found to keep the restrooms open year-round.

"During the trial period, there were close to 800 users which accounted for 330 hours or 30 full 11-hour days of service. It should be noted that 80% of the users were males and the restrooms averaged 27 users each day. On special occasions, such as the "Night in Chinatown" festival held in January, 129 people used the pilot restroom facility; it should be noted that 100 users of the restroom were members of the general public and not homeless individuals.

"Chu Lan Shubert-Kwock, President of the CBCA, said that the bathrooms cost around \$300 a day to keep open, which is very expensive, but considering the alternatives, it was a good community investment. The \$300 funds were used to maintain the facility, obtain supplies and pay for the use of a security guard.

"According to Mrs. Shubert-Kwock, there haven't been any public bathrooms in Chinatown for 13 years. On the outskirts of Chinatown, there is one restroom located at Aala Park; however, because there is an abundance of drug activity in that restroom, many homeless choose to stay away.

"There are three parks in the Downtown - Chinatown area; Smith-Beretania Park, Dr. Sun Yat Sen Park, previously referred to as Gateway Park and Dr. Sun Yat Sen Mall. There are no restroom facilities at these parks.

"Occasionally, the Chinatown Police Department will open a unisex restroom. However, it is often closed due to it being out of order. Many homeless have criminal records which plays a large role in why they prefer not to use HPD's Chinatown restroom.

"Mrs. Shubert-Kwock also noted that during Downtown/Chinatown celebrations, many people partaking in the festivities also do not have a place to go if they need to use the restroom. However, unlike homeless individuals, these people have the necessary funds to walk into a business establishment, purchase something small and use the business establishment's restroom.

"The CBCA would like the City and State to seriously look into funding full time, 365 days a year public restrooms very soon. The Downtown/Chinatown area is popular with residents and visitors alike and to have urine and defecation out in the open is not good for business or Hawaii's image of hospitality and beauty."

Representative Brower rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. For someone who cares so much about the environment, I'm disappointed in the legislator from Kaneohe

Bay, Kailua. The biggest problem with this bill is that it wasn't amended to include swimming pools. Because according to the Department of Parks and Recreation, there is no law regarding swimming pools. But back to the bill.

"The problem is not that we lack restrooms. For example, at Ala Moana Beach Park, we have public restrooms open, but people who live in the park find it inconvenient to use, so they relieve themselves wherever at will.

"Item. If you're in an area of the city, Downtown, Ala Moana Park, wherever. If you're in an area that doesn't have access to restrooms, chances are you probably shouldn't be there for an extended period of time. It's against the law for you to not clean up after your dog's business, but for a person they can do the same business and not clean up. And it's not against the law. Like if you and your pet simultaneously, one would be breaking the law, the other wouldn't. So I believe both should be breaking the law.

"This is a law that should be passed for the entire City, not just Downtown. I would hope that we wouldn't need it. The enforcement of this bill, should it become law, should be similar to our litter laws on the books. Hopefully not often needed to be enforced, but there when considered necessary. Selective, but effective. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Mr. Speaker, I wish we could exclude those of us who are 80 and older and have prostate cancer. Because if you've been through that, when you gotta go, you gotta go. And I'm sorry, but I've gotta go."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"In support with reservation, Mr. Speaker. And I mirror the sentiments of my colleague from Kailua. I think that we should have more public restrooms. I had the opportunity to visit Australia during the summer, and I went to three different cities. Every shopping center or mall had public restrooms, and they did not have the problem that we have in Waipahu or in Downtown Honolulu.

"So I agree that we should have a measure to fund more restrooms as a grant-in-aid to the City. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of the measure. But in rebuttal to the good Representative from Waikiki who has such a sense of humor, always has such a sense of humor. My interpretation of what the Representative of Kailua was saying is how much she cared about people. That is my impression of the Representative of Kailua, and that's why she cares for the environment as well."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'm sorry that the CPC Chairman left, because the bill actually does include a provision that if you have a medical condition that would cause you to go to the bathroom involuntarily, you would not be subject to prosecution under this law.

"I would also add that as the Representative of Chinatown, the idea that there are not enough bathrooms in the area is just baloney. There are plenty of bathrooms. People choose not to use them. The law actually, in my understanding from the Police Department, is it's been enforced more against guys coming out of bars late at night, and *shishi-ing* off the curb onto the street.

"I think that kind of behavior should be unacceptable. And even though like any law, it's not enforced 100% of the time, I think it's important to have a standard of conduct. For those who don't care if people come and urinate and defecate on your front steps, on your lanai or in your mailbox or in your driveway, that's fine. If you don't have this problem in your district, great. I'm glad for you. But for the two of us whose district it

actually affects, the Representative from Waikiki and I, we support it and I hope you will too. Mahalo."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. And unfortunately, we can't avail ourselves of this new law because it's only restricted to the Downtown, Chinatown area. So, if we had that problem, we unfortunately couldn't make use of it. And just another thing. It's great to hear that were now being so generous to the City and County of Honolulu. I'd just like to know what kind of revenue bills the Representatives are going to support to pay for us to pay for all of these bathrooms. Thank you."

Representative Oshiro rose and asked that the Clerk record an aye vote with reservations for him, 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 M. Lee rose to speak in support of the measure, stating:

"Actually Mr. Speaker, I'm in support. But one of the things that I learned from the Representative from Chinatown is that although there are lots of bathrooms, there is very limited signage. So it would be very easy to encourage the City and County to place adequate signage and perhaps that would help a bit. Thank you."

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. I rise in support of House Bill 42 with some reservation. Mr. Speaker, this bill would make public defecation and urination in the Downtown district permanent. My only reservation is that this measure should apply to all areas of our State and not be district or area specific. I understand the need in Downtown Honolulu and Waikiki due to our visitor populations who frequent these areas, but I believe that this is a relevant issue for all of our communities. Thank you."

Representative Cullen 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 Cullen's written remarks are as follows:

"Mr. Speaker, although I greatly support this measure, I vote with reservations because I believe that the measure should be amended to include all cities throughout the State of Hawaii. I understand that urination and defecation on our public and private properties is a huge problem in Downtown Honolulu, but by expanding the area to all counties, instead of limiting it, and permanently prohibiting such actions would be immensely beneficial to the health of our citizens, as these wastes ultimately become hazardous."

The motion was put to vote by the Chair and carried, and H.B. No. 42, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Chang being excused.

H.B. No. 2686, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

At 5:55 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 304, HD 1
H.B. No. 1033, HD 1
H.B. No. 42
H.B. No. 2686, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 53 through 56) and concurrent resolutions (H.C.R. Nos. 75 through 81) were referred to Printing and further action was deferred:

H.R. No. 53, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE SOCIAL IMPACTS OF A SINGLE STAND-ALONE CASINO IN WAIKIKI," was jointly offered by Representatives Souki, Carroll, Chang, Hanohano, Herkes, Ito, Tsuji, Chong, Kawakami, Keith-Agaran, McKelvey and Say.

H.R. No. 54, entitled: "HOUSE RESOLUTION URGING FOOD PRODUCERS TO VOLUNTARILY LABEL THEIR PRODUCTS AS BEING FREE OF GENETICALLY MODIFIED ORGANISMS," was jointly offered by Representatives Fontaine, Carroll, Riviere, Brower, Marumoto, McKelvey, Souki and Ward.

H.R. No. 55, entitled: "HOUSE RESOLUTION URGING THE FEDERAL GOVERNMENT TO INCLUDE HONG KONG IN THE UNITED STATES VISA WAIVER PROGRAM AND EASE VISA RESTRICTIONS AND THE VISA APPLICATION AND APPROVAL PROCESS FOR BUSINESS AND TOURIST TRAVELERS WITH HONG KONG SPECIAL ADMINISTRATIVE REGION PASSPORTS," was jointly offered by Representatives McKelvey, Brower, Ching, Awana, Carroll, Chang, Chong, Choy, Hashem, Nishimoto and Say.

H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF VETERANS SERVICES TO CONVENE A VETERANS' SUMMIT IN EACH OF THE VARIOUS COUNTIES AND A STATEWIDE SUMMIT TO DEVELOP AND PROMOTE COLLABORATION AMONG THE PUBLIC AND PRIVATE ENTITIES THAT PROVIDE SERVICES TO VETERANS," was jointly offered by Representatives McKelvey, Aquino, Awana, Cullen, Evans, Ichiyama, Nishimoto, Souki, Ward and Yamashita.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE SOCIAL IMPACTS OF A SINGLE STAND-ALONE CASINO IN WAIKIKI," was jointly offered by Representatives Souki, Carroll, Chang, Hanohano, Herkes, Ito, Tsuji, Chong, Kawakami, Keith-Agaran, McKelvey and Say.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION URGING FOOD PRODUCERS TO VOLUNTARILY LABEL THEIR PRODUCTS AS BEING FREE OF GENETICALLY MODIFIED ORGANISMS," was jointly offered by Representatives Fontaine, Riviere, Ching, Marumoto, Pine, Souki and Ward.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT AND ESTABLISH A NATIONAL BROADBAND NETWORK," was jointly offered by Representatives McKelvey and Yamashita.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR, DEPARTMENT OF HAWAIIAN HOME LANDS, AND DEPARTMENT OF PUBLIC SAFETY TO CONSIDER DEVELOPING A NEW CORRECTIONAL FACILITY ON THE LAND ADMINISTERED BY THE DEPARTMENT OF HAWAIIAN HOME LANDS THAT IS ADJACENT TO HILO INTERNATIONAL AIRPORT," was jointly offered by Representatives Chang, Coffman, Evans, Hanohano, Herkes, Mizuno, Nakashima, Souki and Tsuji.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REQUIRE EACH SCHOOL COMMUNITY COUNCIL TO REVIEW ITS SCHOOL'S ATTENDANCE POLICY, CREATE BENCHMARKS TO IMPROVE ATTENDANCE, AND DEVELOP AN IMPLEMENTATION PLAN TO MEET THOSE BENCHMARKS," was jointly offered by Representatives Belatti, Morikawa, Nishimoto, Takai, Takumi, Wooley and Yamane.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COLLABORATE WITH PARENT ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY ENGAGEMENT IN HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Belatti, Chang, Ito, Morikawa, Nishimoto, Takai, Takumi, Wooley and Yamane.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ESTABLISH A STATEWIDE RESOURCE DEVELOPMENT PROGRAM TO ASSIST THE COMPLEX AREAS IN CREATING ENDOWMENTS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Belatti, Ito, Morikawa, Nishimoto, Takai, Takumi, Wooley and Yamane.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, just a *mahalo*, a thank you from the Minority Caucus to the Speaker and the Majority for a great Korean lunch. And to wish everyone a happy recess."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. No.

Referred to:

52 Committee on Labor & Public Employment, then to the Committee on Finance

H.C.R. Nos.

Referred to:

72 Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing

73 Committee on Labor & Public Employment, then to the Committee on Finance

74 Committee on Education, then to the Committee on Finance

S.B. Nos.

Referred to:

2316 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2693 Committee on Agriculture, then to the Committee on Finance

2772, Committee on Education, then to the Committee on Finance
SD1

3024, Committee on Economic Revitalization & Business
SD1

ADJOURNMENT

At 5:56 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, March 08, 2012. (Representative Chang was excused.)

HOUSE COMMUNICATIONS

"March 6, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie,

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following House Bills, copies of which are attached hereto:

H.B. No. 2401, H.D.2, entitled:

"PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION."

H.B. No. 2594, H.D.2, entitled:

"PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS."

Said measures passed Third Reading in the Hawaii House of Representatives on this date.

Respectfully,
/s/ CJ Leong
CJ Leong
Chief Clerk

Enclosures

cc: Carol Taniguchi, Senate Chief Clerk
Scott Nago, Chief Election Officer"

TWENTY-SEVENTH DAY

Thursday, March 08, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Ms. Keikilani Aku of Vice Speaker Joey Manahan's office, after which the Roll was called showing all Members present with the exception of Representatives Giugni, Thielen, Tokioka and Ward, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Sixteenth, Seventeenth and Eighteenth Days were approved. (Representatives Giugni, Thielen, Tokioka and Ward were excused.)

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 223) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 223, dated March 5, 2012, transmitting the 2011 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 37 through 411) were received and announced by the Clerk:

Sen. Com. No. 37, transmitting H.B. No. 2437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 38, transmitting H.B. No. 2438, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 39, transmitting H.B. No. 461, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT," which passed Third Reading in the Senate on March 6, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Giugni, Thielen, Tokioka and Ward were excused.)

H.B. No. 461, HD 1, (SD 1)

Sen. Com. No. 40, transmitting S.B. No. 223, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 41, transmitting S.B. No. 416, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 42, transmitting S.B. No. 417, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 43, transmitting S.B. No. 490, SD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 44, transmitting S.B. No. 650, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 45, transmitting S.B. No. 682, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 46, transmitting S.B. No. 1168, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 47, transmitting S.B. No. 1312, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 48, transmitting S.B. No. 1500, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 49, transmitting S.B. No. 2001, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 50, transmitting S.B. No. 2005, SD 2, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 51, transmitting S.B. No. 2009, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 52, transmitting S.B. No. 2013, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 53, transmitting S.B. No. 2030, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 54, transmitting S.B. No. 2035, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIAWA GENERAL HOSPITAL," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 55, transmitting S.B. No. 2047, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 56, transmitting S.B. No. 2052, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 57, transmitting S.B. No. 2056, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 58, transmitting S.B. No. 2057, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 59, transmitting S.B. No. 2060, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ACCUSED TO TRANSPORT WITNESS

OR WITNESSES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 60, transmitting S.B. No. 2070, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 61, transmitting S.B. No. 2071, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 62, transmitting S.B. No. 2083, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 63, transmitting S.B. No. 2084, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 64, transmitting S.B. No. 2087, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 65, transmitting S.B. No. 2088, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 66, transmitting S.B. No. 2089, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 67, transmitting S.B. No. 2092, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 68, transmitting S.B. No. 2093, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 69, transmitting S.B. No. 2095, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 70, transmitting S.B. No. 2098, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 71, transmitting S.B. No. 2101, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 72, transmitting S.B. No. 2103, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 73, transmitting S.B. No. 2105, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 74, transmitting S.B. No. 2106, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 75, transmitting S.B. No. 2108, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 76, transmitting S.B. No. 2110, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S

MOVING IMAGES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 77, transmitting S.B. No. 2111, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 78, transmitting S.B. No. 2112, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 79, transmitting S.B. No. 2114, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 80, transmitting S.B. No. 2115, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 81, transmitting S.B. No. 2116, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 82, transmitting S.B. No. 2120, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 83, transmitting S.B. No. 2121, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 84, transmitting S.B. No. 2123, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 85, transmitting S.B. No. 2126, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 86, transmitting S.B. No. 2145, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 87, transmitting S.B. No. 2158, entitled: "A BILL FOR AN ACT RELATING TO BAIL," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 88, transmitting S.B. No. 2166, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 89, transmitting S.B. No. 2167, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 90, transmitting S.B. No. 2168, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 91, transmitting S.B. No. 2169, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 92, transmitting S.B. No. 2175, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 93, transmitting S.B. No. 2178, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 94, transmitting S.B. No. 2179, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 95, transmitting S.B. No. 2182, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 96, transmitting S.B. No. 2184, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 97, transmitting S.B. No. 2202, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 98, transmitting S.B. No. 2207, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 99, transmitting S.B. No. 2208, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 100, transmitting S.B. No. 2212, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 101, transmitting S.B. No. 2213, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 102, transmitting S.B. No. 2214, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 103, transmitting S.B. No. 2220, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 104, transmitting S.B. No. 2221, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 105, transmitting S.B. No. 2222, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 106, transmitting S.B. No. 2224, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 107, transmitting S.B. No. 2225, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISON LITIGATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 108, transmitting S.B. No. 2226, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 109, transmitting S.B. No. 2227, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 110, transmitting S.B. No. 2228, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 111, transmitting S.B. No. 2229, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 112, transmitting S.B. No. 2232, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 113, transmitting S.B. No. 2233, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC INFORMATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 114, transmitting S.B. No. 2235, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 115, transmitting S.B. No. 2236, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 116, transmitting S.B. No. 2237, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 117, transmitting S.B. No. 2238, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 118, transmitting S.B. No. 2239, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 119, transmitting S.B. No. 2245, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 120, transmitting S.B. No. 2247, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 121, transmitting S.B. No. 2248, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 122, transmitting S.B. No. 2249, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 123, transmitting S.B. No. 2250, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 124, transmitting S.B. No. 2253, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 125, transmitting S.B. No. 2256, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 126, transmitting S.B. No. 2260, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 127, transmitting S.B. No. 2261, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 128, transmitting S.B. No. 2262, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAIN PATIENTS BILL OF RIGHTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 129, transmitting S.B. No. 2268, entitled: "A BILL FOR AN ACT RELATING TO QUEEN LILIUOKALANI," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 130, transmitting S.B. No. 2272, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A VAPOR HEAT TREATMENT FACILITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 131, transmitting S.B. No. 2277, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 132, transmitting S.B. No. 2281, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 133, transmitting S.B. No. 2284, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 134, transmitting S.B. No. 2288, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 135, transmitting S.B. No. 2295, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 136, transmitting S.B. No. 2304, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF THE ACCUSED," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 137, transmitting S.B. No. 2305, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 138, transmitting S.B. No. 2306, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 139, transmitting S.B. No. 2308, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 140, transmitting S.B. No. 2309, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 141, transmitting S.B. No. 2310, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 142, transmitting S.B. No. 2314, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 143, transmitting S.B. No. 2317, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 144, transmitting S.B. No. 2318, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 145, transmitting S.B. No. 2319, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 146, transmitting S.B. No. 2320, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 147, transmitting S.B. No. 2321, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 148, transmitting S.B. No. 2323, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 149, transmitting S.B. No. 2324, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 150, transmitting S.B. No. 2332, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 151, transmitting S.B. No. 2335, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 152, transmitting S.B. No. 2337, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 153, transmitting S.B. No. 2339, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 154, transmitting S.B. No. 2341, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 155, transmitting S.B. No. 2344, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 156, transmitting S.B. No. 2348, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 157, transmitting S.B. No. 2349, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 158, transmitting S.B. No. 2350, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 159, transmitting S.B. No. 2352, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 160, transmitting S.B. No. 2354, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 161, transmitting S.B. No. 2362, SD 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 162, transmitting S.B. No. 2378, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 163, transmitting S.B. No. 2381, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF LAND AND NATURAL RESOURCES MARITIME FACILITIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 164, transmitting S.B. No. 2383, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 165, transmitting S.B. No. 2386, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 166, transmitting S.B. No. 2392, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 167, transmitting S.B. No. 2394, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 168, transmitting S.B. No. 2395, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 169, transmitting S.B. No. 2396, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 170, transmitting S.B. No. 2397, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 171, transmitting S.B. No. 2398, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 172, transmitting S.B. No. 2399, SD 2, entitled: "A BILL FOR AN ACT RELATING TO URBAN ART," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 173, transmitting S.B. No. 2402, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 174, transmitting S.B. No. 2412, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 175, transmitting S.B. No. 2419, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 176, transmitting S.B. No. 2421, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 177, transmitting S.B. No. 2422, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 178, transmitting S.B. No. 2424, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 179, transmitting S.B. No. 2427, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 180, transmitting S.B. No. 2429, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 181, transmitting S.B. No. 2432, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 182, transmitting S.B. No. 2433, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHALLENGE COURSE TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 183, transmitting S.B. No. 2434, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 184, transmitting S.B. No. 2435, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 185, transmitting S.B. No. 2436, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 186, transmitting S.B. No. 2438, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 187, transmitting S.B. No. 2444, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 188, transmitting S.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 189, transmitting S.B. No. 2457, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 190, transmitting S.B. No. 2460, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 191, transmitting S.B. No. 2465, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 192, transmitting S.B. No. 2466, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 193, transmitting S.B. No. 2467, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 194, transmitting S.B. No. 2469, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM

CONCILIATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 195, transmitting S.B. No. 2472, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PATIENT-CENTERED MEDICAL HOMES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 196, transmitting S.B. No. 2484, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 197, transmitting S.B. No. 2486, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 198, transmitting S.B. No. 2489, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 199, transmitting S.B. No. 2492, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 200, transmitting S.B. No. 2493, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 201, transmitting S.B. No. 2494, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 202, transmitting S.B. No. 2495, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 203, transmitting S.B. No. 2496, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 204, transmitting S.B. No. 2497, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 205, transmitting S.B. No. 2502, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 206, transmitting S.B. No. 2503, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 207, transmitting S.B. No. 2504, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF DOGS AND CATS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 208, transmitting S.B. No. 2505, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 209, transmitting S.B. No. 2506, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 210, transmitting S.B. No. 2511, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 211, transmitting S.B. No. 2512, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 212, transmitting S.B. No. 2522, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 213, transmitting S.B. No. 2525, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 214, transmitting S.B. No. 2527, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 215, transmitting S.B. No. 2528, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 216, transmitting S.B. No. 2534, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 217, transmitting S.B. No. 2535, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 218, transmitting S.B. No. 2536, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 219, transmitting S.B. No. 2538, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 220, transmitting S.B. No. 2540, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 221, transmitting S.B. No. 2541, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 222, transmitting S.B. No. 2543, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 223, transmitting S.B. No. 2544, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 224, transmitting S.B. No. 2545, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 225, transmitting S.B. No. 2546, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 226, transmitting S.B. No. 2563, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 227, transmitting S.B. No. 2568, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 228, transmitting S.B. No. 2571, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC RELATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 229, transmitting S.B. No. 2576, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 230, transmitting S.B. No. 2579, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 231, transmitting S.B. No. 2581, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 232, transmitting S.B. No. 2582, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 233, transmitting S.B. No. 2584, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 234, transmitting S.B. No. 2588, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 235, transmitting S.B. No. 2589, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER YOUTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 236, transmitting S.B. No. 2590, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 237, transmitting S.B. No. 2591, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 238, transmitting S.B. No. 2592, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 239, transmitting S.B. No. 2594, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 240, transmitting S.B. No. 2595, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION SERVICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 241, transmitting S.B. No. 2598, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII STATE CONSTITUTION RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 242, transmitting S.B. No. 2605, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ORAL HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 243, transmitting S.B. No. 2620, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 244, transmitting S.B. No. 2630, entitled: "A BILL FOR AN ACT RELATING TO NOISE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 245, transmitting S.B. No. 2631, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 246, transmitting S.B. No. 2632, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 247, transmitting S.B. No. 2639, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 248, transmitting S.B. No. 2640, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 249, transmitting S.B. No. 2642, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 250, transmitting S.B. No. 2646, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 251, transmitting S.B. No. 2648, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 252, transmitting S.B. No. 2650, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 253, transmitting S.B. No. 2651, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 254, transmitting S.B. No. 2652, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 255, transmitting S.B. No. 2654, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 256, transmitting S.B. No. 2655, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 257, transmitting S.B. No. 2659, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 258, transmitting S.B. No. 2666, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 259, transmitting S.B. No. 2669, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 260, transmitting S.B. No. 2670, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASEHOLDERS RIGHTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 261, transmitting S.B. No. 2671, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 262, transmitting S.B. No. 2678, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HONOLIULI," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 263, transmitting S.B. No. 2681, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DEFENDANTS COMMITTED TO THE CUSTODY OF THE DIRECTOR OF HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 264, transmitting S.B. No. 2692, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 265, transmitting S.B. No. 2695, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 266, transmitting S.B. No. 2698, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 267, transmitting S.B. No. 2701, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 268, transmitting S.B. No. 2703, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 269, transmitting S.B. No. 2713, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 270, transmitting S.B. No. 2720, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVERSIONS BY NONPROFIT CORPORATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 271, transmitting S.B. No. 2730, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS TO THE STATE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 272, transmitting S.B. No. 2737, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 273, transmitting S.B. No. 2738, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 274, transmitting S.B. No. 2739, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 275, transmitting S.B. No. 2740, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 276, transmitting S.B. No. 2742, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 277, transmitting S.B. No. 2745, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 278, transmitting S.B. No. 2746, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 279, transmitting S.B. No. 2747, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 280, transmitting S.B. No. 2748, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 281, transmitting S.B. No. 2749, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 282, transmitting S.B. No. 2750, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 283, transmitting S.B. No. 2751, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 284, transmitting S.B. No. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 285, transmitting S.B. No. 2753, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 286, transmitting S.B. No. 2758, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 287, transmitting S.B. No. 2760, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 288, transmitting S.B. No. 2761, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 289, transmitting S.B. No. 2762, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 290, transmitting S.B. No. 2763, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 291, transmitting S.B. No. 2764, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 292, transmitting S.B. No. 2765, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 293, transmitting S.B. No. 2766, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 294, transmitting S.B. No. 2767, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 295, transmitting S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 296, transmitting S.B. No. 2769, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 297, transmitting S.B. No. 2770, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 298, transmitting S.B. No. 2773, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 299, transmitting S.B. No. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 300, transmitting S.B. No. 2775, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 301, transmitting S.B. No. 2776, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 302, transmitting S.B. No. 2778, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 303, transmitting S.B. No. 2779, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 304, transmitting S.B. No. 2780, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 305, transmitting S.B. No. 2782, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 306, transmitting S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 307, transmitting S.B. No. 2784, SD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO RECAPITALIZE STATE FISCAL RESERVES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 308, transmitting S.B. No. 2785, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 309, transmitting S.B. No. 2787, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 310, transmitting S.B. No. 2789, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 311, transmitting S.B. No. 2790, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 312, transmitting S.B. No. 2793, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 313, transmitting S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 314, transmitting S.B. No. 2797, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 315, transmitting S.B. No. 2798, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 316, transmitting S.B. No. 2800, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 317, transmitting S.B. No. 2803, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 318, transmitting S.B. No. 2804, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 319, transmitting S.B. No. 2805, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 320, transmitting S.B. No. 2806, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 321, transmitting S.B. No. 2810, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 322, transmitting S.B. No. 2811, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 323, transmitting S.B. No. 2813, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 324, transmitting S.B. No. 2816, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 325, transmitting S.B. No. 2819, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SALES OF ELECTRONIC CIGARETTES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 326, transmitting S.B. No. 2820, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION

ON DRUG ABUSE AND CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 327, transmitting S.B. No. 2822, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 328, transmitting S.B. No. 2823, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 329, transmitting S.B. No. 2824, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 330, transmitting S.B. No. 2825, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 331, transmitting S.B. No. 2826, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 332, transmitting S.B. No. 2827, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 333, transmitting S.B. No. 2833, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 334, transmitting S.B. No. 2842, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 335, transmitting S.B. No. 2845, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 336, transmitting S.B. No. 2846, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 337, transmitting S.B. No. 2849, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 338, transmitting S.B. No. 2850, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 339, transmitting S.B. No. 2852, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCE VIOLATIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 340, transmitting S.B. No. 2856, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 341, transmitting S.B. No. 2857, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 342, transmitting S.B. No. 2858, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 343, transmitting S.B. No. 2859, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 344, transmitting S.B. No. 2865, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 345, transmitting S.B. No. 2866, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 346, transmitting S.B. No. 2867, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 347, transmitting S.B. No. 2868, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 348, transmitting S.B. No. 2869, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 349, transmitting S.B. No. 2871, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 350, transmitting S.B. No. 2872, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 351, transmitting S.B. No. 2873, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 352, transmitting S.B. No. 2874, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 353, transmitting S.B. No. 2876, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 354, transmitting S.B. No. 2877, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 355, transmitting S.B. No. 2893, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 356, transmitting S.B. No. 2895, SD 2, entitled: "A BILL FOR AN ACT RELATING TO NEW MARKETS TAX CREDITS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 357, transmitting S.B. No. 2899, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF

EVIDENCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 358, transmitting S.B. No. 2900, SD 1, entitled: "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 359, transmitting S.B. No. 2906, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 360, transmitting S.B. No. 2918, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 361, transmitting S.B. No. 2927, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 362, transmitting S.B. No. 2933, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 363, transmitting S.B. No. 2935, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 364, transmitting S.B. No. 2936, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 365, transmitting S.B. No. 2939, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 366, transmitting S.B. No. 2941, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 367, transmitting S.B. No. 2946, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 368, transmitting S.B. No. 2947, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 369, transmitting S.B. No. 2948, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING AGREEMENTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 370, transmitting S.B. No. 2950, SD 2, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 371, transmitting S.B. No. 2952, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 372, transmitting S.B. No. 2958, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 373, transmitting S.B. No. 2960, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 374, transmitting S.B. No. 2966, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 375, transmitting S.B. No. 2967, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 376, transmitting S.B. No. 2968, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 377, transmitting S.B. No. 2969, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 378, transmitting S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 379, transmitting S.B. No. 2977, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 380, transmitting S.B. No. 2981, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 381, transmitting S.B. No. 2986, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 382, transmitting S.B. No. 2990, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 383, transmitting S.B. No. 2994, SD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE LIBRARIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 384, transmitting S.B. No. 2998, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX PENALTIES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 385, transmitting S.B. No. 3001, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 386, transmitting S.B. No. 3002, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 387, transmitting S.B. No. 3003, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 388, transmitting S.B. No. 3006, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 389, transmitting S.B. No. 3007, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENOUS PEOPLE'S DAY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 390, transmitting S.B. No. 3008, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 391, transmitting S.B. No. 3010, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 392, transmitting S.B. No. 3011, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 393, transmitting S.B. No. 3013, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 394, transmitting S.B. No. 3016, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 395, transmitting S.B. No. 3017, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 396, transmitting S.B. No. 3025, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 397, transmitting S.B. No. 3028, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 398, transmitting S.B. No. 3029, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 399, transmitting S.B. No. 3030, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 400, transmitting S.B. No. 3031, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 401, transmitting S.B. No. 3036, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 402, transmitting S.B. No. 3037, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 403, transmitting S.B. No. 3039, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 404, transmitting S.B. No. 3040, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 405, transmitting S.B. No. 3048, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AND TOURISM STIMULUS INITIATIVES," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 406, transmitting S.B. No. 3050, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FILM, TELEVISION, DIGITAL, AND NEW MEDIA DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 407, transmitting S.B. No. 3053, SD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 408, transmitting S.B. No. 3054, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 409, transmitting S.B. No. 3062, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 410, transmitting S.B. No. 3068, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," which passed Third Reading in the Senate on March 6, 2012.

Sen. Com. No. 411, transmitting S.B. No. 3071, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills laying on the Clerk's desk passed First Reading by title and further action was deferred: (Representatives Giugni, Thielen, Tokioka and Ward were excused.)

S.B. No. 223, SD 1
 S.B. No. 416, SD 1
 S.B. No. 417, SD 2
 S.B. No. 490, SD 3
 S.B. No. 650
 S.B. No. 682, SD 1
 S.B. No. 1168, SD 1
 S.B. No. 1312
 S.B. No. 1500
 S.B. No. 2001, SD 1
 S.B. No. 2005, SD 2
 S.B. No. 2009, SD 1
 S.B. No. 2013, SD 1
 S.B. No. 2030, SD 2
 S.B. No. 2035
 S.B. No. 2047, SD 1
 S.B. No. 2052, SD 1
 S.B. No. 2056
 S.B. No. 2057, SD 1
 S.B. No. 2060, SD 2
 S.B. No. 2070, SD 1
 S.B. No. 2071, SD 2
 S.B. No. 2083, SD 1
 S.B. No. 2084, SD 1
 S.B. No. 2087, SD 2
 S.B. No. 2088
 S.B. No. 2089, SD 1
 S.B. No. 2092, SD 2
 S.B. No. 2093, SD 2
 S.B. No. 2095, SD 2
 S.B. No. 2098, SD 1
 S.B. No. 2101, SD 1
 S.B. No. 2103, SD 2
 S.B. No. 2105, SD 2
 S.B. No. 2106, SD 2
 S.B. No. 2108, SD 1
 S.B. No. 2110, SD 1
 S.B. No. 2111, SD 2
 S.B. No. 2112, SD 1
 S.B. No. 2114, SD 1
 S.B. No. 2115, SD 2
 S.B. No. 2116, SD 2
 S.B. No. 2120, SD 1
 S.B. No. 2121, SD 1
 S.B. No. 2123, SD 2
 S.B. No. 2126, SD 2
 S.B. No. 2145, SD 2
 S.B. No. 2158
 S.B. No. 2166, SD 2
 S.B. No. 2167, SD 1
 S.B. No. 2168, SD 2

S.B. No. 2169	S.B. No. 2383, SD 1
S.B. No. 2175, SD 1	S.B. No. 2386, SD 2
S.B. No. 2178, SD 2	S.B. No. 2392, SD 1
S.B. No. 2179, SD 1	S.B. No. 2394, SD 1
S.B. No. 2182	S.B. No. 2395, SD 1
S.B. No. 2184	S.B. No. 2396, SD 2
S.B. No. 2202, SD 2	S.B. No. 2397, SD 1
S.B. No. 2207, SD 2	S.B. No. 2398, SD 2
S.B. No. 2208, SD 2	S.B. No. 2399, SD 2
S.B. No. 2212, SD 1	S.B. No. 2402, SD 1
S.B. No. 2213, SD 2	S.B. No. 2412, SD 2
S.B. No. 2214, SD 2	S.B. No. 2419, SD 2
S.B. No. 2220, SD 1	S.B. No. 2421, SD 1
S.B. No. 2221, SD 1	S.B. No. 2422, SD 1
S.B. No. 2222, SD 2	S.B. No. 2424, SD 2
S.B. No. 2224, SD 1	S.B. No. 2427, SD 2
S.B. No. 2225, SD 1	S.B. No. 2429, SD 2
S.B. No. 2226, SD 2	S.B. No. 2432, SD 1
S.B. No. 2227	S.B. No. 2433, SD 2
S.B. No. 2228, SD 2	S.B. No. 2434, SD 1
S.B. No. 2229, SD 2	S.B. No. 2435, SD 1
S.B. No. 2232, SD 1	S.B. No. 2436, SD 1
S.B. No. 2233, SD 2	S.B. No. 2438, SD 1
S.B. No. 2235, SD 2	S.B. No. 2444, SD 1
S.B. No. 2236	S.B. No. 2447
S.B. No. 2237, SD 1	S.B. No. 2457, SD 2
S.B. No. 2238, SD 1	S.B. No. 2460
S.B. No. 2239, SD 1	S.B. No. 2465, SD 1
S.B. No. 2245, SD 2	S.B. No. 2466, SD 2
S.B. No. 2247, SD 2	S.B. No. 2467, SD 2
S.B. No. 2248, SD 2	S.B. No. 2469, SD 1
S.B. No. 2249, SD 2	S.B. No. 2472, SD 2
S.B. No. 2250, SD 1	S.B. No. 2484, SD 2
S.B. No. 2253	S.B. No. 2486, SD 1
S.B. No. 2256	S.B. No. 2489, SD 2
S.B. No. 2260, SD 2	S.B. No. 2492, SD 1
S.B. No. 2261	S.B. No. 2493, SD 1
S.B. No. 2262, SD 1	S.B. No. 2494, SD 1
S.B. No. 2268	S.B. No. 2495, SD 1
S.B. No. 2272, SD 1	S.B. No. 2496, SD 1
S.B. No. 2277, SD 2	S.B. No. 2497
S.B. No. 2281, SD 1	S.B. No. 2502, SD 1
S.B. No. 2284, SD 1	S.B. No. 2503, SD 1
S.B. No. 2288, SD 1	S.B. No. 2504, SD 2
S.B. No. 2295, SD 1	S.B. No. 2505, SD 1
S.B. No. 2304, SD 2	S.B. No. 2506, SD 2
S.B. No. 2305, SD 2	S.B. No. 2511, SD 2
S.B. No. 2306, SD 2	S.B. No. 2512, SD 2
S.B. No. 2308, SD 2	S.B. No. 2522, SD 1
S.B. No. 2309, SD 2	S.B. No. 2525, SD 2
S.B. No. 2310, SD 1	S.B. No. 2527, SD 2
S.B. No. 2314, SD 2	S.B. No. 2528, SD 2
S.B. No. 2317, SD 1	S.B. No. 2534, SD 2
S.B. No. 2318, SD 1	S.B. No. 2535, SD 2
S.B. No. 2319, SD 2	S.B. No. 2536
S.B. No. 2320, SD 2	S.B. No. 2538, SD 1
S.B. No. 2321, SD 2	S.B. No. 2540, SD 2
S.B. No. 2323, SD 1	S.B. No. 2541, SD 2
S.B. No. 2324, SD 1	S.B. No. 2543
S.B. No. 2332, SD 2	S.B. No. 2544, SD 1
S.B. No. 2335	S.B. No. 2545, SD 2
S.B. No. 2337, SD 1	S.B. No. 2546, SD 2
S.B. No. 2339, SD 1	S.B. No. 2563, SD 2
S.B. No. 2341, SD 2	S.B. No. 2568
S.B. No. 2344, SD 2	S.B. No. 2571, SD 1
S.B. No. 2348, SD 2	S.B. No. 2576, SD 1
S.B. No. 2349, SD 1	S.B. No. 2579, SD 2
S.B. No. 2350, SD 1	S.B. No. 2581, SD 2
S.B. No. 2352, SD 1	S.B. No. 2582, SD 2
S.B. No. 2354, SD 1	S.B. No. 2584, SD 1
S.B. No. 2362, SD 1	S.B. No. 2588, SD 1
S.B. No. 2378, SD 1	S.B. No. 2589, SD 1
S.B. No. 2381, SD 1	S.B. No. 2590, SD 2

S.B. No. 2591, SD 2	S.B. No. 2789, SD 2
S.B. No. 2592, SD 2	S.B. No. 2790, SD 1
S.B. No. 2594, SD 2	S.B. No. 2793, SD 2
S.B. No. 2595, SD 2	S.B. No. 2796, SD 1
S.B. No. 2598	S.B. No. 2797, SD 1
S.B. No. 2605, SD 2	S.B. No. 2798, SD 1
S.B. No. 2620, SD 1	S.B. No. 2800, SD 1
S.B. No. 2630	S.B. No. 2803, SD 2
S.B. No. 2631, SD 2	S.B. No. 2804, SD 2
S.B. No. 2632, SD 1	S.B. No. 2805
S.B. No. 2639, SD 2	S.B. No. 2806, SD 1
S.B. No. 2640, SD 1	S.B. No. 2810, SD 1
S.B. No. 2642, SD 1	S.B. No. 2811
S.B. No. 2646, SD 1	S.B. No. 2813, SD 1
S.B. No. 2648	S.B. No. 2816, SD 1
S.B. No. 2650, SD 1	S.B. No. 2819, SD 1
S.B. No. 2651, SD 1	S.B. No. 2820
S.B. No. 2652, SD 1	S.B. No. 2822, SD 2
S.B. No. 2654, SD 2	S.B. No. 2823, SD 1
S.B. No. 2655, SD 2	S.B. No. 2824
S.B. No. 2659, SD 2	S.B. No. 2825, SD 1
S.B. No. 2666, SD 2	S.B. No. 2826, SD 1
S.B. No. 2669, SD 1	S.B. No. 2827, SD 1
S.B. No. 2670	S.B. No. 2833, SD 1
S.B. No. 2671, SD 1	S.B. No. 2842, SD 1
S.B. No. 2678, SD 2	S.B. No. 2845, SD 1
S.B. No. 2681, SD 2	S.B. No. 2846, SD 1
S.B. No. 2692, SD 2	S.B. No. 2849, SD 1
S.B. No. 2695, SD 2	S.B. No. 2850, SD 1
S.B. No. 2698, SD 1	S.B. No. 2852, SD 2
S.B. No. 2701, SD 1	S.B. No. 2856
S.B. No. 2703, SD 1	S.B. No. 2857, SD 1
S.B. No. 2713, SD 1	S.B. No. 2858, SD 1
S.B. No. 2720, SD 1	S.B. No. 2859, SD 1
S.B. No. 2730, SD 2	S.B. No. 2865
S.B. No. 2737, SD 1	S.B. No. 2866, SD 1
S.B. No. 2738, SD 1	S.B. No. 2867, SD 1
S.B. No. 2739, SD 2	S.B. No. 2868, SD 1
S.B. No. 2740, SD 1	S.B. No. 2869, SD 1
S.B. No. 2742, SD 1	S.B. No. 2871, SD 1
S.B. No. 2745, SD 1	S.B. No. 2872
S.B. No. 2746, SD 1	S.B. No. 2873, SD 1
S.B. No. 2747, SD 1	S.B. No. 2874, SD 1
S.B. No. 2748, SD 1	S.B. No. 2876, SD 2
S.B. No. 2749, SD 2	S.B. No. 2877, SD 1
S.B. No. 2750, SD 1	S.B. No. 2893, SD 1
S.B. No. 2751	S.B. No. 2895, SD 2
S.B. No. 2752, SD 1	S.B. No. 2899, SD 1
S.B. No. 2753, SD 1	S.B. No. 2900, SD 1
S.B. No. 2758, SD 1	S.B. No. 2906, SD 1
S.B. No. 2760, SD 1	S.B. No. 2918, SD 2
S.B. No. 2761, SD 2	S.B. No. 2927, SD 2
S.B. No. 2762, SD 1	S.B. No. 2933, SD 2
S.B. No. 2763, SD 2	S.B. No. 2935, SD 2
S.B. No. 2764, SD 1	S.B. No. 2936, SD 2
S.B. No. 2765, SD 2	S.B. No. 2939, SD 1
S.B. No. 2766, SD 2	S.B. No. 2941, SD 2
S.B. No. 2767, SD 2	S.B. No. 2946, SD 2
S.B. No. 2768, SD 1	S.B. No. 2947, SD 2
S.B. No. 2769, SD 2	S.B. No. 2948, SD 1
S.B. No. 2770, SD 1	S.B. No. 2950, SD 2
S.B. No. 2773, SD 1	S.B. No. 2952, SD 2
S.B. No. 2774, SD 2	S.B. No. 2958, SD 2
S.B. No. 2775, SD 1	S.B. No. 2960, SD 2
S.B. No. 2776, SD 2	S.B. No. 2966, SD 2
S.B. No. 2778, SD 1	S.B. No. 2967, SD 2
S.B. No. 2779, SD 2	S.B. No. 2968, SD 2
S.B. No. 2780, SD 1	S.B. No. 2969, SD 1
S.B. No. 2782, SD 2	S.B. No. 2971
S.B. No. 2783	S.B. No. 2977, SD 2
S.B. No. 2784, SD 2	S.B. No. 2981, SD 2
S.B. No. 2785, SD 2	S.B. No. 2986, SD 1
S.B. No. 2787, SD 2	S.B. No. 2990, SD 2

S.B. No. 2994, SD 2
 S.B. No. 2998, SD 1
 S.B. No. 3001, SD 2
 S.B. No. 3002, SD 2
 S.B. No. 3003, SD 1
 S.B. No. 3006, SD 2
 S.B. No. 3007, SD 1
 S.B. No. 3008
 S.B. No. 3010, SD 2
 S.B. No. 3011, SD 2
 S.B. No. 3013, SD 2
 S.B. No. 3016, SD 2
 S.B. No. 3017, SD 2
 S.B. No. 3025, SD 2
 S.B. No. 3028, SD 2
 S.B. No. 3029, SD 1
 S.B. No. 3030, SD 2
 S.B. No. 3031, SD 1
 S.B. No. 3036, SD 1
 S.B. No. 3037, SD 2
 S.B. No. 3039, SD 1
 S.B. No. 3040, SD 2
 S.B. No. 3048, SD 2
 S.B. No. 3050, SD 2
 S.B. No. 3053, SD 2
 S.B. No. 3054
 S.B. No. 3062, SD 1
 S.B. No. 3068, SD 1
 S.B. No. 3071, SD 2

 S.B. No. 2234, SD 2
 S.B. No. 2375, SD 3
 S.B. No. 2792, SD 3
 S.B. No. 2923, SD 3

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Mizuno introduced teachers from Farrington High School: Math - Wen Lieu and Urvashree Pandya; English - Inger Stonehill; Social Studies - Jennifer Grant and Michelle Murray; and Science - Debbie Pollock and Gail Fox.

Representative Manahan introduced 9th grade students from Farrington High School, who were here today doing a mock hearing with the House and Senate Chairs on Human Services.

Representative Marumoto, on behalf of Representative Hashem and herself, introduced 5th grade students from Wilson Elementary School who were here to learn about state government. They were accompanied by their teacher, Ms. Wendy Machida; and parent, Mr. Mark Fisher.

Representatives Ito, Rhoads and Ching also welcomed the Farrington High School Governors.

Representative C. Lee introduced 8th grade students from Kailua Intermediate School, here in the Leader for a Day Program: Mr. Matthew Imanaka, Ms. Marissa Kauppi, Ms. Samantha Larson, Ms. Kylie Schatz and Ms. Stephanie Scovile.

Representative Awana also acknowledged Ms. Michelle Murray of Farrington High School, a former teacher at Nanakuli High and Intermediate School

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 961-12),

recommending that H.R. No. 24, be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO STUDY THE ISSUE OF FRATERNITY AND SORORITY HOUSE LOCATIONS," was referred to the Committee on Higher Education, with Representatives Chang, Giugni, Thielen, Tokioka and Ward being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 962-12), recommending that H.C.R. No. 44, be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO STUDY THE ISSUE OF FRATERNITY AND SORORITY HOUSE LOCATIONS," was referred to the Committee on Higher Education, with Representatives Chang, Giugni, Thielen, Tokioka and Ward being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 963-12), recommending that H.C.R. No. 36, be referred to the Committee on Legislative Management.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 36, be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and may I have permission to insert written comments into the Journal. Thank you."

Representative McKelvey's written remarks are as follows:

"I applaud William Aila Jr., Chairperson of the Department of Land and Natural Resources and the Division of Boating and Recreation, for the recent action that they have taken with the installation of the swim buoys fronting the area known as Canoe Beach. However, I am in full support of an audit of DOBOR. Concerns have been generated from the community about the current and future needs of our coastal waters. The communities' issues should be addressed with the DLNR to ensure the safety and education for all ocean users.

"Recently a community treasure was killed by a watercraft while setting up canoe lanes for a high school canoe race. It is unfortunate that a tragic death happened and although the swim zone buoys have been installed, I am still concerned for the safety of the ocean users. I bring in to question the initiatives that should be taken by DOBOR to educate the boaters as to what the rules and regulations are regarding the buoys. According to testimony the buoys have been missing for about seven years, therefore many people may not realize what the swim zone buoys mean. I am interested in the amount of outreach that is being given to the community relating to this matter.

"In light of the recent accidents in our oceans, I believe that an independent audit will strengthen trust and credibility, and improve relations between residents and government. With the increased use of our oceans, accidents may become more probable, however an audit may turn up many of the problem areas and make sure that the steps to manage them are more effective.

"Another area of concern is DOBOR's fiscal and accounting system which has degenerated relations with the boaters. Apparently, harbor users that are paying their monthly fees are having difficulty getting accounting from DOBOR while at the same time several DOBOR employees are being suspected of or being charged with financial malfeasance. Given the

steady increase in fees by the harbor users and complaints of diminished services, I believe it is imperative that the boaters have a clear understanding of how their fees and taxes are being spent.

"Proper management of our unique and limited natural resources are critical for our State's future. In order to protect and enhance these resources I support an audit."

Representative Manahan rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support as well, with the same request as the previous speaker. Thank you."

Representative Manahan's written remarks are as follows:

"Mr. Speaker, I am in support of H.C.R. 36 Requesting the Auditor to Conduct a Follow-up Audit of the Management of State Boating Facilities, particularly with regard to the Ala Wai Small Boat Harbor. The Department of Land and Natural Resources' Division of Boating and Ocean Recreation (DOBOR) testified that there is no need to have a follow-up audit as it is still in the process of implementing the recommendation of the 1993, 1998, and 2001 legislative audits, as well as the 2006 financial audit. DOBOR is audited annually as a part of the DLNR's financial audit.

"The DLNR's response to this Resolution is precisely why we need a follow-up audit. The numerous testimonies presented at the Water, Land and Ocean Resources Committee hearing indicate the total dissatisfaction with and the inadequacy of the management of the small boat harbors, specifically Ala Wai.

"It is a question of operations management, not just financial management, that is at the core of this Resolution. I believe that the oversight of the management of the DOBOR Division has been unsatisfactory and that such lack of oversight has allowed improper activities to be conducted. For these reasons, I believe it is imperative that there be a follow-up audit of management of State boating facilities to put in place a system of checks and balances to the extent that no one person would have the opportunity to mismanage the boating program."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE MANAGEMENT OF STATE BOATING FACILITIES BY THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Legislative Management, with Representatives Chang, Giugni, Thielen, Tokioka and Ward being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 57 and 58) and concurrent resolutions (H.C.R. Nos. 82 through 84) were referred to Printing and further action was deferred:

H.R. No. 57, entitled: "HOUSE RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was jointly offered by Representatives Awana, Hanohano, C. Lee, Manahan, Mizuno, Nakashima, Tsuji and Wooley.

H.R. No. 58, entitled: "HOUSE RESOLUTION ENCOURAGING GOVERNMENT AGENCIES TO PLANT FOOD BEARING TREES ON LANDS OWNED OR CONTROLLED BY THE STATE OR A COUNTY," was jointly offered by Representatives Awana, Hanohano, C. Lee, Mizuno, Nakashima, Tsuji and Wooley.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was jointly offered by Representatives Awana, Hanohano, Hashem, C. Lee, Manahan, Mizuno, Nakashima, Tsuji and Wooley.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING GOVERNMENT AGENCIES TO PLANT FOOD BEARING TREES ON LANDS OWNED OR CONTROLLED BY THE STATE OR A COUNTY," was jointly offered by Representatives Awana, Hanohano, Hashem, C. Lee, Mizuno, Nakashima, Tsuji and Wooley.

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS AND TO DEFINE PLACES OF FORMAL HUNTING," was offered by Representative Chang.

ANNOUNCEMENTS

Representative Yamane: "Mr. Speaker, I'd like to share with the Members, Happy International Women's Day, and a Happy World Kidney Day. Members, the International Women's Day began 103 years ago, promoting equal rights and the women's suffrage movement, for women to achieve equal economic and political rights within the United States. Through the leadership of the US, countries worldwide began to celebrate and recognize International Women's Day. In recognition of International Women's Day, they encouraged and empowered women to end hunger and poverty. Colleagues, I'd like to thank and honor women of this Legislature, who represent your communities and our leaders within our State.

"Members, I'd also like to recognize that today is World Kidney Day. We all supported an important measure this year to continue the fight against kidney disease, and I'd like to thank everyone. Thank you."

Representative Chong: "Mr. Speaker, I just want to let the Members and audience in the Gallery know, one of our Members is celebrating a birthday today, and I'd like to recognize her. She is one of the youngest and the wisest new legislators this year, the Representative from Moanalua-Salt Lake."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>S.B. Nos.</u>	<u>Referred to:</u>
223, SD1	Committee on Human Services, then to the Committee on Judiciary
416, SD1	Committee on Health, then to the Committee on Finance
417, SD2	Committee on Health, then to the Committee on Finance
490, SD3	Jointly to the Committee on Tourism and the Committee on International Affairs, then to the Committee on Finance
650	Committee on Judiciary, then to the Committee on Finance
682, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1168, SD1	Committee on Health, then to the Committee on Judiciary

1312	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2098, SD1	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1500	Committee on Health, then to the Committee on Judiciary		
2001, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	2101, SD1	Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
		2103, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce
2005, SD2	Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance	2105, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2009, SD1	Committee on Housing, then to the Committee on Consumer Protection & Commerce	2106, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2013, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce	2108, SD1	Committee on Consumer Protection & Commerce
2030, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	2110, SD1	Committee on Higher Education, then to the Committee on Finance
2035	Committee on Health, then to the Committee on Finance	2111, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance
2047, SD1	Committee on Housing, then to the Committee on Judiciary	2112, SD1	Committee on Housing, then to the Committee on Finance
2052, SD1	Committee on Judiciary, then to the Committee on Finance	2114, SD1	Committee on Tourism, then to the Committee on Finance
2056	Committee on Judiciary, then to the Committee on Finance		
2057, SD1	Committee on Labor & Public Employment, then to the Committee on Finance	2115, SD2	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
2060, SD2	Committee on Human Services, then to the Committee on Judiciary	2116, SD2	Committee on Education, then to the Committee on Finance
2070, SD1	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	2120, SD1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2071, SD2	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	2121, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2083, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2123, SD2	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
2084, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance		
2087, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2126, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2088	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance	2145, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		2158	Committee on Judiciary, then to the Committee on Finance
2089, SD1	Committee on Tourism, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2166, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2092, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2167, SD1	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2093, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2168, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2095, SD2	Committee on Human Services, then to the Committee on Finance	2169	Committee on Legislative Management, then to the Committee on Finance
		2175, SD1	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2178, SD2	Committee on Human Services, then to the Committee on Finance	2237, SD1	Committee on Finance
2179, SD1	Committee on Human Services, then to the Committee on Finance	2238, SD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2182	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance	2239, SD1	Committee on Economic Revitalization & Business, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
2184	Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	2245, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2202, SD2	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	2247, SD2	Committee on Judiciary
2207, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture, then to the Committee on Finance	2248, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2208, SD2	Committee on Health, then to the Committee on Finance	2249, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2212, SD1	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2250, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2213, SD2	Committee on Labor & Public Employment, then to the Committee on Finance	2253	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2214, SD2	Committee on Labor & Public Employment, then to the Committee on Finance	2256	Committee on Housing, then to the Committee on Consumer Protection & Commerce
2220, SD1	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2260, SD2	Committee on Housing, then to the Committee on Finance
2221, SD1	Committee on Human Services, then to the Committee on Judiciary	2261	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
2222, SD2	Committee on Human Services, then to the Committee on Judiciary	2262, SD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary
2224, SD1	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	2268	Committee on Hawaiian Affairs, then to the Committee on Finance
2225, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2272, SD1	Committee on Economic Revitalization & Business, then to the Committee on Agriculture, then to the Committee on Finance
2226, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	2277, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2227	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2281, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
2228, SD2	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2284, SD1	Committee on Tourism, then to the Committee on Consumer Protection & Commerce
2229, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce	2288, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
2232, SD1	Jointly to the Committee on Agriculture and the Committee on International Affairs, then to the Committee on Judiciary	2295, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
2233, SD2	Committee on Judiciary, then to the Committee on Finance	2304, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2235, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	2305, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Judiciary
2236	Committee on Economic Revitalization & Business, then to the Committee on Finance		

2306, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2352, SD1	Committee on Agriculture, then to the Committee on Finance
2308, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2354, SD1	Committee on Agriculture, then to the Committee on Judiciary
2309, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2362, SD1	Committee on Agriculture, then to the Committee on Finance
2310, SD1	Committee on Human Services, then to the Committee on Finance	2378, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2314, SD2	Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce	2381, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2317, SD1	Jointly to the Committee on Health and the Committee on Human Services and the Committee on Economic Revitalization & Business, then to the Committee on Higher Education, then to the Committee on Finance	2383, SD1	Committee on Health, then to the Committee on Finance
2318, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2386, SD2	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2319, SD2	Committee on Housing, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2392, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2320, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2394, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2321, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2395, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2323, SD1	Committee on Labor & Public Employment, then to the Committee on Finance	2396, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2324, SD1	Committee on Labor & Public Employment, then to the Committee on Finance	2397, SD1	Committee on Housing, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2332, SD2	Committee on Agriculture, then to the Committee on Health, then to the Committee on Finance	2398, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
2335	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2399, SD2	Committee on Culture & the Arts, then to the Committee on Finance
2337, SD1	Committee on Transportation, then to the Committee on Finance	2402, SD1	Committee on Transportation, then jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance
2339, SD1	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	2412, SD2	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2341, SD2	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources	2419, SD2	Committee on Transportation, then to the Committee on Economic Revitalization & Business, then to the Committee on Judiciary
2344, SD2	Committee on Health, then to the Committee on Finance	2421, SD1	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2348, SD2	Committee on Education, then to the Committee on Finance	2422, SD1	Committee on Health, then to the Committee on Finance
2349, SD1	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	2424, SD2	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2350, SD1	Committee on Agriculture, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing		

2427, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2494, SD1	Jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2429, SD2	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2495, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2432, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2496, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2433, SD2	Jointly to the Committee on Economic Revitalization & Business and the Committee on Tourism, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2497	Committee on Judiciary, then to the Committee on Finance
		2502, SD1	Committee on Judiciary, then to the Committee on Finance
2434, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2503, SD1	Committee on Judiciary
2435, SD1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2504, SD2	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2436, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2505, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2438, SD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	2506, SD2	Committee on Transportation, then to the Committee on Finance
2444, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2511, SD2	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2447	Committee on Transportation, then to the Committee on Judiciary	2512, SD2	Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Finance
2457, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	2522, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2460	Committee on Agriculture, then to the Committee on Finance	2525, SD2	Committee on Higher Education, then to the Committee on Finance
2465, SD1	Committee on Housing, then to the Committee on Consumer Protection & Commerce	2527, SD2	Committee on Education, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2466, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2528, SD2	Committee on Economic Revitalization & Business, then to the Committee on Education, then to the Committee on Finance
2467, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2534, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Education, then to the Committee on Finance
2469, SD1	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2535, SD2	Committee on Education, then to the Committee on Finance
2472, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2536	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2484, SD2	Committee on Education, then to the Committee on Finance	2538, SD1	Committee on Health, then to the Committee on Education, then to the Committee on Finance
2486, SD1	Committee on Judiciary	2540, SD2	Committee on Education, then to the Committee on Finance
2489, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2541, SD2	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
2492, SD1	Committee on Judiciary, then to the Committee on Finance	2543	Committee on Education, then to the Committee on Finance
2493, SD1	Committee on Judiciary, then to the Committee on Finance	2544, SD1	Committee on Finance

2545, SD2	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance	2640, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2546, SD2	Committee on Higher Education, then to the Committee on Judiciary	2642, SD1	Jointly to the Committee on Tourism and the Committee on International Affairs, then to the Committee on Finance
2563, SD2	Committee on Finance	2646, SD1	Committee on Agriculture, then to the Committee on Water, Land, & Ocean Resources
2568	Committee on Housing, then to the Committee on Finance	2648	Committee on Judiciary
2571, SD1	Committee on Judiciary, then to the Committee on Finance	2650, SD1	Committee on Housing, then to the Committee on Judiciary
2576, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2651, SD1	Committee on Education, then to the Committee on Finance
2579, SD2	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2652, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
2581, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2654, SD2	Committee on Education, then to the Committee on Finance
2582, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2655, SD2	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2584, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance	2659, SD2	Committee on Finance
2588, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2666, SD2	Committee on Energy & Environmental Protection, then to the Committee on Finance
2589, SD1	Committee on Human Services, then to the Committee on Finance	2669, SD1	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2590, SD2	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2670	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Finance
2591, SD2	Committee on Human Services, then to the Committee on Finance	2671, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
2592, SD2	Committee on Human Services, then to the Committee on Finance	2678, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2594, SD2	Committee on Housing, then to the Committee on Human Services, then to the Committee on Finance	2681, SD2	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2595, SD2	Committee on Health, then to the Committee on Finance	2692, SD2	Committee on Agriculture, then to the Committee on Finance
2598	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	2695, SD2	Committee on Agriculture, then to the Committee on Finance
2605, SD2	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2698, SD1	Committee on Judiciary
2620, SD1	Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance	2701, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
2630	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	2703, SD1	Committee on Human Services, then to the Committee on Judiciary
2631, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2713, SD1	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2632, SD1	Committee on Tourism, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
2639, SD2	Committee on Hawaiian Affairs, then to the Committee on Finance		

2720, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary	2765, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2730, SD2	Committee on Judiciary, then to the Committee on Finance	2766, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2737, SD1	Committee on Judiciary, then to the Committee on Finance	2767, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2738, SD1	Committee on Judiciary, then to the Committee on Finance	2768, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2739, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	2769, SD2	Committee on Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2740, SD1	Committee on Housing, then to the Committee on Finance	2770, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2742, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2773, SD1	Committee on Education, then to the Committee on Finance
2745, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2774, SD2	Committee on Education, then to the Committee on Finance
2746, SD1	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	2775, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
2747, SD1	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance	2776, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2748, SD1	Committee on Judiciary, then to the Committee on Finance	2778, SD1	Committee on Health, then to the Committee on Finance
2749, SD2	Committee on Labor & Public Employment, then to the Committee on Finance	2779, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2750, SD1	Committee on Labor & Public Employment, then to the Committee on Finance	2780, SD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2751	Committee on Labor & Public Employment, then to the Committee on Finance	2782, SD2	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance
2752, SD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2783	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2753, SD1	Committee on Labor & Public Employment, then to the Committee on Finance	2784, SD2	Committee on Finance
2758, SD1	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2785, SD2	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2760, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2787, SD2	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2761, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2789, SD2	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
2762, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2790, SD1	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2763, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance	2793, SD2	Committee on Hawaiian Affairs, then to the Committee on Finance
2764, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance		

2796, SD1	Committee on Human Services, then to the Committee on Finance	2846, SD1	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
2797, SD1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	2849, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2798, SD1	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2850, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2800, SD1	Committee on Human Services, then to the Committee on Education, then to the Committee on Finance	2852, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2803, SD2	Committee on Human Services, then to the Committee on Finance	2856	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2804, SD2	Committee on Housing, then to the Committee on Finance	2857, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2805	Committee on Housing, then to the Committee on Finance	2858, SD1	Committee on Judiciary, then to the Committee on Finance
2806, SD1	Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance	2859, SD1	Committee on Judiciary, then to the Committee on Finance
2810, SD1	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance	2865	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2811	Committee on Labor & Public Employment, then to the Committee on Finance	2866, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2813, SD1	Committee on Health, then to the Committee on Finance	2867, SD1	Committee on Finance
2816, SD1	Committee on Health, then to the Committee on Finance	2868, SD1	Committee on Finance
2819, SD1	Committee on Health, then to the Committee on Judiciary	2869, SD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2820	Committee on Health, then to the Committee on Finance	2871, SD1	Committee on Transportation, then to the Committee on Judiciary
2822, SD2	Committee on Energy & Environmental Protection, then to the Committee on Finance	2872	Committee on Economic Revitalization & Business, then to the Committee on Transportation, then to the Committee on Finance
2823, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance	2873, SD1	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary
2824	Committee on Health, then jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2874, SD1	Committee on Transportation, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2825, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2876, SD2	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2826, SD1	Committee on Health, then to the Committee on Judiciary	2877, SD1	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2827, SD1	Committee on Health, then to the Committee on Finance	2893, SD1	Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance
2833, SD1	Committee on Human Services, then to the Committee on Labor & Public Employment, then to the Committee on Finance	2895, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance
2842, SD1	Committee on Judiciary, then to the Committee on Finance	2899, SD1	Committee on Judiciary
2845, SD1	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance		

2900, SD1	Committee on Judiciary, then to the Committee on Finance	2981, SD2	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2906, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2986, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
2918, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2990, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education, then to the Committee on Finance
2927, SD2	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then jointly to the Committee on Transportation and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2994, SD2	Committee on Education, then to the Committee on Finance
2933, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2998, SD1	Committee on Judiciary, then to the Committee on Finance
2935, SD2	Committee on Health, then to the Committee on Finance	3001, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
2936, SD2	Committee on Human Services, then to the Committee on Finance	3002, SD2	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2939, SD1	Committee on Health, then to the Committee on Finance	3003, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2941, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	3006, SD2	Committee on Energy & Environmental Protection, then to the Committee on Finance
2946, SD2	Committee on Transportation, then to the Committee on Finance	3007, SD1	Jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts, then to the Committee on Finance
2947, SD2	Committee on Economic Revitalization & Business, then to the Committee on Finance	3008	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2948, SD1	Committee on Legislative Management, then to the Committee on Finance	3010, SD2	Committee on Transportation, then to the Committee on Finance
2950, SD2	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	3011, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture, then to the Committee on Finance
2952, SD2	Committee on Education, then to the Committee on Finance	3013, SD2	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2958, SD2	Committee on Health, then to the Committee on Finance	3016, SD2	Committee on Public Safety & Military Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
2960, SD2	Committee on Transportation, then to the Committee on Finance	3017, SD2	Committee on Tourism, then to the Committee on Finance
2966, SD2	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources, then to the Committee on Consumer Protection & Commerce	3025, SD2	Committee on Housing, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
2967, SD2	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	3028, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance
2968, SD2	Committee on Transportation, then to the Committee on Consumer Protection & Commerce	3029, SD1	Committee on Judiciary
2969, SD1	Committee on Education, then to the Committee on Finance	3030, SD2	Committee on Legislative Management, then to the Committee on Finance
2971	Committee on Transportation, then to the Committee on Judiciary	3031, SD1	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2977, SD2	Committee on Transportation, then to the Committee on Finance	3036, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

- 3037, Jointly to the Committee on Economic Revitalization &
SD2 Business and the Committee on Higher Education, then to the
Committee on Finance
- 3039, Committee on Health, then to the Committee on Judiciary
SD1
- 3040, Committee on Transportation, then to the Committee on
SD2 Finance
- 3048, Committee on Tourism, then to the Committee on Finance
SD2
- 3050, Jointly to the Committee on Economic Revitalization &
SD2 Business and the Committee on Tourism, then to the
Committee on Finance
- 3053, Committee on Hawaiian Affairs, then to the Committee on
SD2 Water, Land, & Ocean Resources, then to the Committee on
Finance
- 3054 Committee on Public Safety & Military Affairs, then to the
Committee on Legislative Management, then to the
Committee on Finance
- 3062, Committee on Consumer Protection & Commerce, then to the
SD1 Committee on Finance
- 3068, Committee on Judiciary, then to the Committee on Finance
SD1
- 3071, Committee on Hawaiian Affairs, then to the Committee on
SD2 Higher Education, then to the Committee on Finance

ADJOURNMENT

At 12:18 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 09, 2012. (Representatives Chang, Giugni, Thielen, Tokioka and Ward were excused.)

SUPPLEMENTAL CALENDAR #1

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 412 through 415) were received by the Clerk:

Sen. Com. No. 412, transmitting S.B. No. 2923, SD 3, entitled: "A BILL FOR AN ACT RELATING TO OPIHI HARVESTING AND POSSESSION RESTRICTIONS," which passed Third Reading in the Senate on March 8, 2012.

Sen. Com. No. 413, transmitting S.B. No. 2234, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC INFORMATION," which passed Third Reading in the Senate on March 8, 2012.

Sen. Com. No. 414, transmitting S.B. No. 2375, SD 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," which passed Third Reading in the Senate on March 8, 2012.

Sen. Com. No. 415, transmitting S.B. No. 2792, SD 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY REVENUE," which passed Third Reading in the Senate on March 8, 2012.

HOUSE COMMUNICATIONS

House Communication dated March 8, 2012, from CJ Leong, 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 House Bill:

H.B. No. 461, HD 1, SD 1

OTHER COMMUNICATIONS

A copy of the following Senate Communication to the Governor was received by the Clerk:

"March 7, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following bills, copies of which are attached hereto:

S.B. No. 650
"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES."

S.B. No. 2005, S.D. 2
"PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."

S.B. No. 2349, S.D. 1
"PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."

S.B. No. 2598
"PROPOSING AMENDMENTS TO THE HAWAII STATE CONSTITUTION RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."

S.B. No. 2856
"PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS."

Respectfully,
/s/ Carol Taniguchi
CAROL T. TANIGUCHI
Clerk of the Senate

Enclosure

cc: CJ Leong
Clerk of the House"

TWENTY-EIGHTH DAY

Friday, March 09, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:03 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Dr. Stephen Kalani Brady of the John A. Burns School of Medicine, after which the Roll was called showing all Members present with the exception of Representatives Awana, Thielen and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Sixth and Twenty-Seventh Days was deferred.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 416) was received and announced by the Clerk:

Sen. Com. No. 416, transmitting H.B. No. 2096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on March 8, 2012.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Hashem introduced his young friend, Mr. James Futrell.

Representative Takumi, on behalf of Representative Takai and himself, introduced students from Pearl City Elementary: Miss Alycia Pasion, Miss Iris Ponce, Miss Naomi Reupena-Tuaiao, Miss Jessica Miller and Miss Jasmin Nagasawa; and teacher, Mr. Russell Minobe.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 65) was announced by the Clerk and the following action taken:

H.R. No. 65, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING PLANNED PARENTHOOD OF HAWAII FOR ITS UNWAVERING SUPPORT OF THE PEOPLE OF HAWAII," was jointly offered by Representatives M. Lee and Ichiyama.

Representative M. Lee moved that H.R. No. 65, be adopted, seconded by Representative Ichiyama.

Representative M. Lee described the poverty experienced by Margaret Sanger as a nurse which led her to establish America's first family planning clinic in Brooklyn, New York in 1916 with the help of her sister, Ethel Byrne.

Representative Ichiyama commended Planned Parenthood of Hawaii for 45 years of advocating for the protection of women's reproductive rights and providing a full spectrum of reproductive health care services.

Representative Ichiyama then introduced the honorees representing Planned Parenthood of Hawaii, who were seated on the Floor of the House:

Ms. Andrea Anderson, Chief Executive Officer for Planned Parenthood of Hawaii;

Ms. Bette Takahashi, former President and Board of Directors member of Planned Parenthood of Hawaii;

Dr. Ann Rahall, Medical Director, Planned Parenthood of Hawaii;

Ms. Sheila O'Keefe, Director of Development, Planned Parenthood of Hawaii; and

Ms. Katie Polidoro, Director of Public Affairs and Government Relations, Planned Parenthood of Hawaii.

Representative Evans applauded Planned Parenthood of Hawaii for their commitment to providing women of all ages with reproductive and health information allowing them to make free and informed choices.

Representative Wooley thanked Planned Parenthood of Hawaii for their courage and bravery in the fight to protect women's rights.

Representative C. Lee also rose to offer his support to Planned Parenthood of Hawaii.

Representative M. Lee then introduced friends and supporters seated in the Gallery:

Ms. Amy Monk, Board Member, Planned Parenthood of Hawaii;
Ms. Cathy Betts, Executive Director, Hawaii State Commission on the Status of Women;
Ms. Carmille Lim, Hawaii State Commission on the Status of Women;
Ms. Laurie Temple, ACLU;
Ms. Ann Freed, Democratic Women's Caucus; and
Ms. Allicyn Hikida Tasaka, Office of the Governor.

The motion was put to vote by the Chair and carried, and H.R. No. 65, was adopted, with Representatives Fontaine, Pine, Thielen and Ward being excused.

At 12:23 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 964-12) recommending that H.B. No. 1800, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 964-12 on H.B. No. 1800, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1800, HD 2, were made available to the Members of the House.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 965-12) recommending that H.B. No. 2012, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2012, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Hanohano 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 support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and I'd like to reserve my comments for Third Reading."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2012, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second

Reading and was placed on the calendar for Third Reading, with Representatives Chang, Thielen and Ward being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 59 through 64) and concurrent resolutions (H.C.R. Nos. 85 through 92) were referred to Printing and further action was deferred:

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was offered by Representative Hanohano.

H.R. No. 60, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES," was offered by Representative Hanohano.

H.R. No. 61, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES TO RECOGNIZE THE RECOVERY OF HAWAIIAN GREEN SEA TURTLES AND BEGIN ACTIVE MANAGEMENT OF THIS IMPORTANT SPECIES," was offered by Representative Hanohano.

H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT," was offered by Representative Hanohano.

H.R. No. 63, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO CREATE A STATE CAPITOL MEMORIAL TO HONOR THE VETERANS OF THE PERSIAN GULF WAR, OPERATION DESERT STORM, OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND OPERATION NEW DAWN," was jointly offered by Representatives Takai, Aquino and Cullen.

H.R. No. 64, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was jointly offered by Representatives Cullen, Aquino, Brower, Cabanilla, Fontaine, Ichiyama, Kawakami, M. Lee, Marumoto, McKelvey, Morikawa, Riviere, Say, Takumi, Ward, Yamane, Yamashita and Johanson.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was offered by Representative Hanohano.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES," was offered by Representative Hanohano.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES TO RECOGNIZE THE RECOVERY OF HAWAIIAN GREEN SEA TURTLES AND BEGIN ACTIVE MANAGEMENT OF THIS IMPORTANT SPECIES," was offered by Representative Hanohano.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT," was offered by Representative Hanohano.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO APPLY FOR A CHOICE NEIGHBORHOODS GRANT," was offered by Representative Cabanilla.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS TO MODERNIZE DILAPIDATED FEDERAL PUBLIC HOUSING PROJECTS," was offered by Representative Cabanilla.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO CREATE A STATE CAPITOL MEMORIAL TO HONOR THE VETERANS OF THE PERSIAN GULF WAR, OPERATION DESERT STORM, OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND OPERATION NEW DAWN," was jointly offered by Representatives Takai, Aquino and Cullen.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was jointly offered by Representatives Cullen, Aquino, Brower, Cabanilla, Fontaine, Ichiyama, Kawakami, Marumoto, McKelvey, Morikawa, Riviere, Say, Takumi, Ward, Yamane, Yamashita, Johanson and M. Lee.

ANNOUNCEMENTS

Representative Herkes: "Thank you, Mr. Speaker, and I'm pleased to announce that starting tomorrow, the mobile medical van will be in service. I've only been working on this for 8 years, and what it will do is it will bring basic clinical service to the rural areas of South Kona and Ka'u, and keep people out of emergency rooms. With tele-medicine it can go into a place like Milolii and bring basic medical service to people there. We still need to add remote dispensing of pharmaceuticals, but I'm very, very pleased that we're finally going to get this done. Thank you, Mr. Speaker."

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Ching introduced her former Office Manager Ms. Elise Anderson and her friend from Lisbon, Portugal, Mr. Ricardo Roque.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R. Nos.</u>	<u>Referred to:</u>
53	Jointly to the Committee on Economic Revitalization & Business and the Committee on Tourism, then to the Committee on Finance
54	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Health

- 55 Jointly to the Committee on International Affairs and the Committee on Tourism
- 56 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 57 Committee on Housing, then to the Committee on Finance
- 58 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 59 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
- 60 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 61 Committee on Water, Land, & Ocean Resources
- 62 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 63 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 64 Committee on Public Safety & Military Affairs

H.C.R.
Nos.

Referred to:

- 75 Jointly to the Committee on Economic Revitalization & Business and the Committee on Tourism, then to the Committee on Finance
- 76 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Health
- 77 Committee on Economic Revitalization & Business, then to the Committee on Finance
- 78 Committee on Public Safety & Military Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
- 79 Committee on Education, then to the Committee on Finance
- 80 Committee on Education, then to the Committee on Finance
- 81 Committee on Education, then to the Committee on Finance
- 82 Committee on Housing, then to the Committee on Finance
- 83 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 84 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
- 85 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
- 86 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 87 Committee on Water, Land, & Ocean Resources

- 88 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 89 Committee on Housing, then to the Committee on Finance
- 90 Committee on Housing, then to the Committee on Finance
- 91 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 92 Committee on Public Safety & Military Affairs

S.B.
Nos.

Referred to:

- 2234, SD2 Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance
- 2375, SD3 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources
- 2792, SD3 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance
- 2923, SD3 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

S.C.R.
No.

Referred to:

- 52, SD1 Committee on Housing

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.B.
Nos.

Re-referred to:

- 2245, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
- 2424, SD2 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

ADJOURNMENT

At 12:33 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 12, 2012. (Representatives Chang, Thielen and Ward were excused.)

TWENTY-NINTH DAY

Monday, March 12, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Angus L.K. McKelvey, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Ching, Mizunio, Pine and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 1106) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 1106, informing the House that on March 09, 2012, the following bill was signed into law:

H.B. No. 2096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY." (ACT 006)

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Chang introduced his friends, Mr. Randy Avon and Mr. Larry Behar of Ft. Lauderdale, Florida.

ORDER OF THE DAY**INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)**

The following resolution (H.R. No. 70) was announced by the Clerk and the following action taken:

H.R. No. 70, entitled: "HOUSE RESOLUTION CONGRATULATING AND RECOGNIZING THE MILILANI HIGH SCHOOL BOYS VARSITY SOCCER TEAM FOR WINNING THE 2012 STATE AND OAHU INTERSCHOLASTIC ASSOCIATION RED DIVISION BOYS VARSITY SOCCER CHAMPIONSHIPS," was jointly offered by Representatives M. Lee and Yamane.

Representative M. Lee moved that H.R. No. 70, be adopted, seconded by Representative Yamane.

Representative Yamane congratulated the 2012 State Champion, Mililani High School Boys Varsity Soccer Team, and introduced the Team Captains seated on the Floor of the House: Mr. Jake Sagami, Mr. Renato Torquato and Mr. Dug Curren.

Representative Yamane also recognized other members of the 2012 Mililani High School Boys Soccer Team seated in the Gallery and their coaching staff: Head Coach Mr. Jeff Yamamoto, Mr. Steve McGehee, Mr. Blane Ogawa, Mr. Ian Hasegawa, Mr. Darren Smith and Mr. Tim Liu.

Representative M. Lee congratulated the 2012 OIA Champions, Mililani High School's Boys Wrestling Team, and the Girls Wrestling Team led by Coach Sam Lee on a successful season and their Trojan fighting spirit.

Representative M. Lee then introduced State Champion wrestlers Mr. Brayden Akeo and Ms. Quinn Nagatani who were seated on the Floor of the House, representing the Boys and Girls Wrestling Teams.

Representative M. Lee also introduced State Champion Ms. Morgan Yamaguchi of the Mililani High School Girls Wrestling Team, and her mother, Mrs. Yamaguchi, who were seated in the Gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 70, was adopted, with Representatives Carroll, Saiki and Wooley being excused.

The following resolution (H.R. No. 71) was announced by the Clerk and the following action taken:

H.R. No. 71, entitled: "H.R. No. 71, entitled: "HOUSE RESOLUTION CONGRATULATING GLENN LEE AS THE 2011 HAWAII MILKEN EDUCATOR OF THE YEAR; SARAH WAGNER-DORICH AS THE 2011 HAWAII MILKEN EDUCATOR TEACHER OF PROMISE; TOM KURASHIGE AS THE RECIPIENT OF THE 2011 MASAYUKI TOKIOKA EXCELLENCE IN SCHOOL LEADERSHIP AWARD; KAREN IKEMOTO AS THE RECIPIENT OF THE FRIENDS OF THE LIBRARY OF HAWAII'S 2011 LIBRARIAN OF THE YEAR AWARD; TERI KING-AGAN, ROFINA RIVERA, AND RANDY SOTSUDA AS FRIENDS OF THE LIBRARY OF HAWAII'S 2011 EXCELLENCE IN SERVICE AWARDEES; AND ELDEN SETA AS THE 2012 NATIONAL BANDWORLD LEGION OF HONOR LAUREATE," was offered by Representative Takumi.

Representative Takumi moved that H.R. No. 71, be adopted, seconded by Representative Belatti.

Representative Takumi introduced the following honoree who was seated on the Floor of the House:

Mr. Glen Lee, Waialua High and Intermediate School career and technical educator, the 2011 Hawaii Milken Educator of the Year. Accompanying Mr. Lee was his wife, Mrs. Auria Lee, who was seated in the Gallery.

Representative Belatti then introduced additional honorees seated on the Floor of the House:

Ms. Sarah Wagner-Dorich, Kapunahala Elementary School kindergarten teacher, and 2011 Milken Educator of Promise. Accompanying Ms. Wagner-Dorich was Mr. Andrew Dorich, Ms. Rena Motoyama and Ms. Kristi Ingel, who were seated in the Gallery.

Mr. Tom Kurashige, Aiea Intermediate School Principal, and recipient of 2011 Masayuki Tokioka Excellence in School Leadership Award.

Ms. Karen Ikemoto, Hanapepe Public Library, recipient of the Friends of the Library of Hawaii's 2011 Librarian of the Year Award. Accompanying Ms. Ikemoto was her brother and sister-in-law, Mr. Eric Igeta and Ms. Karen Lee Igeta, who were seated in the Gallery.

Ms. Teri King-Agan, Keaau Public and School Library, recipient of the Friends of the Library of Hawaii's 2011 Excellence in Service Award. Accompanying Ms. King-Agan was Mr. Lee Gordon, who was seated in the Gallery.

Mr. Elden Seta, Moanalua High School Music Director, the 2012 National Bandworld Legion of Honor Laureate.

Representative Belatti also introduced Mr. David Wu, Department of Education Assistant Superintendent for the Office of information Technology, who was seated in the Gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 71, was adopted, with Representatives Carroll, Saiki and Wooley being excused.

At 12:27 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m., with Vice Speaker Manahan presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Carroll and Chang were excused.)

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 964-12) recommending that H.B. No. 1800, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1800, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Chang being excused.

At 12:53 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1800, HD 2

REPORTS OF STANDING COMMITTEES

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 966-12), recommending that H.R. No. 16, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 967-12), recommending that H.C.R. No. 23, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 16; and H.C.R. No. 23, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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 reports of the Committee were adopted and H.R. No. 16, entitled: "HOUSE RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was referred to the Committee on Finance, with Representatives Carroll and Chang being excused; and

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was referred to the Committee on Finance, with Representatives Carroll and Chang being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 968-12), recommending that H.C.R. No. 25, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 25, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote 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 Awana 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 H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Carroll and Chang being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 969-12), recommending that H.C.R. No. 26, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 26, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana 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 Pine 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 H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Carroll and Chang being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 970-12), recommending that H.C.R. No. 27, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 27, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana 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 Pine 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 H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," was referred to the Committee on Finance, with Representative

Hanohano voting no, and with Representatives Carroll and Chang being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 971-12), recommending that H.C.R. No. 28, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 28, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana 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 Pine 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 H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAAINA PLACE, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Carroll and Chang being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 972-12), recommending that H.C.R. No. 31, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 31, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana 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 Pine 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 H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Carroll and Chang being excused.

THIRD READING

H.B. No. 2012, HD 1:

Representative Chong moved that H.B. No. 2012, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with mild reservations. You might be asking, why would someone have mild reservations about this budget? Two reasons. The first is I think it's best seen as a *kabuki* play. Behind the scenes a lot of things are going on. Behind this budget are a lot of fees that are propping up this budget. Fees that we don't see, but fees that are quite large, particularly in DCCA.

"And that leads, Mr. Speaker, to my second issue of concern, and that is, DCCA has unbeknownst to many been awarded \$75,000 for a task force. The task force is to study the state bank of which, as many of you know, I've stood up time and time again and said that this is too costly to start. Too risky to run. Too uncertain. That buying toxic mortgages with taxpayers' money is sure to go nowhere.

"Everybody's already heard that, but no one knew that this was going to be snuck into the budget. So procedurally speaking Mr. Speaker, I question, why would this have to be done without the public hearing, or the public acknowledgement, and then some of us learning it at the end.

"I think Shakespeare said something to the effect that, transparency is made of sterner stuff. We can be more open about this. But I applaud the Chair for having a conference call. It's going to be with the North Dakota Banking Executive and that's good. I understand that FACE is going to have a rally for the state bank. There's momentum.

"But now this is costing us a little bit of money. Everyone voted for the issue here on Third Reading, etc., when it was just a task force, Mr. Speaker, there are many task forces that are free. Some of them cost some money. \$75,000 is not a lot of money, but in terms of questioning the procedure, who knows what may have entered into this process. So, with those reservations I would say, earmarks at the federal level are no longer acceptable. They seem to be alive and well at the local level. And those are my reservations."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of House Bill 2012, House Draft 1. Mr. Speaker, a document as encompassing as the budget is certainly not the work of one person, but the collective vision and effort of many people. It is truly a statement of our priorities as we emerge from the greatest recession our country and State has ever faced, and is truly with the *mana'o* and thoughts and impressions of many that has made this House Draft something we can all be proud to adopt.

"Mr. Speaker, this budget is the product of the *mana'o* of the Governor, his Cabinet, and numerous State employees. Your invaluable support and guidance of the Leadership team, the wisdom and experience of House Committee Chairs. The collective input of the members of the Finance Committee, and the analysis and contribution of the Finance Committee Staff. They have taken to heart, Mr. Speaker, your mantra, to take it slow and steady and continue on the course we set last year.

"But before I proceed in speaking in support of the budget before us, please allow me some leeway so that I may traditionally and customarily use some time to thank those countless volunteers and supporters who spent much time in preparing what lies before us.

"First and foremost I must thank my Vice-Chair, Representative Marilyn Lee, who led the hearings in my sometimes long absence, keeping members on task and maintaining decorum, and ensuring an open public forum for all voices and viewpoints. Her disarming and kind demeanor never failed to amuse and empower us as we enter the final stretch of our marathon hearings. As she repeatedly said to me, sometimes between spontaneous bursts of laughter, 'To laugh is good, and healthy too.'

"Her nurturing touch sustained our cordiality and good will. And Mr. Speaker a finer first mate no one could want, nor desire. But I was most impressed by how she did all of this despite her recent personal loss of her husband and soul mate, the late Sam Lee. But having worked with Representative Lee before I even worked with Marilyn, I can hear him say, 'Well, you know how she is. That's just Marilyn.'

"Next I must thank the Committee members for their hard work and dedication towards developing meaningful fiscal policy solutions. To our veteran members, your institutional knowledge and insight have helped drive and analyze the key issues. To our freshman members, your refreshing inquisitiveness has brought new light to discussions. And to my Minority members, your often contrary views prompted lively debates, and engaging and fruitful discussions. Thank you for participating with us.

"And thank you also to the Committee Chairs for your direct participation, advice and counsel. Thank you for allowing us the important task of hauling out the carrion and burying the many dead bills. The Finance Committee needs to maintain our reputation as a graveyard of interest and ideas, and with your generous assistance we have expanded our holdings and final dispositions. For those that took advantage of our 'Second Chair' seat, your presence and participation at our hearings both enlightened, and at times entertained us.

"And finally, Mr. Speaker I must thank my Finance staff for their hard work and diligence in the review of bills and budgets, and in crafting a well thought out product. Our permanent and session staff includes, and I'll ask them to stand and remain standing till they're all recognized. So please stand, Finance Staff:

Jo Hamasaki, Karen Horita, Puna Chai, Susan Fernandez, Erik Abe, Randall Hiyoto, Stacey Tagala, Nandana Kalupahana, Lucia Phan, Maria Millon, Midori Hirai, Bill Gillespie, Maryanne Takahashi, Meagan Shimizu, Erin Ebisuya, Daniel Kikkawa, Napualani Young, Karissa Look, Matthew Tsujimura, Micah Munekata, and Michael Ong.

"Members, please a round of applause for our Finance Staff."

Representative Rhoads rose to yield his time, and the Chair "so ordered."

Representative Oshiro continued, stating:

"Mr. Speaker, I'm reminded of a quote I read from one of our contacts at the National Conference of State Legislatures. Many of you recently visited with Corina Eckl, NCSL's Hawaii liaison and former Director of the Fiscal Affairs Program. Her successor in the Fiscal Affairs Program, Arturo Perez, was recently quoted in *Bloomberg News* with, perhaps an apt description of what we and all states have been experiencing the past four years. In Arturo's words:

State revenues fell like a bowling ball and they have bounced back, much like a bowling ball.

"On March 7, 2012, at the same time that we were voting on this budget, the Council on Revenues was meeting to update their revenue projections. They revised the revenue projection for fiscal year 2012 upward from 11.5% to 12.0%. Although this is great news, we need to remember that this revised revenue projection is still much lower than the 14.5% revenue growth projection that served as the basis for the Governor's original supplemental budget request, submitted to us.

"Mr. Speaker, this is why we maintain that the steady, deliberate approach to this budget remains a prudent attempt at preparing for the challenges ahead in reprioritizing, rehabilitating, and renewing government services in the years ahead. And that's right. There are 3Rs here – Reprioritizing, Rehabilitating, and Renewing government services with and for our employees and those they serve.

"The short-term and long-term goals of this budget are to:

Number 1, refine the Administration's budget submittal as a result of current revenue projections;

Number 2, triage targeted programs to ensure that the most basic needs are met, particularly in human services and agriculture;

Number 3, provide structural stability to the State's financial plan in meeting long-term unfunded liabilities; and

Number 4, support long-term planning and accountability efforts to fundamentally change the character and delivery of government services.

"Mr. Speaker, please don't get me wrong. I welcome the good news of the Council on Revenues last week, but we all know how fragile this economy and recovery can be. Like the wanderer in the desert who thirsts for water, we should not be fooled by the mirage of abundant resources to pay for everything under the sun. The latest revised projection of the Council on Revenues seems to have made all our problems disappear, but we need to remember that these are revenue projections and not cold hard cash. Many things can happen in 18 months.

"In addition, Mr. Speaker, to spend more money simply to restore programs that were cut in the past four years is overly simplistic and not the right thing to do. To do so means that we have not learned the lessons of the recession from which we will emerge. It will be the hardest thing to do in the face of fairly robust revenue projections, but we must show restraint. Let us keep in mind that we are barely addressing longer term liabilities of our public workers' pension system, the ERS, and health insurance cost of the Employer Union Trust Fund. These are commitments that we need to maintain and deliver on for both current and retired workers.

"Additionally, Mr. Speaker, we have yet to fully review additional funding requests made in the four Governor's Messages we were not able to vet properly or thoroughly. These messages include approximately:

\$5 million for increased electricity;

35 positions for the Justice Reinvestment Initiative; and

About \$3 million for a new computer-based Medicaid Eligibility System.

"Mr. Speaker, we must always evaluate comprehensively, consider deliberatively, and fund carefully each and every program. Options to spend more here, spend more there, as well as save more here, and save more there will be realized if these projections hold through. But, yes, there are some new expenditures in this budget and we demonstrate our support for this Administration's 2011 Program Review and some elements of the Governor's New Day initiatives.

"For example, we are appropriating:

\$250,000 for the Early Learning Council;

\$250,000 for Early Childhood Obesity and Diabetes Prevention Program;

About \$3 million for the first year of a 10 year initiative to help protect and restore forested watersheds on State lands."

Representative Awana rose to yield her time, and the Chair "so ordered."

Representative Oshiro continued, stating:

"Thank you.

About \$3 million to restore forested watersheds on State lands and secure Hawaii's water supply;

About \$1 million as seed capital for the elevator boiler program;

\$400,000 for aging and disability resource centers to roll out a coordinated system of information and access to services, starting on Kauai; and

\$30 million, Mr. Speaker, for IT and broadband initiatives.

"The budget before you proposes to triage targeted programs to serve immediate, critical needs. Mr. Speaker, I look forward to examining the IT plan due in early July, for I believe this initiative could fundamentally

transform government services. What's different about this initiative and ones we've seen in the past is that this recognizes that computerizing inefficiency or obsolete systems doesn't mean we will come out with better services. It simply means we are automating bad systems, and perhaps getting worse.

"The biggest challenge for this initiative is taking a hard, comprehensive look at State programs and services to see what needs to change. Success only comes if we all participate, share our knowledge, and change. And indeed many have come forward and honestly discussed their own shortcomings and needs to change. I commend these public servants. The same principle applies to funding programs and services as our economy improves and expands. We must demand more accountability and transparency.

"Mr. Speaker, the Finance Committee spent the 2011 interim visiting numerous State programs and seeing firsthand the impact of the recession and budget cuts has had upon them. Programs are struggling. Public workers have done more with less, and in many instances gone way beyond the call of duty. But, because of several years of budget cuts, restrictions, furloughs, and lay-offs, services have diminished and the quality of life for many affected. It is in these particular priority areas where we have decided to restore funds and reaffirm our commitment to these basic programs.

"Some key areas are as follows:

33 positions for Medicaid eligibility workers, vocational rehabilitation workers, Supplemental Nutrition Assistance Program fraud investigators, and Youth Services Regional Directors;

\$17 million for Medicaid and for restoring child welfare purchase of service contracts;

\$23 million for Temporary Assistance for Needy Families programs and contracts; and

40 positions across the Department of Agriculture, including plant and pest inspectors, measurement standards inspectors, commodities specialists, to support vital programs.

We have also appropriated \$12 million for the Department of Transportation, and the Department of Land and Natural Resources to address statewide damage from the recent storms, particularly on Kauai.

We have also added \$2.5 million for adult education programs.

And yes, Mr. Speaker. Even \$800,000 for the relocation of 400 *Nene* goose from the Lihue Airport.

"Mr. Speaker, I'm reminded of comments made by President Obama in his inauguration speech four years ago. And I believe they are even more applicable today. I quote:

The question we ask today is not whether our government is too big or too small, but whether it works – whether it helps families find jobs at a decent wage, care they can afford, a retirement that is dignified. Where the answer is yes, we intend to move forward. Where the answer is no, programs will end. Those of us who manage the public's dollars will be held to account – to spend wisely, reform bad habits, and do our business in the light of day – because only then can we restore the vital trust between a people and their government.

"Mr. Speaker, your Committee on Finance has accepted its responsibility to craft a supplemental budget constrained by the dynamic and constantly changing fiscal realities thrust upon us. We have not taken the easy route out, but kept on the course set last year as we continued our voyage through and beyond the turbulent waters of The Great Recession. We have not deviated from the course and challenge you set for us. And we are proceeding slow and steady toward that sustainable future for all of us.

"Mr. Speaker, in closing, the light at the end of the tunnel just got brighter. Let us continue to move forward together. We have proven the wisdom and truth of the Hawaiian proverb – *Pupukahi I Holomua* – "When we paddle together, the canoe moves forward fast."

Representative Hashem rose to yield his time, and the Chair "so ordered."

Representative Oshiro continued, stating:

"Thank you. I look forward to working shoulder-to-shoulder in the trenches with Chair Ige, with all the Members of the House, our counterparts in the Senate, the Governor and his Administration, and the people of Hawaii to forge a more secure and sustainable future. Thank you very much, Members. Thank you very much, Mr. Speaker."

Representative Kawakami rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, we, the Kauai three, would like to emphasize one big part in the budget that means the world to us and to our people back home. The recent storms have created some havoc and the inclusion of the \$12 million to get us back on our feet is greatly appreciated. And because of this, a few *mahalo nui loa* are in order.

"So thank you, Mr. Speaker. Thank you, Vice Speaker, Majority Leader, Majority Floor Leader. To our friends across the aisle, to the Finance Chair who has some strong lungs and can hold his breath for a long time. To our Vice Chair, and again to the brave hearts and the staff of the Finance Committee, thank you, very much, from the bottom of our hearts.

"Kauai is jokingly referred to at times as a separate kingdom, but we have had our fair share of times when we have been knocked down and busted up. And each and every time, we have had the rest of the State to reach out, pick us up, dust us off, and push us forward, lockstep with the rest of the State. And because of this, the Kauai three, from the bottom of our hearts would like to say that on behalf of our people, and on behalf of the *nene* birds, we thank you, very much, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, first of all I want to thank the Finance Committee and House Leadership, and especially the Chairman, and the CIP person. I don't know if they call them a Subcommittee Chair or CIP man. You have been very generous at looking at the needs for the airport reconstruction, which is very important to Maui and to the State of Hawaii. There's a lot of revenue that comes out from there, and you have included the money in here. You also included money to just about complete the access road, and as people who have been on Maui know how difficult it is to travel on the current Dairy Road that we have.

"I know it wasn't easy for some people, especially one person who provided the access road money. But I admire the fact that he was able to do it. And Mr. Chairman, by the mere fact that the increase is .04 is a salute to you and all the members of the Committee that in this very difficult time, you were able to keep the budget very low and balanced. I think this is going to be very good for public consumption. They should understand that the Legislature is taking a serious look as far as governance and the cost of governance is concerned.

"The concern I have, and I already uttered it in the Caucus Room, is that \$50 million for the EUTF might be a bit too high. But I believe it's a good point to begin discussion because a lot of our programs are still running at about 55 to 60% capacity, and at some point in time we'll need to raise it up continually as we find the money.

"So we should look at this more on a balanced approach. We won't be able to solve the liability problem all at one time, but again, Mr. Chairman, members of the Committee, staff, Leadership, thank you, very much. And you, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. And I would like to thank the Chair of Finance, as well as the members of the Finance Committee for being sensitive to the critical need of our State, and of our people in the area of affordable housing. There's funding for the Housing Finance Development Agency, yes, as well as to the Rental Housing Trust Funds, which is, as you see, one of the things that's being noted in our State, is homelessness. So this will help with the costs, Mr. Speaker, and with the high cost of rent, mortgages and foreclosure for the State. I think this is a very balanced budget that they offered. So with that, I stand in very strong support of this measure."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support. Mr. Speaker the editorial in yesterday's *Star Advertiser* began with the following quote: 'The real mark of fiscal prudence is not what government does when the red ink is flowing, as it did in the wake of the economic recession. It is the actions taken when the revenues improve, as they have begun to do.'

"Mr. Speaker, this quote is relevant to the budget passed by the Finance Committee. The budget is no nonsense and has taken steps to deal with upcoming crises, such as the unfunded liability of the EUTF, by making a down payment on the liability.

"I'm very proud to have been part of the process that all the Finance Committee took part in and I believe that the participation of the members of the Finance Committee and the budget decisions have been rather remarkable. For this, the Chair deserves a great deal of credit.

"I would also like to commend the House Finance staff and the members who gave up their precious time to help develop a budget we can be proud of. It is certainly good news to learn of the upward adjustment forecast by the Council on Revenues on Wednesday. However, we must stay on course and keep our eyes on future budgets. Therefore, I stand in strong support of this House Bill 2012, which is thoughtful and reflects the prudent stewardship of taxpayer funds we are elected to ensure. For these reasons, I ask the Members' support. Thank you."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I rise in support of House Bill 2012, HD 1. Thank you, very much. Before I start, I'd also like to thank the Finance Staff, especially Puna Chai, who pulled double duty as our Budget Chief, as well as our CIP Specialist. So, thank you, very much. And the Chair as well for his support going forward, and the Vice Chair and the Members of the Committee.

"Mr. Speaker, as we carefully prepared this CIP budget, we remain conscientious of the imminent need to create jobs, spur economic growth, and also to ensure the long-term viability of our State facilities. Mr. Speaker, I believe the CIP budget will do just that. For fiscal year 2013, the budget appropriates \$750 million in GO and GOR, and \$2.47 billion in all means of financing, which is aimed largely to address the shovel-ready projects that will create numerous jobs and opportunities to our construction and service industries. Both of which suffered greatly over these past few years.

"Therefore Mr. Speaker, included in this budget is over \$300 billion to tackle health, safety, repair maintenance, backlogs, in the Department of Education, and the University of Hawaii, as well as \$80 million to upgrade public housing and community hospitals.

"We also approved nearly \$30 million for the Department of Agriculture and the Department of Land and Natural Resources for their efforts in maintaining irrigation systems, reservoirs and dams.

"Nevertheless, Mr. Speaker, we are aware of the need to maintain the integrity of the overall State budget and would like to recognize the efforts of the Governor and the Director of Budget and Finance to stabilize the

budget profile. I would like to emphasize that these funding levels that are consistent within the Administration's current issuance plan and debt service levels. In other words, Mr. Speaker, this CIP budget will not, I repeat, will not require any additional debt service payments above what is already budgeted.

"Mr. Speaker, through the implementation of numerous projects within this CIP budget, we can help expand Hawaii's economy and address the structural needs of the most critical to maintain our long term viability of our State facilities. It is only through the ongoing maintenance of these facilities of the State that we can continue to provide the programs and services essential to those who need them most. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I just want to vote in support with just small reservations, and I'll insert written comments."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on House Bill 2012 HD1, which appropriates funds for operating and capital improvement costs for the Executive Branch. While I support the majority of the bill, I am opposed to the section that allocates \$75,000 for the creation of a State Bank Task Force. In the past, task forces have been able to achieve their missions without spending hard earned taxpayer dollars. It is our duty to our constituents to make fiscal responsibility a priority."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm just going to rise with a few reservations. There are certainly some very worthy, wonderful things in this budget, many that I do support. But I wanted to incorporate the words of the Minority Leader that the \$75,000 for the State Bank is of concern to me. I ask for additional written comments, please."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support with reservations of H.B. 2012 HD 1-Relating to the State Budget, which seeks to adjust and request appropriations for Fiscal Biennium 2011-13 funding requirements for operations and capital improvement projects of Executive Branch agencies and programs.

"While I support and appreciate the consideration of many of the programs incorporated into the budget in my district, such as the Hoopono Vocational Rehabilitation for Blind Division, as well as the Rehab Hospital of the Pacific and others, my main concerns regarding the State Budget are the hidden fees and the \$75,000 appropriated to the Department of Commerce and Consumer Affairs to support the efforts of a State Bank Task Force established in House Bill No. 1840, Regular Session of 2012 in order to review, investigate, evaluate, and study the feasibility and cost of establishing a State-owned bank in Hawaii. Thank you."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support, with just a few comments. I really want to thank the work of the Finance Committee and the staff. I understand the competing priorities and pressures that they face. The budget does reflect a very balanced approach.

"I just wanted to comment specifically on what the Representative of Mililani identified as the down payment on EUTF liability. I think that's an important measure. And as the budget discussions move forward, I hope, just as many of our local residents have learned over the past couple of years, the importance of saving, that we look at refunding, or funding the Hurricane Relief Fund, as well as the Emergency Rainy Day Fund. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker, my second time in favor with slight reservations. Mr. Speaker, I commend this Body for the spirit of civility. I've never heard such a mutual admiration, and love fest that was going on, which is good. I just want to add one comment about three caveats, three externalities which we have no control over.

"No matter how hard we've tried, and how great our faith has been, the fact that gasoline prices are increasing, inclining, spiking. If they increase at the rate that they're increasing, the third quarter of this year could really be a downer. So this budget has to take that into consideration.

"Secondly, the saber rattling between Israel and Iran is a very, very, very, very dangerous, volatile and unpredictable situation. That's something we have no control over.

"And thirdly, November is a very big variable for this nation and for this State. The elections of November are going to hold back people from hiring or investing because of the uncertainty of that.

"So Mr. Speaker, I don't say that to put a blanket on this love fest, but the reality is that we aren't out of the woods yet, and we have to be very cautious, whether it's the \$50 million for the EUTF, or \$75 thousand for a bank, which by the way the editorial said, to spend your money prudently. Shore up programs that you have. But don't venture into new programs. I couldn't resist but get that other part of the editorial.

"So having said that Mr. Speaker, God willing, everything will be fine. But those three external variables are very, very important to mention."

The motion was put to vote by the Chair and carried, and H.B. No. 2012, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Chang, Hanohano and Wooley being excused.

At 1:27 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2012, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 66 through 69) and concurrent resolutions (H.C.R. Nos. 93 through 99) were referred to Printing and further action was deferred:

H.R. No. 66, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE REINTEGRATION OF THE OFFICE OF THE CHANCELLOR OF THE UNIVERSITY OF HAWAII AT MANOA WITH THE OFFICE OF THE PRESIDENT OF THE UNIVERSITY OF HAWAII SYSTEM," was jointly offered by Representatives Takai and Nishimoto.

H.R. No. 67, entitled: "HOUSE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by Representative Hanohano.

H.R. No. 68, entitled: "HOUSE RESOLUTION RECOGNIZING HAWAIIAN NATIONALS AS A POPULATION RESIDING LAWFULLY IN THE HAWAIIAN ISLANDS," was offered by Representative Hanohano.

H.R. No. 69, entitled: "HOUSE RESOLUTION URGING THE HAWAII STATE BAR ASSOCIATION TO MAKE RECOMMENDATIONS TO ADDRESS SECTION 560:2-804, HAWAII REVISED STATUTES. RELATING TO THE REVOCATION OF PROBATE AND NONPROBATE TRANSFERS BY DIVORCE OR TERMINATION OF RECIPROCAL BENEFICIARY RELATIONSHIPS," was offered by Representative Say, by request.

H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE REINTEGRATION OF THE OFFICE OF THE CHANCELLOR OF THE UNIVERSITY OF HAWAII AT MANOA WITH THE OFFICE OF THE PRESIDENT OF THE UNIVERSITY OF HAWAII SYSTEM," was jointly offered by Representatives Takai and Nishimoto.

H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXPAND A SCHOOL GARDEN PROGRAM STATEWIDE," was jointly offered by Representatives Belatti, Awana, Cabanilla, Carroll, Coffman, Evans, Ichiyama, Jordan, Kawakami, McKelvey, Morikawa, Nakashima, Takumi, Wooley, Yamashita and Rhoads.

H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by Representative Hanohano.

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING HAWAIIAN NATIONALS AS A POPULATION RESIDING LAWFULLY IN THE HAWAIIAN ISLANDS," was offered by Representative Hanohano.

H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII STATE BAR ASSOCIATION TO MAKE RECOMMENDATIONS TO ADDRESS SECTION 560:2-804, HAWAII REVISED STATUTES. RELATING TO THE REVOCATION OF PROBATE AND NONPROBATE TRANSFERS BY DIVORCE OR TERMINATION OF RECIPROCAL BENEFICIARY RELATIONSHIPS," was offered by Representative Say, by request.

H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE OFFICE OF SOLID WASTE MANAGEMENT TO DEVELOP A PLAN OF INITIATIVES FOR IMPROVED REUSE AND RECYCLING OF GREEN WASTE BY WORKING WITH THE COUNTIES TO ADDRESS EACH COUNTY'S UNIQUE NEEDS ACCORDING TO THEIR GEOGRAPHY, POPULATION, AND UNIQUE INDUSTRY MAKE-UP," was offered by Representative Evans.

H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CREATE AN EFFICIENT TRACKING METHOD FOR DEOXYRIBONUCLEIC ACID (DNA) RAPE KITS AND TO REDUCE THE TIME TO PROCESS THE RESULTS," was offered by Representative Evans.

ADJOURNMENT

At 1:27 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 13, 2012. (Representatives Carroll, Chang, Hanohano and Wooley were excused.)

THIRTIETH DAY

Tuesday, March 13, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative John M. Mizuno, after which the Roll was called showing all Members present with the exception of Representatives Awana, Carroll, Thielen and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 228) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 228, dated March 8, 2012, transmitting the Hawaii Health Systems Corporation's Annual Audit and Report for FY 2011, pursuant to Section 323F-22(c), HRS.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Takai introduced Ms. Edie Smith of Philadelphia, Pennsylvania, an active member of Gold Star Wives of America. She was accompanied by her daughter and son-in-law, Mrs. Karen and Mr. Chas Willis, and grandchildren, Ms. Kimberly Willis and Mr. Kyle Willis of Hawaii.

Representative Tokioka, on behalf of the Kauai delegation, introduced members of the Kauai Community College Student Government: Mr. John Constantino, Ms. Dasha Dacosta, Mr. Lyle Ueunten and Mr. Nelson Butalion.

Representative C. Lee, on behalf of Representatives Thielen, Chong and himself, introduced Waimanalo resident 'Uncle Joe' Tassill and a group of seniors from Kailua.

Representative Ching recognized the Girl Scouts and their families who were seated in the Gallery.

At 12:15 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 973-12), recommending that H.C.R. No. 24, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 24, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote 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."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Awana, Carroll, Saiki and Thielen being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 974-12), recommending that H.C.R. No. 29, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 29, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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 Committees was adopted and H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Awana, Carroll, Saiki and Thielen being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 975-12), recommending that H.C.R. No. 30, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 30, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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 Committees was adopted and H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Awana, Carroll, Saiki and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 976-12) recommending that S.B. No. 2206, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2206, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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. 2206, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES," passed Second Reading and was referred to the Committee on Finance, with Representatives Awana, Carroll, Saiki and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 977-12) recommending that S.B. No. 2818, as

amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Awana, Carroll, Saiki and Thielen being excused.

At 12:18 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 82) was announced by the Clerk and the following action taken:

H.R. No. 82, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING THE GIRL SCOUTS OF HAWAII AND THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA FOR BEING THE STATE OF HAWAII AND THE NATION'S LARGEST AND OLDEST GIRL-FOCUSED LEADERSHIP ORGANIZATIONS," was jointly offered by Representatives M. Lee and Rhoads.

Representative M. Lee moved that H.R. No. 82, be adopted, seconded by Representative Rhoads.

Representative M. Lee commended the Girl Scouts of America for 100 years of molding members to be young, independent women by promoting resourcefulness, courage and self-sufficiency; and empowering girls to make a difference in the world through volunteerism and service.

Representative Rhoads congratulated the Girl Scouts of Hawaii on their 95th anniversary in their mission to build girls of courage, confidence and character, and empowering girls to have a voice on the issues that matter most to our Hawaii Nei.

Representative M. Lee then introduced the honorees representing the Girl Scouts of Hawaii who were seated on the Floor of the House:

Ms. Gail Mukaihata Hannemann, Chief Executive Officer of the Girl Scouts of Hawaii;

Ms. Bonnie Rice, Chair of the Board of Directors of the Girl Scouts of Hawaii; and

Miss Randi Pelch and Miss Marissa Andres of Girl Scout Troop 377.

Representative M. Lee then recognized the many Girl Scouts and supporters seated in the Gallery.

Representative Ching thanked the Girl Scouts of Hawaii for building the leaders of the future with their motto: Do a good turn daily.

The motion was put to vote by the Chair and carried, and H.R. No. 82, was adopted, with Representatives Awana, Carroll, Saiki, Takumi and Thielen being excused.

The following resolution (H.R. No. 83) was announced by the Clerk and the following action taken:

H.R. No. 83, entitled: "HOUSE RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS AND CELEBRATING THE 40TH ANNIVERSARY OF TITLE IX, THE PATSY T. MINK EQUAL OPPORTUNITY IN EDUCATION ACT," was jointly offered by Representatives Ichiyama and Morikawa.

Representative Ichiyama moved that H.R. No. 83, be adopted, seconded by Representative Morikawa.

Representative Ichiyama recognized the 40th anniversary of Title IX, the Patsy Takemoto Mink Equal Opportunity in Education Act, which provided for access for women and girls in athletics, higher education, career education, parenting studies, employment, sexual harassment prevention, standardized testing and technology.

Representative Ichiyama then introduced Congresswoman Mink's family who were seated in the Gallery:

Mrs. Mink's brother, Mr. Eugene Takemoto; his wife, Mrs. Frances Takemoto; and their daughter, Ms. Jo Ann Kagawa.

Representative Morikawa introduced the honorees who have helped to increase opportunities for women and girls in Hawaii who were seated on the Floor of the House:

Justice Sabrina McKenna, Associate Justice of the Hawaii Supreme Court;

Ms. Marilyn Moniz-Kaho'ohanohano, Associate Athletics Director and Senior Woman Administrator at the University of Hawaii;

Ms. Jennifer Rose, Gender Equity Specialist under the Office of the Chancellor at the University of Hawaii - William S. Richardson School of Law;

Ms. Jill Nunokawa, Civil Rights Counselor at the University of Hawaii; and

Ms. Catherine Betts, Executive Director for the Hawaii State Commission of the Status of Women.

Representative Morikawa also recognized the many family and friends seated in the Gallery.

Representative C. Lee commended the legacy of Congresswoman Patsy Mink and noted that Title IX brought a generation of change for not just women, but for men and families as well.

The motion was put to vote by the Chair and carried, and H.R. No. 83, was adopted, with Representatives Awana, Carroll, Nakashima, Saiki, Takumi and Thielen being excused.

The following resolution (H.R. No. 84) was announced by the Clerk and the following action taken:

H.R. No. 84, entitled: "HOUSE RESOLUTION CONGRATULATING NORMAN CHOW FOR BEING NAMED THE HEAD COACH OF THE UNIVERSITY OF HAWAII MANOA FOOTBALL TEAM," was offered by Representative Wooley.

Representative Wooley moved that H.R. No. 84, be adopted, seconded by Representative McKelvey.

Representative Wooley welcomed home an island son, and congratulated the new University of Hawaii Football Head Coach, Mr. Norman Chow, who was seated on the Floor of the House.

Representative McKelvey expressed his excitement on the upcoming University football season and wished Coach Chow and the University of Hawaii Football Team a successful season.

The motion was put to vote by the Chair and carried, and H.R. No. 84, was adopted, with Representatives Awana, Carroll, Nakashima, Saiki, Takumi and Thielen being excused.

At 12:59 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:14 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 72 through 81) and concurrent resolutions (H.C.R. Nos. 100 through 110) were referred to Printing and further action was deferred:

H.R. No. 72, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROHIBIT PARKING ON DATE STREET BETWEEN KAPIOLANI BOULEVARD AND LA'AU STREET DURING THE MORNING HOURS TO ALLEVIATE TRAFFIC CONGESTION," was offered by Representative Nishimoto, by request.

H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was jointly offered by Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hashem, McKelvey, Mizuno, Yamashita and Nakashima.

H.R. No. 74, entitled: "HOUSE RESOLUTION CONVENING AN AGRICULTURE POLICY TASK FORCE TO REVIEW AGRICULTURAL POLICIES FROM OTHER STATES IN PROVIDING FOR HAWAII'S AGRICULTURE INDUSTRY," was jointly offered by Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hashem, Mizuno, Nakashima and Yamashita.

H.R. No. 75, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was jointly offered by Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hashem, McKelvey, Mizuno, Nakashima and Yamashita.

H.R. No. 76, entitled: "HOUSE RESOLUTION REQUESTING THE CENTERS FOR MEDICARE & MEDICAID SERVICES TO ESTABLISH CRITERIA AND PENALTIES FOR MEDICAID PATIENTS WHO DO NOT ATTEND THEIR MEDICAL AND OTHER HEALTH CARE-RELATED APPOINTMENTS AS SCHEDULED," was jointly offered by Representatives Cabanilla, Evans and Souki.

H.R. No. 77, entitled: "HOUSE RESOLUTION URGING HAWAII PUBLIC HOUSING AUTHORITY TO ADOPT RULES TO PROHIBIT SMOKING IN ALL FEDERAL AND STATE PUBLIC HOUSING PROJECTS IN THE STATE," was jointly offered by Representatives Cabanilla, Evans, Manahan and Souki.

H.R. No. 78, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO PROMOTE COLLABORATION BETWEEN COMMUNITY HOSPITALS AND COMMUNITY HEALTH CENTERS AND DEVELOP A PLAN TO HAVE CERTAIN RURAL HOSPITALS DESIGNATED AS FEDERALLY QUALIFIED HEALTH CENTERS," was offered by Representative Yamane.

H.R. No. 79, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO AMEND THE FEDERAL SECTION 1115 WAIVER GRANTED TO HAWAII TO RAISE THE MEDICAID INCOME ELIGIBILITY CEILING TO THREE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL," was offered by Representative Yamane.

H.R. No. 80, entitled: "HOUSE RESOLUTION URGING CONGRESS TO CREATE A SEPARATE BRANCH OF THE UNITED STATES ARMED FORCES TO COMBAT CYBER CRIMES, CYBER WARFARE, AND CYBER TERRORISM," was jointly offered by Representatives Ward, Fontaine, Marumoto, Pine, Aquino, Brower and Evans.

H.R. No. 81, entitled: "HOUSE RESOLUTION PROPOSAL TO STUDY THE LESSONS LEARNED BY ISRAELI SOLAR ENERGY INITIATIVES AND THEIR APPLICABILITY TO THE STATE OF HAWAII," was jointly offered by Representatives Ward, Chang, Ching, Evans, Marumoto, Rhoads, Aquino, Brower, Fontaine, Hashem, McKelvey and Pine.

H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROHIBIT PARKING ON DATE STREET BETWEEN KAPIOLANI BOULEVARD AND LA'AU STREET DURING THE MORNING HOURS TO ALLEVIATE TRAFFIC CONGESTION," was offered by Representative Nishimoto, by request.

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was jointly offered by Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hashem, McKelvey, Nakashima and Yamashita.

H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING AN AGRICULTURE POLICY TASK FORCE TO REVIEW AGRICULTURAL POLICIES FROM OTHER STATES IN PROVIDING FOR HAWAII'S AGRICULTURE INDUSTRY," was jointly offered by Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hashem, McKelvey, Mizuno, Nakashima and Yamashita.

H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was jointly offered by Representatives Tsuji, Awana, Brower, Chang, Choy, Evans, Hashem, McKelvey, Mizuno, Nakashima and Yamashita.

H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DESIGNATE THE MAGOON RESEARCH AND TEACHING FACILITY SITE FOR THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was jointly offered by Representatives Tsuji, Awana, Chang, Choy, Evans, Hashem, McKelvey, Nakashima, Nishimoto and Takai.

H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTERS FOR MEDICARE & MEDICAID SERVICES TO ESTABLISH CRITERIA AND PENALTIES FOR MEDICAID PATIENTS WHO DO NOT ATTEND THEIR MEDICAL AND OTHER HEALTH CARE-RELATED APPOINTMENTS AS SCHEDULED," was jointly offered by Representatives Cabanilla, Evans and Souki.

H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII PUBLIC HOUSING AUTHORITY TO ADOPT RULES TO PROHIBIT SMOKING IN ALL FEDERAL AND STATE PUBLIC HOUSING PROJECTS IN THE STATE," was jointly offered by Representatives Cabanilla, Evans, Hashem, Manahan and Souki.

H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was offered by Representative Herkes.

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A REVIEW AND MAKE RECOMMENDATIONS ON THE REMOVAL OF MARINE DEBRIS CREATED BY THE 2011 TSUNAMI IN JAPAN," was offered by Representative Evans.

H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO CREATE A SEPARATE BRANCH OF THE UNITED STATES ARMED FORCES TO COMBAT CYBER CRIMES, CYBER WARFARE, AND CYBER TERRORISM," was jointly offered by Representatives Ward, Fontaine, Marumoto, Aquino, Brower, Evans and Pine.

H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION PROPOSAL TO STUDY THE LESSONS LEARNED BY ISRAELI SOLAR ENERGY INITIATIVES AND THEIR APPLICABILITY TO THE STATE OF HAWAII," was jointly offered by Representatives Ward, Chang, Ching, Evans, Marumoto, Rhoads, Aquino, Brower, Fontaine, Hashem, McKelvey and Pine.

ANNOUNCEMENTS

Representative Har, for the Committee on Water, Land & Ocean Resources and the Committee on Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of reconsidering action on S.B. No 2783, Relating to the Public Trust Lands.

"The hearing will be tomorrow morning, March 14, 2012 at 10:00 a.m. in Room 329. The Committees on Water, Land & Ocean Resources, and Hawaiian Affairs would like to reconsider prior action on S.B. No. 2783, the OHA settlement bill," and the Chair "so ordered."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.

Referred to:

- | | |
|----|--|
| 66 | Committee on Higher Education, then to the Committee on Finance |
| 67 | Committee on Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance |
| 68 | Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance |
| 69 | Committee on Judiciary |

H.C.R. Nos.

Referred to:

- | | |
|----|---|
| 93 | Committee on Higher Education, then to the Committee on Finance |
| 94 | Jointly to the Committee on Health and the Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance |
| 95 | Committee on Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance |
| 96 | Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance |
| 97 | Committee on Judiciary |
| 98 | Committee on Energy & Environmental Protection, then to the Committee on Finance |
| 99 | Committee on Judiciary, then to the Committee on Finance |

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.B. Nos.

Re-referred to:

- | | |
|--------------|---|
| 2304,
SD2 | Committee on Judiciary, then to the Committee on Finance |
| 2305,
SD2 | Committee on Hawaiian Affairs, then to the Committee on Judiciary |
| 2758,
SD1 | Committee on Consumer Protection & Commerce, then to the Committee on Finance |
| 3010,
SD2 | Jointly to the Committee on Transportation and the Committee on Energy & Environmental Protection, then to the Committee on Finance |

ADJOURNMENT

At 1:16 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 14, 2012. (Representatives Awana, Belatti, Carroll, Herkes, Ito, Kawakami, Nakashima, Saiki, Takumi and Thielen were excused.)

THIRTY-FIRST DAY

Wednesday, March 14, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Reverend Bert M. Sumiikawa of the Pacific Buddhist Academy, after which the Roll was called showing all Members present with the exception of Representative Herkes, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirtieth Day was deferred.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Oshiro introduced volunteers and advocates from the American Cancer Society:

Ms. Kehau Matsumoto;
Ms. Mia Ako (Kauai);
Ms. Jenny Hausler;
Ms. Bev Wong;
Ms. Cheryl Okuma (Maui);
Ms. Holly Ho-Chee Dupont (Hawaii-Hilo);
Ms. Gay Okada (Hawaii-Kona);
Ms. Eileen Steele;
Ms. Jean Laguna;
Mr. James Laguna;
Ms. Ann Jones;
Mr. Mark Vasconcellos;
Mr. Gerry Welling;
Ms. Linda Iverson;
Ms. Jackie Young, Executive Director; and
Ms. Lyla Berg, former State Representative.

They were accompanied by former CPC Staff Attorney, Mr. Cory Chun.

Representative Belatti recognized the many students, parents and faculty members of the Charter Schools who were at the Capitol this day:

Connections Public Charter School;
Education Laboratory Public Charter School;
Hakipu'u Learning Center Public Charter School;
Halau Ku Mana Public Charter School;
Ka Waihona o ka Na'auao Public Charter School;
Kamaile Academy Public Charter School;
Kanu o ka 'Aina Public Charter School;
Ke Kula 'o Samuel M. Kamakau Laboratory Public Charter School;
Kua O Ka La Public Charter School;
Kula Aupuni Niihau A Kahelelani Aloha Public Charter School;
Lanikai Elementary Public Charter School;
Voyager Public Charter School;
Wai'ala'e Elementary Public Charter School;
Waters of Life Public Charter School; and
West Hawai'i Explorations Academy Public Charter School.

Representative McKelvey introduced his high school classmate, Ms. Kati Robertson working with the Charter School on Hawaii Island.

Representative Johanson welcomed former Representative Lynn Finnegan, Executive Director of the Hawaii Charter Schools Network; and her husband, Captain Peter Finnegan.

Representative Morikawa introduced Mrs. Hedy Sullivan and her husband from Kauai.

Representative Ward also welcomed former House Minority Research Director, Mr. Boyd Akase.

Representative Marumoto introduced former Hawaii District Superintendent, Ms. Pat Bergen of Waimea working with the Charter Schools.

Representative Brower recognized American Cancer Society volunteers, Ms. Eileen Steele and Ms. Jenny Hausler, and extended his personal appreciation for the time they spent with his mother in her final days.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 978-12) recommending that S.B. No. 2873, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2873, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Herkes being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 979-12) recommending that S.B. No. 2746, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2746, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Herkes being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 980-12) recommending that S.B. No. 2402, SD 1, pass Second Reading and be referred jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2402, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," passed Second Reading and was referred jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, with Representative Herkes being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 981-12) recommending that S.B. No. 2114, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2114, SD 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 Representative Herkes being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 982-12) recommending that S.B. No. 2632, SD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2632, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Herkes being excused.

Representatives Brower and Awana, for the Committee on Tourism and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 983-12) recommending that S.B. No. 490, SD 3, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 490, SD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 984-12) recommending that S.B. No. 2318, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2318, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 985-12) recommending that S.B. No. 2505, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2505, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 986-12) recommending that S.B. No. 2798, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2798, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 987-12) recommending that S.B. No. 2590, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2590, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 988-12) recommending that S.B. No. 2709, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING

THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 989-12) recommending that S.B. No. 2821, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2821, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

At 12:19 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

At this time, the Chair announced:

"Before the recess, on the previous motion, the Chair will allow for written comments. My apologies for going too quickly."

Representative Thielen rose, stating:

"Thank you, Mr. Speaker. I'm rising on a point of personal privilege. Mr. Speaker, the North Shore Representative and I consistently have voted no on Senate Bill 2873, and we would like the record to reflect that we still continue to vote no on that. And I would like your permission to insert written comments."

At 12:23 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

Representative Thielen rose, stating:

"Mr. Speaker. Thank you for your permission to insert my comments in opposition to Senate Bill 2873. And behalf of my colleague from the North Shore, I would request permission for him to do the same, and to have these remarks reflected in the Journal," and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"This bill temporarily amends Chapter 343, HRS, to clarify current EIS exemptions for certain secondary actions. The Department of Transportation sought the exemptions instead of seeking the Environmental Council's approval for secondary action exemption on highway projects.

"The Department of Transportation should go through the process with the Office of Environmental Quality control for getting the exemptions under their rules.

"We should not codify an exemption when the DOT can get an exemption on its own through the current process. This bill is not necessary.

"The Outdoor Circle testified that "Existing law already give the agencies the authority to quickly exempt any project or action that is expected to have no or negligible environmental impacts. However, sometimes these projects aren't as innocuous as they appear and they cannot qualify for an exemption under HRS chapter 343."

"David Penn of UH Environmental Center stated that DOT should go "through the existing exemption process provided under HRS Chapter 343, rather than by promoting a blanket legislative exemption for a potentially broad range of future actions and their unforeseen consequences.""

Representative Ching rose, stating:

"Thank you, Mr. Speaker. Same request, please," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of S.B. 2873 – Relating to Environmental Impact Studies. This bill temporarily amends Chapter 343, Hawaii Revised Statutes, to clarify current exemptions for secondary actions limited to development within existing public right-of-ways or highways. It requires that applicants prepare environmental assessments when required.

"While I generally support measures that free up time and prevent unnecessary delays, I am concerned that S.B. 2873 contains problematic language. Minor roadway improvements are already generally exempted from environmental reviews. This bill defeats the purpose of the exemption, and is not an exemption at all. As well, it would more than likely open the door for lawsuits. Thank you."

Representative Riviere rose, stating:

"Thank you. I just wanted to affirm the Representative from Kailua's request. I am in opposition to that bill also. Thank you," and the Chair "so ordered."

Representative Riviere's written remarks are as follows:

"I oppose SB2873, which passed Second Reading without an opportunity for me to comment and raise my objection. Had I been provided a reasonable opportunity to cast my vote, it would have been No.

"This bill is unnecessary as the Department of Transportation already has authority to exempt projects that pose no environmental risk. The Office of Environmental Quality Control has testified that they have no backlog of agency requests for project exemption lists and they are fully staffed and ready to provide guidance on exemption matters. Blanket exemptions are bad policy, especially when agencies have authority to exempt certain common sense projects. Somebody should take a look for potential impacts and make a determination if an exemption is warranted."

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 990-12), recommending that H.R. No. 5, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.R. No. 5, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 H.R. No. 5, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 991-12), recommending that H.C.R. No. 5, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 5, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 H.C.R. No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was referred to the Committee on Finance, with Representative Herkes being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 85 through 110) and concurrent resolutions (H.C.R. Nos. 111 through 148) were referred to Printing and further action was deferred:

H.R. No. 85, entitled: "HOUSE RESOLUTION RECOGNIZING AND SUPPORTING THE POSITION OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS AND URGING THE GOVERNOR TO SUPPORT THE DEVELOPMENT OF THE AHA MOKU SYSTEM OF NATURAL RESOURCE MANAGEMENT AND TO ESTABLISH THE AHA MOKU ADVISORY COMMITTEE WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE GUIDANCE IN THE MANAGEMENT OF NATURAL RESOURCES IN HAWAII," was offered by Representative Hanohano.

H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXTEND THE HOURS DURING WHICH PARKING IS PROHIBITED ON ISENBERG STREET," was jointly offered by Representatives Saiki and Choy.

H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was jointly offered by Representatives Ichiyama, Aquino, Cullen, M. Lee, Rhoads, Takumi, Yamashita, Luke and Souki.

H.R. No. 88, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO PARTICIPATE IN THE COASTAL AND MARINE SPATIAL PLANNING INITIATIVE OF THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY, INTERAGENCY OCEAN POLICY TASK FORCE," was offered by Representative Hanohano.

H.R. No. 89, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO CONTINUE RECOGNIZING KULEANA LANDS AS HISTORICAL LANDS AND TO NOT TERMINATE OR WEAKEN THE PROPERTY-TAX EXEMPTIONS FOR KULEANA LANDS," was offered by Representative Hanohano.

H.R. No. 90, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO PROPERLY SUPPORT THE SMALL BUSINESS REGULATORY REVIEW BOARD OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM IN ASSISTING HAWAII'S SMALL BUSINESSES," was jointly offered by Representatives McKelvey, Aquino, Choy, Evans, Herkes, Ichiyama, Yamashita and Tokioka.

H.R. No. 91, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED," was jointly offered by Representatives Keith-Agaran, Hanohano, C. Lee, Luke and Rhoads.

H.R. No. 92, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTORS OF HEALTH AND HUMAN SERVICES TO ADOPT ADMINISTRATIVE RULES THAT REQUIRE CARE HOME OPERATORS IN THE STATE TO OBTAIN AND MAINTAIN LIABILITY INSURANCE," was jointly offered by Representatives Keith-Agaran and Manahan.

H.R. No. 93, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO ENGAGE IN EFFORTS TO ACQUIRE THE PARCEL OF KAKA'AKO MAKAI LAND COMMONLY KNOWN AS THE "HONOLULU FORD PARCEL" AND OTHER LANDS OWNED BY KAMEHAMEHA SCHOOLS LOCATED IN KAKA'AKO MAKAI," was jointly offered by Representatives Keith-Agaran, Nakashima and Nishimoto.

H.R. No. 94, entitled: "HOUSE RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENTS," was offered by Representative Oshiro.

H.R. No. 95, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was jointly offered by Representatives M. Lee, Aquino, Belatti, Brower, Chang, Choy, Cullen, Hanohano, Har, Herkes, Ichiyama, Ito, Kawakami, C. Lee, McKelvey, Mizuno, Nishimoto, Oshiro, Rhoads, Takumi, Tsuji, Yamane, Yamashita, Keith-Agaran, Souki and Tokioka.

H.R. No. 96, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF CERTAIN ISSUES RELATING TO RISING HEALTH INSURANCE PREMIUM COSTS, AS ADDRESSED BY HOUSE BILL NO. 1896, REGULAR SESSION 2012," was offered by Representative Say.

H.R. No. 97, entitled: "HOUSE RESOLUTION URGING THE INCLUSION OF THE PEOPLE'S REPUBLIC OF CHINA IN THE VISA WAIVER PROGRAM," was jointly offered by Representatives Brower, Aquino, Awana, Belatti, Cabanilla, Chang, Coffman, Cullen, Evans, Giugni, Hanohano, Herkes, Ichiyama, Ito, C. Lee, M. Lee, Mizuno, Nakashima, Rhoads, Souki, Takumi, Tokioka, Tsuji, Ward, Wooley, Har, Oshiro and Yamashita.

H.R. No. 98, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO SUPPORT AND INCLUDE THE PHILIPPINES IN THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was jointly offered by Representatives Brower, Aquino, Awana, Belatti, Cabanilla, Cullen, Evans, Herkes, Ito, M. Lee, Manahan, Mizuno, Oshiro, Pine, Rhoads, Takumi, Tsuji, Ward, Yamane, Har and Souki.

H.R. No. 99, entitled: "HOUSE RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL TO CONSIDER A BAN OR SIZE RESTRICTION ON TARPS AND CANOPIES ON PUBLIC BEACHES," was jointly offered by Representatives Brower, Cabanilla, Mizuno, Evans, Souki and Tsuji.

H.R. No. 100, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE HONOLULU POLICE DEPARTMENT TO ADDRESS THE LACK OF SECURITY AND RULE ENFORCEMENT AT HARBORS OPERATED AND MANAGED BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES ON OAHU," was jointly offered by Representatives Brower, Cabanilla, Hanohano, Herkes, C. Lee, Mizuno, Souki, Takumi, Wooley, Aquino, Belatti, Chang, Coffman, Cullen, Evans, Ichiyama, Kawakami, Nakashima, Rhoads, Tokioka and Tsuji.

H.R. No. 101, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INCREASE THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE TO HAWAII," was jointly offered by Representatives Cabanilla, Brower, Mizuno, Tsuji, Yamane, Yamashita and Souki.

H.R. No. 102, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROHIBIT SMOKING IN ALL PUBLIC HOUSING PROJECTS AND STATE LOW-INCOME HOUSING PROJECTS," was jointly offered by Representatives Cabanilla, Mizuno, Tsuji and Ichiyama.

H.R. No. 103, entitled: "HOUSE RESOLUTION URGING THE CENTERS FOR MEDICARE & MEDICAID SERVICES, PRIVATE HEALTH INSURERS, AND PRIVATE HEALTH PROVIDERS TO ADOPT THE PRINCIPLES AND HEALTH CARE GUIDELINES REGARDING END-OF-LIFE CARE IN THE DARTMOUTH ATLAS OF HEALTH CARE," was jointly offered by Representatives Cabanilla, Mizuno, Ichiyama and Wooley.

H.R. No. 104, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STADIUM AUTHORITY, IN CONSULTATION WITH THE HAWAII TOURISM AUTHORITY AND THE UNIVERSITY OF HAWAII, TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF IMPROVING AND EXPANDING THE ALOHA STADIUM AND ITS GROUNDS," was jointly offered by Representatives McKelvey, Aquino, Cullen, Ichiyama, Johanson and Mizuno.

H.R. No. 105, entitled: "HOUSE RESOLUTION URGING THE NATIONAL AGRICULTURAL STATISTICS SERVICE TO USE GREEN COFFEE, INSTEAD OF PARCHMENT EQUIVALENT, AS THE BASIS FOR VALUING HAWAII'S COFFEE CROPS," was jointly offered by Representatives McKelvey, Evans, Mizuno and Hashem.

H.R. No. 106, entitled: "HOUSE RESOLUTION REQUESTING THAT DEVELOPERS AND COUNTY PLANNING DEPARTMENTS ENCOURAGE SMALLER AND CHEAPER HOUSING," was jointly offered by Representatives Ward, Awana, Cabanilla, Fontaine, Ichiyama, Pine, Riviere, Say and Nishimoto.

H.R. No. 107, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI INDONESIA," was jointly offered by Representatives Ward, Awana, Cabanilla, Fontaine, Ichiyama, Johanson, Marumoto, Say, Yamashita, Nishimoto, Pine and Riviere.

H.R. No. 108, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, HAWAII CHAPTER, TO DEVELOP CONTINUING EDUCATION REQUIREMENTS FOR LICENSED SOCIAL WORKERS," was offered by Representative Yamane.

H.R. No. 109, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON SEXUALLY TRANSMITTED DISEASES AMONG THE ELDERLY," was offered by Representative Tsuji, by request.

H.R. No. 110, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO AMEND PRESIDENTIAL PROCLAMATION 8031, AS AMENDED BY PROCLAMATION 8112, TO INCLUDE CUSTOMARY EXCHANGE AS A PERMITTED ACTIVITY WITHIN THE PAPA'HA'NAUMOKU'AKEA MARINE NATIONAL MONUMENT," was offered by Representative Hanohano.

H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ESTABLISH A TASK FORCE TO STUDY THE FEASIBILITY OF THE COUNTIES ADOPTING RULES THAT REGULATE CLEAN AND SOBER HOUSING AND COMPLY WITH FEDERAL AND STATE LAWS," was offered by Representative C. Lee.

H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND SUPPORTING THE POSITION OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS AND URGING THE GOVERNOR TO SUPPORT THE DEVELOPMENT OF THE AHA MOKU SYSTEM OF NATURAL RESOURCE MANAGEMENT AND TO ESTABLISH THE AHA MOKU ADVISORY COMMITTEE WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE GUIDANCE IN THE MANAGEMENT OF NATURAL RESOURCES IN HAWAII," was offered by Representative Hanohano.

H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXTEND THE HOURS DURING WHICH PARKING IS PROHIBITED ON ISENBERG STREET," was jointly offered by Representatives Saiki and Choy.

H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION APPLYING TO CONGRESS TO CALL A NATIONAL CONSTITUTIONAL CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION," was jointly offered by Representatives Rhoads, C. Lee, Takumi, Choy, Ichiyama, Keith-Agaran and M. Lee.

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was jointly offered by Representatives Ichiyama, Aquino, Cullen, M. Lee, Rhoads, Takumi, Yamashita, Luke and Souki.

H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO PARTICIPATE IN THE COASTAL AND MARINE SPATIAL PLANNING INITIATIVE OF THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY, INTERAGENCY OCEAN POLICY TASK FORCE," was offered by Representative Hanohano.

H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO CONTINUE RECOGNIZING KULEANA LANDS AS HISTORICAL LANDS AND TO NOT TERMINATE OR WEAKEN THE PROPERTY-TAX EXEMPTIONS FOR KULEANA LANDS," was offered by Representative Hanohano.

H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," was jointly offered by Representatives McKelvey, Chang, Nakashima, Rhoads and Herkes.

H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROPERLY SUPPORT THE SMALL BUSINESS REGULATORY REVIEW BOARD OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM IN ASSISTING HAWAII'S SMALL BUSINESSES," was jointly offered by Representatives McKelvey, Aquino, Choy, Evans, Ichiyama, Kawakami, Yamashita and Tokioka.

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVEY A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED," was jointly offered by Representatives Keith-Agaran, Hanohano, C. Lee, Luke and Rhoads.

H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTORS OF HEALTH AND HUMAN SERVICES TO ADOPT ADMINISTRATIVE RULES THAT REQUIRE CARE HOME OPERATORS IN THE STATE TO OBTAIN AND MAINTAIN LIABILITY INSURANCE," was jointly offered by Representatives Keith-Agaran and Manahan.

H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO ENGAGE IN EFFORTS TO ACQUIRE THE PARCEL OF KAKA'AKO MAKAI LAND COMMONLY KNOWN AS THE "HONOLULU FORD PARCEL" AND OTHER LANDS OWNED BY KAMEHAMEHA SCHOOLS LOCATED IN KAKA'AKO MAKAI," was jointly offered by Representatives Keith-Agaran, Nakashima and Nishimoto.

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENT," was offered by Representative Oshiro.

H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was jointly offered by Representatives M. Lee, Aquino, Belatti, Brower, Chang, Cullen, Hanohano, Har, Herkes, Ichiyama, Ito, Kawakami, C. Lee, McKelvey, Mizuno, Nishimoto, Oshiro, Rhoads, Souki, Takumi, Tokioka, Tsuji, Yamane, Yamashita, Choy, and Keith-Agaran.

H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING THE LONG-TERM CARE FINANCING TASK FORCE TO CONDUCT A FEASIBILITY STUDY ON THE VIABILITY OF USING ACCELERATED DEATH BENEFITS AND VIATICAL SETTLEMENTS AS SOURCES OF FUNDING FOR LONG-TERM CARE NEEDS," was jointly offered by Representatives M. Lee, Awana, Thielen and Jordan.

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT A LONG-TERM CARE COORDINATOR," was jointly offered by Representatives M. Lee, Awana, Jordan and Thielen.

H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY AND KAMEHAMEHA SCHOOLS TO CONSIDER AN EXCHANGE OF LAND," was offered by Representative Say.

H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF CERTAIN ISSUES RELATING TO RISING HEALTH INSURANCE PREMIUM COSTS, AS ADDRESSED BY HOUSE BILL NO. 1896, REGULAR SESSION 2012," was offered by Representative Say.

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE INCLUSION OF THE PEOPLE'S REPUBLIC OF CHINA IN THE VISA WAIVER PROGRAM," was jointly offered by Representatives Brower, Aquino, Awana, Belatti, Cabanilla, Chang, Coffman, Cullen, Evans, Hanohano, Herkes, Ichiyama, Ito, Kawakami, C. Lee, M. Lee, Mizuno, Nakashima, Rhoads, Takumi, Tokioka, Tsuji, Ward, Wooley, Har, Hashem, Oshiro, Souki and Yamashita.

H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO SUPPORT AND INCLUDE THE PHILIPPINES IN THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was jointly offered by Representatives Brower, Aquino, Awana, Belatti, Cabanilla, Cullen, Evans, Herkes, Ito, M. Lee, Manahan, Mizuno, Oshiro, Pine, Rhoads, Takumi, Tsuji, Ward, Yamane, Har and Souki.

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL TO CONSIDER A BAN OR SIZE RESTRICTION ON TARPS AND CANOPIES ON PUBLIC BEACHES," was jointly offered by Representatives Brower, Cabanilla, Mizuno, Evans, Souki and Tsuji.

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE HONOLULU POLICE DEPARTMENT TO ADDRESS THE LACK OF SECURITY AND RULE ENFORCEMENT AT HARBORS OPERATED AND MANAGED BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES ON OAHU," was jointly offered by Representatives Brower, Cabanilla, Hanohano, Herkes, C. Lee, Mizuno, Takumi, Aquino, Belatti, Chang, Coffman, Cullen, Evans, Hashem, Ichiyama, Nakashima, Rhoads, Souki, Tokioka and Tsuji.

H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE INFERTILITY PROCEDURE COVERAGE," was jointly offered by Representatives Brower, Cabanilla, Evans, Hanohano, Mizuno, Souki, Nakashima, Rhoads and Wooley.

H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INCREASE THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE TO HAWAII," was jointly offered by Representatives Cabanilla, Mizuno, Tsuji, Yamane and Yamashita.

H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROHIBIT SMOKING IN ALL PUBLIC HOUSING PROJECTS AND STATE LOW-INCOME HOUSING PROJECTS," was jointly offered by Representatives Cabanilla, Mizuno, Ichiyama and Tsuji.

H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CENTERS FOR MEDICARE & MEDICAID SERVICES, PRIVATE HEALTH INSURERS, AND PRIVATE HEALTH PROVIDERS TO ADOPT THE PRINCIPLES AND HEALTH CARE GUIDELINES REGARDING END-OF-LIFE CARE IN THE DARTMOUTH ATLAS OF HEALTH CARE," was jointly offered by Representatives Cabanilla, Mizuno, Wooley and Ichiyama.

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HOOKAKOO CORPORATION TO CONVENE A WORKING GROUP TO DETERMINE STAKEHOLDER INVOLVEMENT IN CONVERSION CHARTER SCHOOLS," was offered by Representative Evans.

H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE RENAMING OF THE SCIENCE TECHNOLOGY ENGINEERING MATHEMATICS (STEM) INITIATIVES TO THE SCIENCE TECHNOLOGY ENGINEERING AGRICULTURE MATHEMATICS (STEAM) INITIATIVES," was jointly offered by Representatives Evans, Aquino, Awana, Chang, Choy, Cullen, Giugni, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Jordan, Keith-Agaran, C. Lee, Luke, McKelvey, Morikawa, Nishimoto, Oshiro, Say, Souki, Takai, Takumi, Tsuji, Wooley, Cabanilla, Chong and Tokioka.

H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE INTERNATIONAL SPACE MUSEUM AND CULTURAL CENTER'S INTENTION TO BUILD A SELF-SUSTAINED INTERACTIVE SCIENCE MUSEUM ON OAHU," was jointly offered by Representatives McKelvey, Evans, Har, Mizuno, Nishimoto and Ward.

H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE OFFICE OF AEROSPACE DEVELOPMENT TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR HAWAII TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES," was jointly offered by Representatives McKelvey, Aquino, Cullen, Evans, Hashem, Johanson, Mizuno, Nishimoto, Ward and Yamashita.

H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO CONVENE A TASK FORCE ON DOG BREEDING," was jointly offered by Representatives McKelvey, Aquino, Choy, Cullen, Nishimoto, Keith-Agaran and Thielen.

H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES," was offered by Representative McKelvey.

H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," was offered by Representative McKelvey.

H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT DEVELOPERS AND COUNTY PLANNING DEPARTMENTS ENCOURAGE SMALLER AND CHEAPER HOUSING," was jointly offered by Representatives Ward, Awana, Cabanilla, Fontaine, Ichiyama, Manahan, Marumoto, Pine, Riviere, Say and Nishimoto.

H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI INDONESIA," was jointly offered by Representatives Ward, Awana, Cabanilla, Fontaine, Ichiyama, Johanson, Manahan, Marumoto, Oshiro, Say, Yamashita, Nishimoto, Pine and Riviere.

H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, HAWAII CHAPTER, TO DEVELOP CONTINUING EDUCATION REQUIREMENTS FOR LICENSED SOCIAL WORKERS," was offered by Representative Yamane.

H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE MEASUREMENT STANDARDS BRANCH WITHIN THE DEPARTMENT OF AGRICULTURE," was jointly offered by Representatives Tsuji, Choy, Evans, Hashem and McKelvey.

H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO AMEND PRESIDENTIAL PROCLAMATION 8031, AS AMENDED BY PROCLAMATION 8112, TO INCLUDE CUSTOMARY EXCHANGE AS A PERMITTED ACTIVITY WITHIN THE PAPAHANAU MOKUAKEA MARINE NATIONAL MONUMENT," was offered by Representative Hanohano.

ANNOUNCEMENTS

Representative McKelvey, for the Committee on Economic Revitalization & Business Concerns requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Thursday at 9:45 a.m. in Room 312, and the Chair "so ordered."

S.B. No. 2433 SD 2, Relating to Challenge Course Technologies.

Representative Takumi: "Thank you, very much. I know when you get to be around my age, you don't like to be reminded of birthdays. But I'm sure our honoree today does not mind because she is a young lady, and that's none other than our Vice-Chair of Education, Della Belatti. She doesn't look a day over 39, I must say. Thank you."

Vice Speaker Manahan: "If there are no further announcements, the Chair would like to remind the Members that today is the deadline for introducing substantive Resolutions. Please make sure you file your substantive Resolutions with the Clerk's Office by 6:00 p.m. this evening."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
2332, SD2	Committee on Health, then to the Committee on Finance
2872	Committee on Transportation, then to the Committee on Finance
2927, SD2	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then to the Committee on Finance

OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving Resolutions for introduction, seconded by Representative Pine and carried. (Representative Herkes was excused.)

RECESS

At 12:28 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 12:00 o'clock noon tomorrow, Thursday, March 15, 2012. (Representative Herkes was excused.)

SUPPLEMENTAL CALENDAR #1

INTRODUCTION OF RESOLUTIONS

[Note: The following resolutions (H.R. Nos. 111 through 178) and concurrent resolutions (H.C.R. Nos. 149 through 229) were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day, were referred to Printing and further action was deferred.]

H.R. No. 111, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO IDENTIFY WAYS TO IMPROVE AND ACCELERATE THE PROCESSING OF WORKER'S COMPENSATION CLAIMS," was offered by Representative Marumoto.

H.R. No. 112, entitled: "HOUSE RESOLUTION CONGRATULATING MALAMA KOLOA FOR RECEIVING A DESIGNATION OF HOLO HOLO KOLOA AS A STATE SCENIC BYWAY AND SUPPORTING THE SCENIC BYWAY CORRIDOR MANAGEMENT PLAN FOR HOLO HOLO KOLOA," was jointly offered by Representatives Morikawa, Kawakami and Tokioka.

H.R. No. 113, entitled: "HOUSE RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," was jointly offered by Representatives Morikawa, Ching, Hanohano, Ichiyama, Jordan, Luke, Nishimoto and Ward.

H.R. No. 114, entitled: "HOUSE RESOLUTION URGING FOOD MANUFACTURERS TO LABEL ALL GENETICALLY MODIFIED OR ENGINEERED FOOD PRODUCTS AS A "GENETICALLY-ENGINEERED FOOD PRODUCT"," was offered by Representative Hanohano.

H.R. No. 115, entitled: "HOUSE RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," was jointly offered by Representatives Choy, Chong, Hashem, Herkes, M. Lee, McKelvey, Rhoads, Har and Oshiro.

H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU TO INSPECT, CLEAN, AND FIX THE DRAINAGE SYSTEM IN EAST HONOLULU," was offered by Representative Hashem.

H.R. No. 117, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO AMEND ITS ADMINISTRATIVE RULES TO PROHIBIT THE USE OF LAY GILL NETS FOR CATCHING OIO," was offered by Representative Hashem.

H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was jointly offered by Representatives Hashem, Morikawa and Yamashita.

H.R. No. 119, entitled: "HOUSE RESOLUTION RECOGNIZING HAWAII AS A HUMAN RIGHTS STATE," was offered by Representative Rhoads.

H.R. No. 120, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE IMPACT OF THE NEW ADULT PROTECTIVE SERVICES LAW," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.R. No. 121, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A DEMONSTRATION PROJECT TO INTEGRATE HEALTHCARE FOR INDIVIDUALS ENROLLED IN BOTH MEDICAID AND MEDICARE," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON ASSET LIMITS TO QUALIFY FOR PUBLIC ASSISTANCE," was offered by Representative Jordan.

H.R. No. 125, entitled: "HOUSE RESOLUTION REQUESTING THE LIEUTENANT GOVERNOR TO CONVENE A VOTER PARTICIPATION TASK FORCE ON VOTER REGISTRATION AND VOTER TURNOUT IN HAWAII," was jointly offered by Representatives Keith-Agaran, Belatti, Brower, Choy, C. Lee, Luke, McKelvey, Nakashima, Nishimoto, Rhoads, Saiki, Souki, Takai, Takumi, Wooley and Yamashita.

H.R. No. 126, entitled: "HOUSE RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," was offered by Representative Keith-Agaran.

H.R. No. 127, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF THE EXECUTIVE OFFICE ON AGING TO ESTABLISH THE LONG-TERM CARE FINANCING TASK FORCE TO ASSESS THE FEASIBILITY OF ESTABLISHING A MODEST, PUBLIC, LONG-TERM CARE INSURANCE PROGRAM IN HAWAII," was jointly offered by Representatives M. Lee, Thielen and Jordan.

H.R. No. 128, entitled: "HOUSE RESOLUTION REQUESTING A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF EDUCATION AND AHA KAULEO KAIAPUNI HAWAII FOR DEVELOPMENT IN THE HAWAIIAN LANGUAGE OF THE READING, MATH, SCIENCE, AND OTHER ASSESSMENTS ADMINISTERED TO STUDENTS IN GRADES THREE THROUGH SIX OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN LANGUAGE IMMERSION PROGRAM AND FORMAL ACKNOWLEDGMENT BY STATUTE OR RULE OF AHA KAULEO KAIAPUNI HAWAII," was offered by Representative Carroll.

H.R. No. 129, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was offered by Representative Carroll.

H.R. No. 130, entitled: "HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was jointly offered by Representatives Awana, Hashem, M. Lee, Rhoads, Tsuji and Riviere.

H.R. No. 131, entitled: "HOUSE RESOLUTION SUPPORTING THE ESTABLISHMENT OF TWENTY-FOUR HOUR OPEN-AIR CULTURAL MARKETPLACES THROUGHOUT HAWAII," was jointly offered by Representatives Awana, Hashem, Tsuji, Cabanilla, Ichiyama, M. Lee, Riviere and Yamashita.

H.R. No. 132, entitled: "HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE OF BUILDING A LASTING RELATIONSHIP AND FRIENDSHIP BETWEEN THE PEOPLE OF HAWAII AND YEREVAN, ARMENIA," was jointly offered by Representatives Awana, Cabanilla, Hashem, M. Lee, Tsuji and Riviere.

H.R. No. 133, entitled: "HOUSE RESOLUTION RECOGNIZING THE CULTURAL, EDUCATIONAL, POLITICAL, AND ECONOMIC RELATIONS BETWEEN THE PEOPLE OF HAWAII AND ISTANBUL, TURKEY," was jointly offered by Representatives Awana, Hashem, M. Lee, Rhoads, Tsuji and Riviere.

H.R. No. 134, entitled: "HOUSE RESOLUTION URGING THE CENTERS FOR MEDICARE & MEDICAID SERVICES, PRIVATE HEALTH INSURERS, AND PRIVATE HEALTH PROVIDERS TO ADOPT THE PRINCIPLES AND HEALTH CARE GUIDELINES IN THE DARTMOUTH ATLAS OF HEALTH CARE," was jointly offered by Representatives Cabanilla, Mizuno, Chong, Kawakami, Manahan, Souki and Yamashita.

H.R. No. 135, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND EFFECTIVENESS OF IMPLEMENTING DRUG TESTING TO TENANTS, SELECTED APPLICANTS, AND APPLICANTS OF FEDERAL AND STATE LOW-INCOME HOUSING IN THE STATE," was jointly offered by Representatives Cabanilla, Hanohano, Tokioka, Yamane, Chong, Kawakami, Manahan and Souki.

H.R. No. 136, entitled: "HOUSE RESOLUTION URGING THE COASTAL ZONE MANAGEMENT PROGRAM UNDER THE OFFICE OF PLANNING TO ASCERTAIN THE DISPOSITION OF TITLE AND OWNERSHIP OF ACREAGE ALONG THE PEARL HARBOR SHORELINE BORDERING WAIPAHU AND THE WESTLOCK SHORELINES THAT ACCUMULATED AS A RESULT OF MANGROVES, VEGETATION, AND ACCRETED LAND FROM RIVERS UPSTREAM," was jointly offered by Representatives Cabanilla, Manahan, Mizuno and Souki.

H.R. No. 137, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was offered by Representative Yamane.

H.R. No. 138, entitled: "HOUSE RESOLUTION REQUESTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CONVENE A LEGISLATIVE TASK FORCE TO ASSESS THE IMPACT OF THE POTENTIAL SALE OF THE TESORO OIL REFINERY ON CONSUMERS AND THE STATE," was jointly offered by Representatives Yamane, Aquino, Chong, Choy, Coffman, Cullen, Har, Herkes, Ichiyama, McKelvey, Oshiro, Rhoads, Say, Souki and Tokioka.

H.R. No. 139, entitled: "HOUSE RESOLUTION REQUESTING AN AUDIT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO MAINTENANCE CONTRACTS AND EXPENDITURES," was jointly offered by Representatives Riviere, Awana, Fontaine, Manahan, Marumoto, McKelvey, Mizuno, Oshiro, Souki, Thielen, Ward, Chong, Choy, Johanson, Kawakami and Pine.

H.R. No. 140, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE REGIONAL TRAFFIC IMPACTS OF PROPOSED DEVELOPMENTS AND INCREASING TOURISM IN THE NORTH SHORE AND KOOLAULO DISTRICTS," was jointly offered by Representatives Riviere, Ching, Manahan, Marumoto, McKelvey, Mizuno, Souki, Thielen, Ward, Awana, Chong, Choy, Fontaine, Johanson, Kawakami and Pine.

H.R. No. 141, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH A MORATORIUM ON ELECTRICITY RATE INCREASES UNTIL JUNE 30, 2014, AND CONSIDER MODIFICATION OF THE AUTOMATIC FUEL ADJUSTMENT CLAUSE FOR ELECTRIC UTILITIES," was offered by Representative Say.

H.R. No. 142, entitled: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO ESTABLISH A MORATORIUM ON HEALTH INSURANCE PREMIUM RATE INCREASES UNTIL JUNE 30, 2014," was offered by Representative Say.

H.R. No. 143, entitled: "HOUSE RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was offered by Representative Ito.

H.R. No. 144, entitled: "HOUSE RESOLUTION REQUESTING THE WEEK OF OCTOBER 1 THROUGH 7, 2012, TO BE RECOGNIZED AS "HAWAII FISHING AND SEAFOOD WEEK"," was jointly offered by Representatives Ito, Chang, Har and Say.

H.R. No. 145, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REVIEW ITS BY-LAWS AND POLICIES, APPLICABLE ADMINISTRATIVE RULES AND STATUTES, AS WELL AS ANY INTERNAL PRACTICES AND PROCEDURES, TO PROVIDE THE BEST POSSIBLE LEGAL PROTECTION FOR PUBLIC SCHOOL TEACHERS AND ADMINISTRATORS WHO HAVE CONCERNS ABOUT RE-ADMITTING CERTAIN STUDENTS TO THE CLASSROOM FOLLOWING ANY DISCIPLINARY ACTION OF THE STUDENT FOR ABUSE OR POSSESSION OF ALCOHOL OR DRUGS," was offered by Representative Johanson.

H.R. No. 146, entitled: "HOUSE RESOLUTION URGING UNIVERSITY OF HAWAII WEST OAHU TO ESTABLISH A GRADUATE-LEVEL INFORMATION ASSURANCE PROGRAM," was jointly offered by Representatives Pine, Aquino, Awana, Choy, Cullen, Jordan, M. Lee, Manahan, Mizuno, Takai and Ward.

H.R. No. 147, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was jointly offered by Representatives Chang and Hashem.

H.R. No. 148, entitled: "HOUSE RESOLUTION RECOGNIZING THE 40TH ANNIVERSARY OF THE COASTAL ZONE MANAGEMENT ACT OF 1972," was offered by Representative Coffman.

H.R. No. 149, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION TO PROVIDE ACADEMIC CREDIT OR SOME OTHER INCENTIVE OR PENALTY TO MOTIVATE STUDENTS TO TAKE THE ADEQUATE YEARLY PROGRESS TESTS SERIOUSLY," was jointly offered by Representatives Chong, Coffman, Hashem, Takumi, Ichiyama, Jordan and Morikawa.

H.R. No. 150, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADOPT RULES TO REQUIRE ELECTRIC UTILITY COMPANIES TO PERMIT GROUP NET METERING," was jointly offered by Representatives Takai, Belatti, Brower, Hanohano, C. Lee, Luke, Nishimoto, Saiki, Takumi and Wooley.

H.R. No. 151, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION, WITH THE COOPERATION OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON THE FEASIBILITY OF OFFERING A SOLAR WATER HEATING SYSTEM TAX CREDIT," was jointly offered by Representatives Takai, Hanohano, Luke, Nishimoto and Wooley.

H.R. No. 152, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY TO ASSESS THE FEASIBILITY OF CONSOLIDATING OVERSIGHT RESPONSIBILITY OF ADULT RESIDENTIAL CARE AND FOSTER HOME FACILITIES UNDER A SINGLE DEPARTMENT," was jointly offered by Representatives Mizuno, Awana, Manahan, Rhoads and Pine.

H.R. No. 153, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AN INTERNATIONAL RESPONSE PLAN TO THE TSUNAMI DEBRIS GENERATED BY THE MARCH 2011 EARTHQUAKE IN JAPAN THAT MAY REACH HAWAII'S SHORES," was jointly offered by Representatives Mizuno, Awana, Manahan, Pine and Rhoads.

H.R. No. 154, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT TO AMEND EXECUTIVE ORDER 13089 TO EXEMPT MAINTENANCE AND DREDGING ACTIVITIES IN EXISTING SMALL BOAT AND COMMERCIAL HARBORS WITHIN THE STATE OF HAWAII," was jointly offered by Representatives Nakashima, Chang, Choy, Coffman, Evans, Hanohano, Say, Tsuji and McKelvey.

H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was jointly offered by Representatives Kawakami, Cullen, Morikawa and Tokioka.

H.R. No. 156, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO REFRAIN FROM IMPOSING ANY INCREASE TO THE NON-REFUNDABLE DEPOSIT BEVERAGE CONTAINER FEE UNTIL THE AUDITOR HAS COMPLETED AN UPDATED MANAGEMENT AND FINANCIAL AUDIT OF THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was jointly offered by Representatives Yamashita, Aquino, Chong, Cullen, Har, Hashem, Ichiyama, Ito, Jordan, Say, Tokioka, Yamane and Souki.

H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was jointly offered by Representatives Yamashita, Aquino, Carroll, Cullen, Fontaine, Keith-Agaran, McKelvey and Souki.

H.R. No. 158, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO CREATE A VEHICLE REGISTRATION CREDIT FOR RESIDENTS WHO DRIVE LIMITED MILES IN THEIR VEHICLE," was jointly offered by Representatives Fontaine, Ching, Mizuno and Wooley.

H.R. No. 159, entitled: "HOUSE RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE OUTDOOR CIRCLE IN HAWAII," was jointly offered by Representatives C. Lee, Aquino, Belatti, Brower, Carroll, Chang, Ching, Chong, Coffman, Evans, Fontaine, Hanohano, Johanson, Jordan, Kawakami, Keith-Agaran, M. Lee, Manahan, Rhoads, Riviere, Thielen and Pine.

H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO WAIVE ALL FINES RELATED TO THE CONSTRUCTION AND DEMOLITION OF THE KUPUNA TERRACE IN WAIMANALO," was jointly offered by Representatives C. Lee, Brower, Hanohano, Johanson, Keith-Agaran, Aquino, Belatti, Carroll, Chang, Chong, Evans, Kawakami, M. Lee and Pine.

H.R. No. 161, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A SUSTAINABLE AND ALTERNATIVE ENERGY ASSESSMENT TASK FORCE," was offered by Representative C. Lee.

H.R. No. 162, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO MAINTAIN, MONITOR, AND ENFORCE ANTI-BULLYING, ANTI-CYBERBULLYING, AND ANTI-HARASSMENT POLICIES AND PROCEDURES TO PROTECT PUBLIC AND CHARTER SCHOOL STUDENTS," was jointly offered by Representatives Belatti, Ichiyama, Jordan, Luke, Morikawa, Rhoads, Takai, Takumi, Wooley, Yamane, Nakashima and Riviere.

H.R. No. 163, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND REPORT ON POLICIES RELATING TO THE USE OF DRIVERLESS VEHICLES IN HAWAII," was jointly offered by Representatives Ward, Mizuno, Awana, Cabanilla, Chong, Cullen, Evans, Fontaine, Giugni, Ichiyama, Kawakami, Keith-Agaran, M. Lee, Luke, Marumoto, McKelvey, Morikawa, Riviere, Souki, Takumi and Yamashita.

H.R. No. 164, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE CREATION OF A CLEAN ENERGY BOND LOAN PROGRAM," was jointly offered by Representatives Ward, Cabanilla, Ching, Fontaine, C. Lee, Marumoto, Thielen, Johanson, Morikawa and Riviere.

H.R. No. 165, entitled: "HOUSE RESOLUTION ENCOURAGING THE GOVERNOR TO TRANSFER THE RESPONSIBILITIES FOR THE ADMINISTRATION OF THE OFFICE OF INTERNATIONAL AFFAIRS FROM THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO THE LIEUTENANT GOVERNOR," was jointly offered by Representatives Ward, Ching, Mizuno, Thielen, Choy, Evans, Fontaine, Jordan, M. Lee, Marumoto, Morikawa and Pine.

H.R. No. 166, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO LOWER NATIONAL ENERGY COSTS BY APPROVING THE KEYSTONE XL PIPELINE," was jointly offered by Representatives Ward, Marumoto and Fontaine.

H.R. No. 167, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was jointly offered by Representatives Aquino, Chong, Cullen, Evans, Fontaine, Ichiyama, Kawakami, Keith-Agaran, M. Lee, Morikawa, Rhoads, Yamane, Choy and Johanson.

H.R. No. 168, entitled: "HOUSE RESOLUTION URGING THE PRESERVATION OF RESEARCH AND DEVELOPMENT FUNDING IN THE PENTAGON BUDGET," was jointly offered by Representatives Aquino, Chong, Choy, Cullen, Evans, Fontaine, Johanson, Jordan, Kawakami, Morikawa, Rhoads, Yamane, Ichiyama, Keith-Agaran and M. Lee.

H.R. No. 169, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, CHAIRPERSON OF THE JOINT CHIEFS OF STAFF, SECRETARY OF DEFENSE, HAWAII CONGRESSIONAL DELEGATION, GOVERNOR, AND CHAMBER OF COMMERCE OF HAWAII – MILITARY AFFAIRS COUNCIL, TO DO EVERYTHING WITHIN THEIR POWER AND INFLUENCE TO RETAIN MILITARY AND DEFENSE-RELATED CIVILIAN JOBS IN HAWAII," was jointly offered by Representatives Aquino, Ching, Choy, Cullen, Evans, Fontaine, Ichiyama, Johanson, Keith-Agaran, M. Lee, Morikawa, Rhoads, Yamane, Chong, Jordan and Kawakami.

H.R. No. 170, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A SIMPLIFIED REPORTING SYSTEM FOR VETERINARIANS TO COMPLY WITH PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," was jointly offered by Representatives Aquino, Cullen, McKelvey and Thielen.

H.R. No. 171, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE HOURS OF OPERATION OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ENROLLMENT CENTER ON OAHU AND TO OPEN A SECOND CENTER LOCATED AROUND THE PORT AREA OR WEST OF THE PORT AREA ON OAHU," was jointly offered by Representatives Aquino, Chong, Cullen, Ichiyama, Choy, Evans, Fontaine, Jordan, Kawakami, Keith-Agaran, M. Lee and Morikawa.

H.R. No. 172, entitled: "HOUSE RESOLUTION ENCOURAGING THE UNITED STATES DEPARTMENT OF DEFENSE TO PROCURE GOODS AND SERVICES THAT ARE USED TO SUPPORT HAWAII-BASED UNITED STATES MILITARY PERSONNEL AND FACILITIES FROM HAWAII BUSINESSES AND TO COOPERATE WITH THE CHAMBER OF COMMERCE OF HAWAII TO HOST TRADE SHOWS THAT FEATURE LOCAL BUSINESSES," was jointly offered by Representatives Aquino, Ching, Chong, Cullen, Evans, Fontaine, Ichiyama, Johanson, Jordan, Kawakami, Keith-Agaran, M. Lee, Morikawa, Rhoads, Yamane and Choy.

H.R. No. 173, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CARRY OUT OBJECTIVES AND ACTIONS TO ENCOURAGE AND SUPPORT ELECTRIC UTILITIES IN MAXIMIZING RENEWABLE ENERGY GENERATION," was offered by Representative Coffman.

H.R. No. 174, entitled: "HOUSE RESOLUTION URGING THE CENTERS FOR MEDICARE & MEDICAID SERVICES AND MEDICAL INSURANCE PROVIDERS TO CREATE A PENALTY OR DISINCENTIVE FOR THOSE WHO ABUSE EMERGENCY ROOM VISITS," was jointly offered by Representatives Cabanilla and Mizuno.

H.R. No. 175, entitled: "HOUSE RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO HONOR H.C.R. NO. 282, H.D. 1, "URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE", THAT WAS ADOPTED DURING THE REGULAR SESSION OF 2009," was offered by Representative Cabanilla.

H.R. No. 176, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A DIABETES PREVENTION TASK FORCE TO STUDY PREVENTION STRATEGIES, TRACK POLICY CHANGES AND REPORT TO THE LEGISLATURE WITH RECOMMENDED ACTIONS HALTING THE DIABETES EPIDEMIC IN HAWAII," was jointly offered by Representatives Ching, Fontaine, Marumoto, Mizuno, Rhoads, C. Lee, Morikawa, Riviere and Takumi.

H.R. No. 177, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO EXPLORE OPTIONS IN PREVENTING LIKELIKE ELEMENTARY SCHOOL FROM FUTURE CLOSURE," was jointly offered by Representatives Ching, Marumoto, Mizuno, Rhoads, Say, Fontaine, C. Lee, Morikawa and Riviere.

H.R. No. 178, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE CITY DEPARTMENT OF TRANSPORTATION SERVICES TO REVISE SIGNAGE TO 'HISTORIC LILIHA TOWN'," was jointly offered by Representatives Ching, Marumoto, Fontaine, C. Lee, Mizuno and Riviere.

H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO IDENTIFY WAYS TO IMPROVE AND ACCELERATE THE PROCESSING OF WORKER'S COMPENSATION CLAIMS," was offered by Representative Marumoto.

H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," was jointly offered by Representatives Morikawa, Brower, Ching, Evans, Fontaine, Hanohano, Ichiyama, Jordan, C. Lee, Luke, Nishimoto, Takumi, Thielen, Tokioka, Tsuji and Ward.

H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION URGING FOOD MANUFACTURERS TO LABEL ALL GENETICALLY MODIFIED OR ENGINEERED FOOD PRODUCTS AS A "GENETICALLY-ENGINEERED FOOD PRODUCT"," was offered by Representative Hanohano.

H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONVENE A TASK FORCE TO EXAMINE MANAGEMENT POLICIES REGARDING THE USE OF OVERTIME BY STATE AND COUNTY EMPLOYEES," was jointly offered by Representatives Rhoads and Say.

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," was jointly offered by Representatives Choy, Chong, Hashem, Herkes, M. Lee, McKelvey, Rhoads, Har and Oshiro.

H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was jointly offered by Representatives Hashem, Morikawa and Yamashita.

H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING HAWAII AS A HUMAN RIGHTS STATE," was offered by Representative Rhoads.

H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE IMPACT OF THE NEW ADULT PROTECTIVE SERVICES LAW," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A DEMONSTRATION PROJECT TO INTEGRATE HEALTHCARE FOR INDIVIDUALS ENROLLED IN BOTH MEDICAID AND MEDICARE," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was jointly offered by Representatives Jordan, Morikawa and Yamane.

H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON ASSET LIMITS TO QUALIFY FOR PUBLIC ASSISTANCE," was offered by Representative Jordan.

H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LIEUTENANT GOVERNOR TO CONVENE A VOTER PARTICIPATION TASK FORCE ON VOTER REGISTRATION AND VOTER TURNOUT IN HAWAII," was jointly offered by Representatives Keith-Agaran, Belatti, Brower, Choy, C. Lee, Luke, Nakashima, Nishimoto, Rhoads, Saiki, Souki, Takai, Takumi, Wooley, Yamashita and McKelvey.

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," was offered by Representative Keith-Agaran.

H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE COUNTY OF HAWAII, TO CONDUCT A STUDY ON THE ESTABLISHMENT OF A PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AND IMPROVE THE EAST HAWAII AREA OF HAWAII COUNTY," was jointly offered by Representatives Chang, Awana, Choy, Coffman, Hanohano, Herkes, Ichiyama, Ito, Manahan, McKelvey, Mizuno, Nakashima, Tsuji, Cabanilla, Evans, Har and Souki.

H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE EXECUTIVE OFFICE ON AGING TO ESTABLISH THE LONG-TERM CARE FINANCING TASK FORCE TO ASSESS THE FEASIBILITY OF ESTABLISHING A MODEST, PUBLIC, LONG-TERM CARE INSURANCE PROGRAM IN HAWAII," was jointly offered by Representatives M. Lee, Awana, Giugni, Ichiyama, Nakashima, Oshiro and Rhoads.

H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALCOHOL RETAILERS AND LICENSED PREMISES UNDER CHAPTER 281, HAWAII REVISED STATUTES, TO POST A SIGN IN OR ABOUT THE PREMISES WARNING WOMEN NOT TO DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY AND THE DEPARTMENT OF HEALTH TO CONTINUE ITS EFFORTS TO PROVIDE STATEWIDE TRAINING ON FETAL ALCOHOL SPECTRUM DISORDER PREVENTION, IDENTIFICATION, AND INTERVENTIONS," was jointly offered by Representatives M. Lee, Awana, Giugni, Jordan, Nakashima, Oshiro and Rhoads.

H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF EDUCATION AND AHA KAULEO KAIAPUNI HAWAII FOR DEVELOPMENT IN THE HAWAIIAN LANGUAGE OF THE READING, MATH, SCIENCE, AND OTHER ASSESSMENTS ADMINISTERED TO STUDENTS IN GRADES THREE THROUGH SIX OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN LANGUAGE IMMERSION PROGRAM AND FORMAL ACKNOWLEDGMENT BY STATUTE OR RULE OF AHA KAULEO KAIAPUNI HAWAII," was offered by Representative Carroll.

H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was offered by Representative Carroll.

H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPAND ITS INTERPRETATION OF THE USE PROVISION IN HANA HEALTH'S LAND LEASE," was offered by Representative Carroll.

H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO DEVELOP AND IMPLEMENT COMMUNITY CONCERNS COUNCILS IN RURAL AREAS," was offered by Representative Carroll.

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was jointly offered by Representatives Awana, Hashem, Oshiro, Rhoads, Tsuji, M. Lee and Riviere.

H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF TWENTY-FOUR HOUR OPEN-AIR CULTURAL MARKETPLACES THROUGHOUT HAWAII," was jointly offered by Representatives Awana, Hashem, Tsuji, Cabanilla, Ichiyama, M. Lee, Riviere and Yamashita.

H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BUILDING A LASTING RELATIONSHIP AND FRIENDSHIP BETWEEN THE PEOPLE OF HAWAII AND YEREVAN, ARMENIA," was jointly offered by Representatives Awana, Cabanilla, Hashem, M. Lee and Tsuji.

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE CULTURAL, EDUCATIONAL, POLITICAL, AND ECONOMIC RELATIONS BETWEEN THE PEOPLE OF HAWAII AND ISTANBUL, TURKEY," was jointly offered by Representatives Awana, Hashem, M. Lee, Rhoads, Tsuji and Oshiro.

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CENTERS FOR MEDICARE & MEDICAID SERVICES, PRIVATE HEALTH INSURERS, AND PRIVATE HEALTH PROVIDERS TO ADOPT THE PRINCIPLES AND HEALTH CARE GUIDELINES IN THE DARTMOUTH ATLAS OF HEALTH CARE," was jointly offered by Representatives Cabanilla, Mizuno, Chong, Kawakami, Manahan, Souki and Yamashita.

H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND EFFECTIVENESS OF IMPLEMENTING DRUG TESTING TO TENANTS, SELECTED APPLICANTS, AND APPLICANTS OF FEDERAL AND STATE LOW-INCOME HOUSING IN THE STATE," was jointly offered by Representatives Cabanilla, Hanohano, Tokioka, Yamane, Chong, Kawakami, Manahan and Souki.

H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COASTAL ZONE MANAGEMENT PROGRAM UNDER THE OFFICE OF PLANNING TO ASCERTAIN THE DISPOSITION OF TITLE AND OWNERSHIP OF ACREAGE ALONG THE PEARL HARBOR SHORELINE BORDERING WAIPAHU AND THE WESTLOCK SHORELINES THAT ACCUMULATED AS A RESULT OF MANGROVES, VEGETATION, AND ACCRETED LAND FROM RIVERS UPSTREAM," was jointly offered by Representatives Cabanilla, Manahan, Mizuno and Souki.

H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was offered by Representative Yamane.

H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO MAINTENANCE CONTRACTS AND EXPENDITURES," was jointly offered by Representatives Riviere, Awana, Fontaine, Manahan, Marumoto, Mizuno, Oshiro, Souki, Thielen, Ward, Chong, Choy, Johanson, Kawakami and Pine.

H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE REGIONAL TRAFFIC IMPACTS OF PROPOSED DEVELOPMENTS AND INCREASING TOURISM IN THE NORTH SHORE AND KOOLAULOA DISTRICTS," was jointly offered by Representatives Riviere, Ching, Kawakami, Manahan, Marumoto, McKelvey, Mizuno, Souki, Thielen, Ward, Awana, Chong, Choy, Fontaine, Johanson and Pine.

H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH A MORATORIUM ON ELECTRICITY RATE INCREASES UNTIL JUNE 30, 2014, AND CONSIDER MODIFICATION OF THE AUTOMATIC FUEL ADJUSTMENT CLAUSE FOR ELECTRIC UTILITIES," was offered by Representative Say.

H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO ESTABLISH A MORATORIUM ON HEALTH INSURANCE PREMIUM RATE INCREASES UNTIL JUNE 30, 2014," was offered by Representative Say.

H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CREATE A REDEVELOPMENT MASTER PLAN FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," was offered by Representative Rhoads.

H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND PERFORMANCE AUDIT OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Tokioka.

H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUBMIT A 5-YEAR ORGANIZATIONAL AND STRATEGIC PLAN," was jointly offered by Representatives Oshiro and Yamane.

H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was offered by Representative Ito.

H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WEEK OF OCTOBER 1 THROUGH 7, 2012, TO BE RECOGNIZED AS "HAWAII FISHING AND SEAFOOD WEEK"," was jointly offered by Representatives Ito, Chang, Har and Say.

H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO ENSURE THAT THE ACCESS TO JUSTICE COMMISSION'S TASK FORCE ON ADJUNCT PROVIDERS OF LEGAL SERVICES INCLUDES AT LEAST AS MANY NON-LAWYERS AS LAWYERS AND REPRESENTATIVES OF CERTAIN GROUPS," was jointly offered by Representatives Ito, Awana, Har, M. Lee, Mizuno and Oshiro.

H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REVIEW ITS BY-LAWS AND POLICIES, APPLICABLE ADMINISTRATIVE RULES AND STATUTES, AS WELL AS ANY INTERNAL PRACTICES AND PROCEDURES, TO PROVIDE THE BEST POSSIBLE LEGAL PROTECTION FOR PUBLIC SCHOOL TEACHERS AND ADMINISTRATORS WHO HAVE CONCERNS ABOUT RE-ADMITTING CERTAIN STUDENTS TO THE CLASSROOM FOLLOWING ANY DISCIPLINARY ACTION OF THE STUDENT FOR ABUSE OR POSSESSION OF ALCOHOL OR DRUGS," was offered by Representative Johanson.

H.C.R. No. 189, entitled: "HOUSE RESOLUTION [sic] URGING UNIVERSITY OF HAWAII WEST OAHU TO ESTABLISH A GRADUATE-LEVEL INFORMATION ASSURANCE PROGRAM," was jointly offered by Representatives Pine, Aquino, Awana, Choy, Cullen, Jordan, M. Lee, Manahan, Mizuno, Takai and Ward.

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was jointly offered by Representatives Chang and Hashem.

H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE 40TH ANNIVERSARY OF THE COASTAL ZONE MANAGEMENT ACT OF 1972," was offered by Representative Coffman.

H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF PUBLIC SAFETY TO CONVEY A TASK FORCE TO DEVELOP A PLAN FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF A SECURE FORENSIC FACILITY," was offered by Representative Chong.

H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO PROVIDE ACADEMIC CREDIT OR SOME OTHER INCENTIVE OR PENALTY TO MOTIVATE STUDENTS TO TAKE THE ADEQUATE YEARLY PROGRESS TESTS SERIOUSLY," was jointly offered by Representatives Chong, Coffman, Hashem, Takumi, Ichiyama, Jordan and Morikawa.

H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVEY A TASK FORCE TO STUDY THE POSSIBILITY OF FUTURE DEVELOPMENTS FOR THE WAIKIKI NATATORIUM SITE," was offered by Representative Chang.

H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADOPT RULES TO REQUIRE ELECTRIC UTILITY COMPANIES TO PERMIT GROUP NET METERING," was jointly offered by Representatives Takai, Belatti, Brower, Hanohano, C. Lee, Luke, Nishimoto, Saiki, Takumi and Wooley.

H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION, WITH THE COOPERATION OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON THE FEASIBILITY OF OFFERING A SOLAR WATER HEATING SYSTEM TAX CREDIT," was jointly offered by Representatives Takai, Hanohano, Luke, Nishimoto and Wooley.

H.C.R. No. 197, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY TO ASSESS THE FEASIBILITY OF CONSOLIDATING OVERSIGHT RESPONSIBILITY OF ADULT RESIDENTIAL CARE AND FOSTER HOME FACILITIES UNDER A SINGLE DEPARTMENT," was jointly offered by Representatives Mizuno, Awana, Manahan, Rhoads and Pine.

H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AN INTERNATIONAL RESPONSE PLAN TO THE TSUNAMI DEBRIS GENERATED BY THE MARCH 2011 EARTHQUAKE IN JAPAN THAT MAY REACH HAWAII'S SHORES," was jointly offered by Representatives Mizuno, Awana, Manahan, Pine and Rhoads.

H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON SEXUALLY TRANSMITTED DISEASES AMONG THE ELDERLY," was offered by Representative Mizuno.

H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT TO AMEND EXECUTIVE ORDER 13089 TO EXEMPT MAINTENANCE AND DREDGING ACTIVITIES IN EXISTING SMALL BOAT AND COMMERCIAL HARBORS WITHIN THE STATE OF HAWAII," was jointly offered by Representatives Nakashima, Chang, Choy, Coffman, Evans, Hanohano, Say, Tsuji and McKelvey.

H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was jointly offered by Representatives Kawakami, Cullen, Morikawa and Tokioka.

H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO REFRAIN FROM IMPOSING ANY INCREASE TO THE NON-REFUNDABLE DEPOSIT BEVERAGE CONTAINER FEE UNTIL THE AUDITOR HAS COMPLETED AN UPDATED MANAGEMENT AND FINANCIAL AUDIT OF THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was jointly offered by Representatives Yamashita, Aquino, Chong, Cullen, Har, Hashem, Ichiyama, Ito, Jordan, Say, Tokioka, Yamane and Souki.

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was jointly offered by Representatives Yamashita, Aquino, Carroll, Cullen, Fontaine, Keith-Agaran, McKelvey and Souki.

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO CREATE A VEHICLE REGISTRATION CREDIT FOR RESIDENTS WHO DRIVE LIMITED MILES IN THEIR VEHICLE," was jointly offered by Representatives Fontaine, Ching, Mizuno and Wooley.

H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO WAIVE ALL FINES RELATED TO THE CONSTRUCTION AND DEMOLITION OF THE KUPUNA TERRACE IN WAIMANALO," was jointly offered by Representatives C. Lee, Brower, Hanohano, Johanson, Keith-Agaran, Aquino, Belatti, Carroll, Chang, Chong, Evans, Fontaine, Kawakami, M. Lee, Pine and Riviere.

H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVEY A SUSTAINABLE AND ALTERNATIVE ENERGY ASSESSMENT TASK FORCE," was offered by Representative C. Lee.

H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF AGRICULTURE TO CONVENE A TASK FORCE TO DEVELOP LONG-RANGE GOALS AND PLANS FOR THE MOLOKAI IRRIGATION SYSTEM," was offered by Representative Carroll.

H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADDRESS THE DANGEROUSLY LOW LEVEL OF IRRIGATION WATER SUPPLY AND IMPROVE THE AGRICULTURAL ECONOMY," was offered by Representative Carroll.

H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT AND PROVIDE ADEQUATE FUNDING TO THE HANA SCHOOL INFANT AND TODDLER PROGRAM FOR THE HANA COMMUNITY," was offered by Representative Carroll.

H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO MAINTAIN, MONITOR, AND ENFORCE ANTI-BULLYING, ANTI-CYBERBULLYING, AND ANTI-HARASSMENT POLICIES AND PROCEDURES TO PROTECT PUBLIC AND CHARTER SCHOOL STUDENTS," was jointly offered by Representatives Belatti, Ichiyama, Jordan, Luke, Morikawa, Nakashima, Rhoads, Takai, Takumi, Wooley, Yamane and Riviere.

H.C.R. No. 211, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE ON SOCIAL SCIENCES PUBLIC POLICY CENTER AND SPARK M. MATSUNAGA INSTITUTE FOR PEACE AND CONFLICT RESOLUTION TO COLLABORATE WITH STATE AGENCIES AND ADVOCACY ORGANIZATIONS TO DEVELOP A COMPREHENSIVE PLAN THAT COORDINATES STATEWIDE POLICIES AND SERVICES FOR VICTIMS AND SURVIVORS OF HUMAN TRAFFICKING IN HAWAII," was jointly offered by Representatives Belatti, Luke, Morikawa, Rhoads, Riviere, Takai, Takumi, Wooley, Yamane, Ichiyama, Johanson and Jordan.

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND REPORT ON POLICIES RELATING TO THE USE OF DRIVERLESS VEHICLES IN HAWAII," was jointly offered by Representatives Ward, Mizuno, Awana, Cabanilla, Cullen, Evans, Fontaine, Giugni, Ichiyama, Kawakami, Keith-Agaran, M. Lee, Luke, Marumoto, McKelvey, Morikawa, Riviere, Souki, Takumi and Yamashita.

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE CREATION OF A CLEAN ENERGY BOND LOAN PROGRAM," was jointly offered by Representatives Ward, Cabanilla, Ching, Fontaine, C. Lee, Thielen, Johanson, Marumoto, Morikawa and Riviere.

H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE GOVERNOR TO TRANSFER THE RESPONSIBILITIES FOR THE ADMINISTRATION OF THE OFFICE OF INTERNATIONAL AFFAIRS FROM THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO THE LIEUTENANT GOVERNOR," was jointly offered by Representatives Ward, Ching, Mizuno, Thielen, Choy, Evans, Fontaine, Jordan, M. Lee, Marumoto, Morikawa and Pine.

H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO LOWER NATIONAL ENERGY COSTS BY APPROVING THE KEYSTONE XL PIPELINE," was jointly offered by Representatives Ward, Marumoto and Fontaine.

H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was jointly offered by Representatives Aquino, Chong, Cullen, Evans, Fontaine, Ichiyama, Kawakami, Keith-Agaran, M. Lee, Morikawa, Rhoads, Yamane, Choy and Johanson.

H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESERVATION OF RESEARCH AND DEVELOPMENT FUNDING IN THE PENTAGON BUDGET," was jointly offered by Representatives Aquino, Chong, Choy, Cullen, Evans, Fontaine, Ichiyama, Johanson, Jordan, Kawakami, Morikawa, Rhoads, Yamane, Keith-Agaran and M. Lee.

H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, CHAIRPERSON OF THE JOINT CHIEFS OF STAFF, SECRETARY OF DEFENSE, HAWAII CONGRESSIONAL DELEGATION, GOVERNOR, AND CHAMBER OF COMMERCE OF HAWAII – MILITARY AFFAIRS COUNCIL, TO DO EVERYTHING WITHIN THEIR POWER AND INFLUENCE TO RETAIN MILITARY AND DEFENSE-RELATED CIVILIAN JOBS IN HAWAII," was jointly offered by Representatives Aquino, Ching, Chong, Choy, Cullen, Evans, Fontaine, Ichiyama, Johanson, Kawakami, Keith-Agaran, M. Lee, Morikawa, Rhoads, Yamane and Jordan.

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A SIMPLIFIED REPORTING SYSTEM FOR VETERINARIANS TO COMPLY WITH PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," was jointly offered by Representatives Aquino, Cullen, McKelvey and Thielen.

H.C.R. No. 220, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO EXEMPT VETERINARIANS FROM THE REQUIREMENTS OF PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM, THROUGH JULY 1, 2013," was jointly offered by Representatives Aquino, Cullen, McKelvey and Thielen.

H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION AND LICENSURE OF MUSIC THERAPISTS," was jointly offered by Representatives Aquino, Choy, Cullen, Kawakami, M. Lee, Yamane, Chong, Fontaine, Ichiyama, Jordan, Keith-Agaran and Morikawa.

H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE HOURS OF OPERATION OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ENROLLMENT CENTER ON OAHU AND TO OPEN A SECOND CENTER LOCATED AROUND THE PORT AREA OR WEST OF THE PORT AREA ON OAHU," was jointly offered by Representatives Aquino, Chong, Cullen, Ichiyama, Choy, Evans, Fontaine, Jordan, Kawakami, Keith-Agaran, M. Lee and Morikawa.

H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES DEPARTMENT OF DEFENSE TO PROCURE GOODS AND SERVICES THAT ARE USED TO SUPPORT HAWAII-BASED UNITED STATES MILITARY PERSONNEL AND FACILITIES FROM HAWAII BUSINESSES AND TO COOPERATE WITH THE CHAMBER OF COMMERCE OF HAWAII TO HOST TRADE SHOWS THAT FEATURE LOCAL BUSINESSES," was jointly offered by Representatives Aquino, Ching, Chong, Cullen, Evans, Fontaine, Ichiyama, Johanson, Jordan, Kawakami, Keith-Agaran, M. Lee, Morikawa, Rhoads, Yamane and Choy.

H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CARRY OUT OBJECTIVES AND ACTIONS TO ENCOURAGE AND SUPPORT ELECTRIC UTILITIES IN MAXIMIZING RENEWABLE ENERGY GENERATION," was offered by Representative Coffman.

H.C.R. No. 225, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CENTERS FOR MEDICARE & MEDICAID SERVICES AND MEDICAL INSURANCE PROVIDERS TO CREATE A PENALTY OR DISINCENTIVE FOR THOSE WHO ABUSE EMERGENCY ROOM VISITS," was jointly offered by Representatives Cabanilla and Mizuno.

H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO HONOR H.C.R. NO. 282, H.D. 1, "URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO INCREASE THE MINIMUM RENT SCHEDULE", THAT WAS ADOPTED DURING THE REGULAR SESSION OF 2009," was offered by Representative Cabanilla.

H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A DIABETES PREVENTION TASK FORCE TO STUDY PREVENTION STRATEGIES, TRACK POLICY CHANGES AND REPORT TO THE LEGISLATURE WITH RECOMMENDED ACTIONS HALTING THE DIABETES EPIDEMIC IN HAWAII," was jointly offered by Representatives Ching, Fontaine, Marumoto, Mizuno, Rhoads, C. Lee, Morikawa, Riviere and Takumi.

H.C.R. No. 228, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO EXPLORE OPTIONS IN PREVENTING LIKELIKE ELEMENTARY SCHOOL FROM FUTURE CLOSURE," was jointly offered by Representatives Ching, Marumoto, Mizuno, Rhoads, Say, Fontaine, C. Lee, Morikawa and Riviere.

H.C.R. No. 229, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE CITY DEPARTMENT OF TRANSPORTATION SERVICES TO REVISE SIGNAGE TO 'HISTORIC LILIHA TOWN'," was jointly offered by Representatives Ching, Marumoto, Fontaine, C. Lee, Mizuno and Riviere.

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 15, 2012.

THIRTY-SECOND DAY

Thursday, March 15, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Derek S.K. Kawakami, after which the Roll was called showing all Members present with the exception of Representatives Aquino, Herkes and Souki, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journal of the Nineteenth Day was approved. (Representatives Aquino, Herkes and Souki were excused.)

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 78) was received by the Clerk and was placed on file:

Dept. Com. No. 78, dated March 14, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Investigation of the Stadium Authority's Swap Meet Operations, pursuant to Section 23-9, HRS.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Takai, on behalf of Representative Takumi and himself, introduced students and parents visiting the Capitol:

Parents - Mrs. Sami Takai, Ms. Deanna Nomura, Ms. Shelly Tanaka and Ms. Sharla Nomura.

Students - Kaila Takai, Matthew Takai, Jaymie Nomura, Erin Norinaga, Raelyn Yoshioka, Kailee Tanaka, Brycen Tanaka, Jett Nomura and Rayna Nomura.

Representative Takai also recognized his family, Mrs. Sami Takai, and their children Kaila and Matthew Takai.

Representative Ching recognized the 5th grade students of Cathedral Catholic Academy and their teacher, Mr. Joseph Henderson.

Representative Ward introduced Department of Education Superintendent, Kathryn Matayoshi.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 179) was announced by the Clerk and the following action taken:

H.R. No. 179, entitled: "HOUSE RESOLUTION CONGRATULATING SAMIANN 'ALOHA' COLEMAN AS THE 2011 METLIFE/NASSP HAWAII HIGH SCHOOL PRINCIPAL OF THE YEAR, JACQUELYN DAVIS AS THE 2011 NASSP/VICRO HAWAII STATE ASSISTANT PRINCIPAL OF THE YEAR, JOYCE IWASHITA AS THE 2011 NAESP DISTINGUISHED PRINCIPAL OF THE YEAR, AND HOKULANI ELEMENTARY SCHOOL, ENCHANTED LAKE ELEMENTARY SCHOOL, AND HEEIA ELEMENTARY SCHOOL AS 2012 HAWAII BLUE RIBBON SCHOOLS," was offered by Representative Takumi.

Representative Takumi moved that H.R. No. 179, be adopted, seconded by Representative Belatti.

Representative Takumi congratulated the first honoree, Ms. Samiann 'Aloha' Coleman, Principal at Leilehua High School and the 2011 MetLife/National Association of Secondary School Principals Hawaii High School Principal of the Year, who was seated on the Floor of the House.

Representative Belatti congratulated additional honorees seated on the Floor of the House:

Ms. Jacquelyn Davis, Vice Principal of the Maui Waena Intermediate School and the 2011 National Association of Secondary School Principals/Vicro Hawaii State Assistant Principal of the Year.

Ms. Joyce Iwashita, Principal at Kalaniana'ole Elementary and Intermediate School and the 2011 National Association of Elementary School Principals Distinguished Principal of the Year; and her husband, Mr. Andrew Iwashita, who was seated in the Gallery.

Representative Belatti then congratulated the 2011 Blue Ribbon Schools:

Hokulani Elementary School, represented by their Principal, Dr. Alan Ramos, who was seated on the Floor of the House; and the many students, parents and faculty members seated in the Gallery.

Students - Josana Chun, Victoria Chun, Carmen Iam, William Iam, Isabel Takane, Mira Tokuda, Ariel Tishammer, Sean Vanairsdale and Ryan Vanairsdale.

Parents - Naro Chun, David Chun, Andy Iam, Kaho Tishammer and Dennis Vanairsdale.

SCC Members - Jerilynn Bernal, Livingston Takane and Bryan Tokuda.

Enchanted Lake Elementary School, represented by their Principal, Ms. Pua'ala McElhaney, who was seated on the Floor of the House.

Heeia Elementary School, represented by Mr. Jed Tesoro on behalf of Principal Wendy Matsuzaki, who was seated on the Floor of the House; and the many students and faculty members seated in the Gallery.

Students - Keaupo McGee-Lee and Psalms Falelua.

Teachers - Patty Chung, Marlene Deai, Janice Ho, Linda Lee and Charlene Upton.

Administrators - Sindri Olson and Becca Falelua.

The motion was put to vote by the Chair and carried, and H.R. No. 179, was adopted, with Representatives Herkes and Souki being excused.

At 12:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:31 o'clock p.m., with Speaker Say presiding.

REPORTS OF STANDING COMMITTEES

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 992-12) recommending that S.B. No. 2005, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2005, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose, stating:

"Mr. Speaker, a point of information. In *Mason's* rules, page 179, section 216, it says, Rules Governing Motion to Recess. The motion to recess cannot be made while another has the floor or during voting or the verification of a vote.

"Mr. Speaker, I just wanted to clear the air from yesterday, that, that had been a practice as that misunderstood procedure took place, that, that lack of civility did take place. I just say to clear the air from yesterday and for today and ongoing, that we practice when somebody's speaking that we don't say 'recess' because it's not in the rules of civility, and the decorum in the rules would be the better way to follow. Thank you."

The Chair responded, stating:

"Representative, there are the parts of the rules that allow the Chair to call for the recess."

Representative Ward: "The Chair. But not somebody who's not the Chair to do that, Mr. Speaker."

Speaker Say: "I believe yesterday there was no one that called for recess from this floor, but it was the Chair here that called the recess."

Representative Ward: "Did I say the Majority Leader who was here yesterday? That was the call, Mr. Speaker. Nothing to do with that. It's just a bad habit we have. We need to be civil. We need to have decorum. And that's one of the things that really pierces it. Thank you."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

At 12:34 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

Representative Takai 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. 2005, SD 2, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary, with Representative Belatti voting no, and with Representatives Herkes and Souki being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 993-12) recommending that S.B. No. 2620, SD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2620, SD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai 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. 2620, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Belatti voting no, and with Representatives Herkes and Souki being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 994-12) recommending that S.B. No. 2429, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2429, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Cullen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I ask for a ruling on a potential conflict? I serve as a Director on my homeowner association," and the Chair ruled, "no conflict."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto 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 a no vote for him, and the Chair "so ordered."

Representative Pine 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 Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please record my reservations on this measure, and just a brief comment. Mr. Speaker and Members, the Chair has been working very diligently on the measures before you, and I have supported the Chair and will continue to support the Chair. My reservation is regarding the specific issue of the homeowner's association and their impact.

"Mr. Speaker, in the current language of the Senate Bill, especially affecting the two-year lien expiration could actually have some pretty pricey impacts. One estimate, just from the Mililani Town Association, would result in about a \$480,000 increase in potential costs for current liens of about a hundred foreclosures.

"So Mr. Speaker, I did want to update the membership here today, that there has been a compromised reach after our CPC hearing on Monday. There has been some language regarding a six-year expiration on recorded liens, specific provisions stating the automatic liens will survive even after the recorded lien expires and allow judicial foreclosures for penalties and late fees. That was amended in the House Bill on the Senate side. My understanding is currently, after my no vote in the Committee, that this language has been reviewed and looked at favorably. So with the hopes that this language will be continued to be inserted as this measure moves on, I will be voting with reservations. Thank you."

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I am asking for a potential conflict of interest. I serve on two condominium boards," and the Chair ruled, "no conflict."

Representative Ching continued to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. With that, I'm sorry. I will register my no vote, and ask that the Chair of Health, the Representative of Mililani's words be entered as my own regarding that particular part of the bill," and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. May I have a ruling on a possible conflict? In my law practice we do occasionally handle cases that include foreclosures involving associations," and the Chair ruled, "no conflict."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, 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."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? At my law firm I represent homeowner's associations and PCAs," and the Chair ruled, "no conflict."

Representative Har then asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Cullen rose, stating:

"Mr. Speaker. I would like to change my no vote to a vote with reservations."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative M Lee rose to speak in support of the measure with reservations, stating:

"Thank you. Mr. Speaker, first I would like a ruling on a possible conflict. I'm a member of the largest planned community association in the State.

"I'd also like to have a vote with strong reservations entered on this bill, because of the cost drivers on the bill as originally written could result in significant costs for homeowners. I think it is positive that Representative from Mililani has worked on a compromise. I'd like to have the words of

the Representative of Mililani entered as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure, stating:

"In support, Mr. Speaker. And I like that portion of this bill where they cannot foreclose a homeowner in a condo association of homeowners based on liens against penalties, legal fees, or late fees. I think that's important, Mr. Speaker. Thank you."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as her 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. 2429, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Finance, with Representative Ching voting no, and with Representatives Herkes and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 995-12) recommending that S.B. No. 2768, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 996-12) recommending that S.B. No. 2767, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2767, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 997-12) recommending that S.B. No. 2277, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2277, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 998-12) recommending that S.B. No. 2534, SD 2, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2534, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes and Souki being excused.

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 999-12) recommending that S.B. No. 682, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 682, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be with *kako'o ole* on this measure. No vote, please. And if I may remind Members that when this went to the *Kanaka Maole* Committee, all members voted with *kanalua*, and for members to please flag this bill. Thank you."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Saiki rose to speak in opposition to the measure, stating:

"Can I have a no vote, please? There's a violation of Article XI Section 5 in this bill. Thank you."

Representative Takai 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 Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please note my strong reservations. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This is one of two bills that the Senate sent over to talk about the settlement between the State and the Office of Hawaiian Affairs. This bill allows OHA to build residential. It is interesting that many people have concerns that we should settle with OHA. But you know what? Let's not let them really utilize the land.

"What this bill says is if you get a settlement for property on Makai, you are able then to build residential. If you talk to anyone who is in development, they will tell you that it will be difficult for OHA or anyone else to utilize the land to the best use for that organization. And I think this just keeps our options open, and the options open for the Hawaiians. That they should have the right for settlement for land that they may receive, to use it to their best advantage, and not to get land and tie one hand behind their back. Thank you."

Representative Wooley rose, stating:

"Thank you, Mr. Speaker. I appreciate the comments made by the Majority Leader, and request that my no vote be changed to a vote with reservations."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. And may I have the words of the Majority Leader as my own? I'm practicing civility, we can see that. That's supposed to be a joke."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you. Still with reservations. I just wanted to note that my concerns come from two particular places. First that there was overwhelming testimony from the particular community affected in the Kakaako area. That there were concerns with residential development. We all know the history behind that on the Kakaako Makai lands.

"The second was that the Office of Hawaiian Affairs and the Administration both made it very clear that they in no way want to jeopardize the potential settlement by having a loss of community support, a loss of support within the Legislature and other places, and to keep the concerns raised within this bill separate from the concerns raised with the settlement bill. Thank you, very much."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative C. Lee also be entered into the Journal as her 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 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, Brower, Luke, Saiki and Takai voting no, and with Representatives Herkes and Souki being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1000-12) recommending that S.B. No. 2785, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2785, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm speaking against this bill, Mr. Speaker. Thank you, very much. The bill would establish a separate and distinct entity transmitting power to, and receiving revenue from an existing electric utility that is not owned or controlled by that electric utility. In other words, the bill establishes, on page 8, a certified cable company that will be subject to regulation by the Public Utilities Commission, and defined as a public utility.

"Mr. Speaker, about 108 years ago, the United States Congress enacted a law, and it provided as follows, and it's relevant to this bill. The bill affirmed an act by the Territory of Hawaii that granted the Hawaiian Electric Company a special franchise and special privileges to operate in Hawaii. The 58th Congress of the United States put in their law, provided that the Legislature of the Territory of Hawaii shall not grant to any corporation, association or individual, any special privilege or franchise, without the approval of the Congress of the United States. In other words, setting up a new cable company, subject to regulation by the Public Utilities Commission and defined as a public utility, requires first, congressional approval.

"Then I would like to go on just briefly over to the Island of Kauai, and you'll say, how did KIUC come into operation if there needed to be congressional approval? Well you go back to 1927, nearly 100 years ago, and that is when the utility was authorized, then approved by Congress in 1928, in accordance with the Organic Act. It was later amended by Congress, in 1954, to enlarge the districts covered on the Island of Kauai.

"Mr. Speaker, this is very similar to what Congress did with the US Postal Service. Congress set up the US Postal Service and provided that no other system for delivering mail can be established absent Congress' consent. Same thing. And we have the same thing here, where congressional approval is required.

"Mr. Speaker, I am going to go into the demerits of the bill in a minute, but I wanted to make it absolutely clear, we've done research, and we have not found anything that Congress did to repeal its requirement, and I want to read those words again. The Legislature of the Territory of Hawaii, now it's us, shall not grant to any corporation, association or individual, any special privilege or franchise without the approval of the Congress of the United States.

"When I spoke to the people at, I believe it was from DBEDT, or the Energy Division at the Committee hearing. I asked them, 'Have you sought congressional approval for what you are trying to do, by establishing this special privilege and this new utility? Have you sought it?' They said, 'No, we haven't.' I got back to my office and found that the Public Utilities Commission, and I believe DBEDT, had called my office to say, what on earth is the number of that law from Congress in 1903? They weren't aware of it. So I don't know what they've done since this period of time, but we cannot go ahead with this legislation."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you Mr. Speaker, and thank you Representative. We cannot move ahead with this measure, Mr. Speaker, without the congressional approval. It's a deal stopper. It's an absolute deal stopper.

"And then I want to go back to the Committee hearing, again, and just reference what Governor Abercrombie said. When I talked to him about, we're giving a no-risk opportunity to Hawaiian Electric for the work that it was going to be doing on land to accept the cable and that transmission. I said it's a corporate no-risk. It's a free ride for the corporation. All the costs, all the expenditures, get passed through to the rate-payer, the consumer. All of our constituents. And Governor Abercrombie said, he doesn't intend it to be, and I quote, "a free risk for the utility," end of quote.

"But it is. Yes, the Public Utilities Commission is supposed to only grant reasonable costs that are substantiated, but you take a look at page 13. The Public Utilities Commission shall establish a cable surcharge to allow recovery of the high voltage electric transmission cable system costs. That's the underwater portion. And the PUC is going to allow recovery of those costs.

"Well, from whom? Who do you think? Everyone in this room. Everyone on our island. I'm not clear if it's Neighbor Islands as well, but it's certainly all of our rate-payers. And for those that don't get a utility bill, they'll be paying in other ways the costs of this increased cost for electricity.

"And then the bill on page 15 goes on for Hawaiian Electric. Hawaiian Electric can recover through an automatic rate adjustment clause, its revenue requirement resulting from the capital costs that it prudently incurs for on-island transmission infrastructure.

"And then to rub salt into the wound, Mr. Speaker, on page 17, if Hawaiian Electric elects not to complete the on-island transmission infrastructure, the utility, or if it's prevented from completing it, it still can recover its costs. So there's absolutely no corporate risk. Mr. Speaker, you're a business man. Have you ever been guaranteed that you will not

incur any risk? I would think not. I mean, anyone that is in this room that is in business, who has actually run a small business in this State, I can guarantee you that those small business people, woman or man, never were guaranteed not to have any risk. But we're allowing Hawaiian Electric to do a corporate, no-risk, incredibly expensive project, and if for some reason it doesn't go through, they still recover all their costs.

"Now Governor Abercrombie said, he didn't intend it to be risk free for the utility, but the plain language of the bill makes it risk free for the utility.

"Mr. Speaker, on the first portion of my remarks, I said that we legally cannot do this without congressional approval. On the second portion, I look at, is it morally responsible to do something that is going to burden our rate-payers, and the ones on Oahu, on top of paying the added .5% GET Tax for the rail, the steel on steel rail project.

"You reach a tipping point, where people basically won't be able to afford to stay here, and to live here. And you reach a tipping point, where our young people say, 'What you've done, you've made it so costly ...'"

Representative Ching rose to yield her time, and the Chair "so ordered."

Speaker Say addressed Representative Thielen, stating:

"Please proceed Representative Thielen, but can you conclude your remarks, since you have had two times already. This particular measure is being referred to what Committee? And the concerns and questions that you have on the Floor of the House, you can ask the testifiers to get the response that you are being educated on, these questions and concerns that you have. But please continue, so we can summarize this particular measure."

Representative Thielen continued, stating

"I wish I could, Mr. Speaker. But the problem is we're talking about a billion dollar bill. And a billion dollar bill needs more than 3 minutes, 5 minutes. It needs a lot more thought from the Members. And when you think of what we are doing economically, and we don't need to do it, we have the energy available on the individual islands to take care of the individual islands.

"We have that energy available. But when we set up a system where you're going to say to your grandkids, 'I wish you could afford to stay here. I know the utility rates are so high. I know we're paying such a high tax for GET. I know the rail is costing more.' And Mr. Speaker, what do you say to your grandkids? They may not be born yet. I hope they will be. And I would hope they'd be able to stay here.

"But the step we're taking day after day in this Legislature, and particularly with this billion dollar bill, we're going to be saying to them, 'Go some other place where you can afford to live, because you can't afford it in Hawaii.'

"The bill, I believe, is seriously, legally defective. And the bill I believe is not necessary, because we have the adequate natural resources off of each island, that we can tap into. And the bill provides a corporate free ride, which I think is reprehensible. Thank you."

Speaker Say then stated:

"Thank you very much. I believe that the questions that you have posed before this Body will be addressed in the Consumer Protection & Commerce Committee. And finally for the fiscal impact, it has to be passed on Second Reading to be referred to the Committee on Finance.

"Members of the House, I think you can realize how transparent and open we are. There were two Committees that heard this particular measure, and they decided to pass it out to the next Committee, which is the Consumer Protection & Commerce Committee. And finally for those on the Consumer Protection & Commerce Committee, you will have the opportunity of asking the questions that Representative Thielen has posed on the Floor of this House.

"If it gets out of the Consumer Protection & Commerce Committee, it goes onto the Finance Committee, where the question is, is this particular project a billion dollar boondoggle, or is it for the greater good of the State of Hawaii? That's for your deliberations in your respective Committees.

"Members, is there any other discussion that you may have on this particular measure?"

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I will be voting on this measure with reservations. I do have a question, and I will hope to get the answer in the Finance Committee. But not being familiar with the PUC laws, I don't quite understand what an electric utility company is, whether it's just HECO separately, or Hawaiian Electric separately, or whether it's HEI as an electric company. So I didn't know whether this bill pertained to all rate payers statewide for this project, or whether it's just Oahu ratepayers. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. No vote. And I just want to mention that this bill came up last year. And one of the concerns that I had when I expressed my reservations and no votes was that there was no cost benefit analysis. So we have absolutely no idea how much it will really cost. We've heard that the depth of our waters may actually be a severe problem to this project. So it needs a lot more vetting, and until there's a cost benefit analysis, this is a huge liability for our ratepayers. Thank you."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The purpose of this measure is to establish the regulatory framework for the development, financing, and use of a high-voltage, undersea, electrical transmission cable system that will permit the transmission of power generated on one or more islands to an electric utility system located on another island of the State.

"Hawaii is taking the leadership in the United States of America on renewable energy. Without a doubt, we're going to show everybody what it means to be self sustainable. But one of the things that we've heard on the mainland, when you talk to people in Alaska, you talk to people in Canada, they keep saying we want the pipeline. We want to be able to transmit. We want to get it down into the United States and the lower 48. Why? Because we can deliver quality energy, and we can cut the cost to consumers. So if we're going to develop geothermal, wind energy, and all the wonderful projects we keep talking about, and to become sustainable and no longer have fossil fuel, we have got to have transmission lines.

"It's going to be critical to what we want to achieve in Hawaii. Transmission. There was an economist recently that was in Hawaii, and he said, 'Isn't Hawaii lucky? You're a small state. You don't have a lot of miles to travel.' However we do have to get through trenches out in the Pacific Ocean. But he said, 'You don't have nearly the issues they have on the mainland in trying to move the energy around, and to cut the cost of energy.'

"So, Mr. Speaker, we have to have in my opinion, we have to move this forward because we're reaching for that bigger goal and that is to show everyone that this state can be 100% renewable energy. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Still with reservations. Mr. Speaker, just clarification. I think that the Representative was not speaking to the merits of alternative energy, which I think for the better half of how many years she's been in support of, and been very vocal about. The merits, what she spoke about is the way that the corporation is not taking a risk. So in clarification, my understanding, being here on the Floor, and all due respect to the Representative from the Big Island, it was about the corporate no-risk. She has been a strong supporter, I think, we're all aware, of alternative energy."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition with brief comments, please. Thank you. I just would like to draw the Members' attention to a couple of simple facts. The Big Island is approximately 30% alternative energy. Maui somewhere in the 15% range. I could be a little bit off, but in no case is there any island generating so much electricity that they've got extra to export. Maui does have surplus wind energy in the evenings.

"It would be my strong suggestion that we look at generating hydrogen, which as some of us recently toured the hydrogen facility out at Hickam Airbase, is a burgeoning technology that's got great promise. It's portable. It's storable. It's so that additional energy that is generated or lost at night could generate hydrogen. It would be a lot cheaper than building a cable.

"We don't have enough energy generated. This is a potential boondoggle. We can talk about this next year, or the year after. We're a long ways from generating enough electricity to push between the islands. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just a couple of points that people have made. I just want to talk about some of them. If you take a look at the bill, the bill allows a regulatory structure for the PUC to implement. If Members notice, it talks about a certified cable company. That's who's going to build it. Not the utility. The utility though, is the one who ends up billing the consumer in the end, so the PUC has to have the ability to pass on some of those costs. So that's first. I don't think anyone here, nor when you talk to the Administration, thinks that the utility is going to build it. The utility doesn't have the capital means, nor the technical means to build the transmission cable. So that's first. It's going to be a private cable company. They are going to take the risk, because if it doesn't work, the PUC will not allow them to pass on the rate to the consumer. So that's one.

"Two is, for the issue of electrical generation for renewable energy on the Neighbor Island. I don't disagree with the Representative from the North Shore, that there is presently not an excess or a lot of excess, but that's the point. If you were a private company, Mr. Speaker, and you're on the Neighbor Island, are you going to invest your money to build a facility to create electricity from a renewable source, and you have no place to sell it? Of course not. You need the infrastructure to transmit it to Oahu first, and we're far from that. But if we're not even going to pass a regulatory structure to allow the PUC to move in this direction, then no one is going to develop renewable sources on the Neighbor Islands to sell to Oahu. It wouldn't make sense to them, or their investors. So this is necessary to move the discussion forward.

"And then lastly, the Public Utilities Commission is the decider on whether or not this is going to be feasible and in the best interest, from a cost benefit ratio, for the ratepayer. Just as they did on a renewable project on the Big Island when they said no. Or the project on Oahu where they said no. If it doesn't pencil out, they're not going to do it. We don't set rates at the Legislature. The Public Utilities Commission does. That's who we empower. That's where the expertise is. And that's why if we're serious

about renewable energy, and more importantly, if we were serious about lowering and stabilizing, more importantly, the utility cost for all our consumers, then we need to allow this measure to move forward. So that the Public Utilities Commission on behalf of the people has another tool to ensure a stable and cost-effective grid. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Just in response to the Majority Leader's comments. I refer you to page 17 of the bill. The electric utility company shall be allowed by the Commission to recover the reasonable costs through the cable surcharge over a period equal to the period during which the costs were incurred, or 5 years, whichever is greater. So most likely it would be the 5-year period where we would be socked with a high rate, that the Public Utilities Commission would be required to go ahead and grant.

"The point is that the bill does not help rate-payers. The bill is not about saving costs. The kind of technology it is trying to tap really is intermittent, and more than that, we don't even have the cost analysis from Booz Allen to tell us what this cable will cost. We're passing a regulatory scheme, first of all in violation of an Act of Congress, that's a real clinker. And we're passing a regulatory scheme not even knowing the potential cost impact. Booz Allen, it's been over a year since they had said they were going to release the report. It still hasn't come out.

"We know that it's about a billion dollar project. Well, Hawaiian Electric, or that cable company, isn't going to absorb all those costs. They're going to want to, not only not have to pay them, but they're going to want a profit for their shareholders, for Hawaiian Electric. And so we're not doing anything to bring down utility rates for the consumer. And the Public Utilities Commission, frankly, hasn't either. If you've taken a look at your bill recently, Mr. Speaker, and I'm sure as a business man, you have. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just briefly. The whole notion of having a larger grid in and of itself saves money. And I think as a ratepayer, I would like to see this project go forward, because the bigger the grid, the more sharing between various islands you can do.

"There may be questions about cultural issues with how the energy is generated, but that's a separate question within the economics of how a bigger grid works better. The Representative from the 50th District keeps coming back to the point that it's the ratepayers paying for this. Well, who else is there to pay for a project like this? It always comes back to the ratepayers. Although I have a different conclusion than the Representative from the 47th District, I do agree that it's the cost benefit ratio. When you have to balance the cost of building the thing in the first place, with the savings that you'll get by having a larger grid, and being able to, either in certain times, ship energy from Oahu to the other islands and in some situations, ship the energy in the other direction. But in any case, especially on the Neighbor Islands, the price of electricity is going to go down. It'll go down on Oahu too, but probably not as dramatically, because we're already a bigger grid. Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support with some comments. Thank you. There's nothing in this bill about any project. This is just simply a regulatory process. The PUC can already go ahead and approve a cable project if they want to. What this regulatory process will do is it will allow them to take on cable utilities that can actually provide cables at a lower cost. They need this tool because they're beginning the integrated resource planning which will tie all this together so that we can look at costs, and hopefully have lower rates. Thank you, Mr. Speaker."

Representative Hanohano 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 Committees was adopted and S.B. No. 2785, SD 2, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, Riviere, Thielen and Wooley voting no, and with Representatives Herkes and Souki being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1001-12) recommending that S.B. No. 2001, SD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2001, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1002-12) recommending that S.B. No. 2511, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2511, SD 2, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

Representative Kawakami rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I work for a convenience store," and the Chair ruled, "no conflict."

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I'm rising with reservations, and just some brief comments. You know, we've had a plastic bag ban on Maui now for, I think a couple of years. And that really has truly improved the environment. So I'm not against this going to paper or renewable bags. But what's kind of got my concern about this are these fees, and how they escalate as time goes on.

"I'm concerned that even though the businesses are allowed to keep a percentage of that fee, whether it's really going to cover the per bag cost. So I hope that maybe in the next Committee that they can really do some further analysis and maybe discuss this with some businesses that would have to provide these paper bags in replacement of the plastic bags. Thank you."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you. With reservations and brief comments. I think I would have preferred some of the House measures along these lines, that provided for exemptions for those individuals who were most financially needy, including those that received some form of WIC subsidy. My concern is just that, although this is a well-intended bill, and I think a good aim to seek to achieve doing it in the midst of a recession when people have fairly high living costs already, may just beg further discussion. Thank you."

Representative Cullen 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 Cullen's written remarks are as follows:

"Mr. Speaker, I voted reservations on this measure because although we must reduce the use of plastics, singling out one item that is in most cases

used by the community more than once is unfair. I understand we must change our behavior to protect the *aina*. And, being that the watershed is important we must find another way instead of adding another tax. We should look at a ban of all plastic, and not just one item. Providing a two cent rebate for two years as a startup to retailers is not proper. We should not use tax money to help retail stores."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Hanohano 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 support of the measure, stating:

"Just real quickly, Mr. Speaker. In support. Just some brief comments. You know, this Body passes a lot of measures where fees are basically mandatory. There's just no way around them, you have to pay the fee no matter what. One of the things about this measure that I find intriguing is this is voluntary. If you don't want to pay the fee, and by the way, to answer the question of the good Representative from Kihei. Yes, the business community said that in the bill this would cover the costs of the paper bags. But you can avoid this by just bringing a recyclable bag or a box to the store, and you don't have to pay the fee.

"And I've noticed in the budget that we just passed we did the General Fund appropriation for the watershed program. I'm assuming that we'd like to pay that back as to not add to our deficit situation. So I know the concerns of the Members and appreciate them, but I just would like to, as this measure moves forward hopefully that you reconsider this as a voluntary thing. You don't want to do it, you don't pay it. I do have concerns too, but I'm hopeful that in our Committee, that we can address them, particularly the impact upon small business by some of the amendments that were made to the bill. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I will be voting with reservations on this particular version. I don't know what 100% is, much less the 75% that's mentioned in this measure. Thank you."

Representative Awana 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. 2511, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1003-12) recommending that S.B. No. 2512, SD 2, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2512, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading and was referred to the Committee on Agriculture, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1004-12) recommending that S.B. No. 2787, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2787, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1005-12) recommending that S.B. No. 2752, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2752, SD 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine 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 an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and Souki being excused.

Representatives Brower and Awana, for the Committee on Tourism and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1006-12) recommending that S.B. No. 2642, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2642, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1007-12) recommending that S.B. No. 2527, SD 2, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2527, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes and Souki being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1008-12) recommending that S.B. No. 2828, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2828, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative Hanohano 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. 2828, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1009-12) recommending that S.B. No. 2800, SD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2800, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1010-12) recommending that S.B. No. 2810, SD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2810, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1011-12) recommending that S.B. No. 2833, SD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2833, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL [sic] DISABILITIES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1012-12) recommending that S.B. No. 2950, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2950, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1013-12) recommending that S.B. No. 2588, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2588,

SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1014-12) recommending that S.B. No. 2968, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2968, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1015-12) recommending that S.B. No. 2874, SD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2874, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1016-12) recommending that S.B. No. 2070, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2070, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1017-12) recommending that S.B. No. 2846, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2846, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes and Souki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1018-12) recommending that S.B. No. 3024, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1019-12) recommending that S.B. No. 2508, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2508, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Souki being excused.

ANNOUNCEMENTS

At 1:23 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:23 o'clock p.m.

Speaker Say: "If there are no further announcements, the Chair would like to remind Committee Chairs that today is the Triple Referral Filing Deadline. So those measures that do not make the Triple Referral Deadline, it is like we say in our local jargon, *make* for the year. For Triple Referral bills that need to move to their second Committee, please file your Committee Reports and Drafts with the Chief Clerks Office by 6:00 p.m. for the Committee Chairs."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R. Nos.

Referred to:

72	Committee on Transportation
73	Committee on Agriculture, then to the Committee on Finance
74	Committee on Agriculture, then to the Committee on Finance
75	Committee on Agriculture, then to the Committee on Finance
76	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary
77	Committee on Housing, then to the Committee on Health
78	Committee on Health, then to the Committee on Finance
79	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
80	Committee on Public Safety & Military Affairs
81	Committee on Energy & Environmental Protection, then to the Committee on Finance
85	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
86	Committee on Transportation
87	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
88	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
89	Committee on Hawaiian Affairs, then to the Committee on Finance

90	Committee on Economic Revitalization & Business, then to the Committee on Finance
91	Committee on Judiciary, then to the Committee on Finance
92	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
93	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
94	Committee on Labor & Public Employment, then to the Committee on Finance
95	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
96	Committee on Health, then to the Committee on Consumer Protection & Commerce
97	Jointly to the Committee on International Affairs and the Committee on Tourism
98	Jointly to the Committee on International Affairs and the Committee on Tourism
99	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
100	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
101	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
102	Committee on Housing, then to the Committee on Judiciary
103	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce
104	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism, then to the Committee on Higher Education, then to the Committee on Finance
105	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business
106	Committee on Housing
107	Committee on International Affairs, then to the Committee on Finance
108	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
109	Committee on Health, then to the Committee on Finance
110	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs

H.C.R. Nos.

Referred to:

100	Committee on Transportation
101	Committee on Agriculture, then to the Committee on Finance
102	Committee on Agriculture, then to the Committee on Finance

103	Committee on Agriculture, then to the Committee on Finance	128	Committee on Health, then to the Committee on Consumer Protection & Commerce
104	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance	129	Jointly to the Committee on International Affairs and the Committee on Tourism
105	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	130	Jointly to the Committee on International Affairs and the Committee on Tourism
106	Committee on Housing, then to the Committee on Health	131	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
107	Committee on Transportation, then to the Committee on Higher Education, then to the Committee on Finance	132	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
108	Committee on Energy & Environmental Protection, then to the Committee on Finance	133	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
109	Committee on Public Safety & Military Affairs	134	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
110	Committee on Energy & Environmental Protection, then to the Committee on Finance	135	Committee on Housing, then to the Committee on Judiciary
111	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	136	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce
112	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance	137	Committee on Education, then to the Committee on Finance
113	Committee on Transportation	138	Committee on Agriculture, then jointly to the Committee on Higher Education and the Committee on Education
114	Committee on Judiciary	139	Jointly to the Committee on Economic Revitalization & Business and the Committee on International Affairs, then to the Committee on Finance
115	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	140	Committee on Economic Revitalization & Business, then to the Committee on Finance
116	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	141	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
117	Committee on Hawaiian Affairs, then to the Committee on Finance	142	Committee on Water, Land, & Ocean Resources
118	Committee on Economic Revitalization & Business, then to the Committee on Legislative Management	143	Committee on Water, Land, & Ocean Resources
119	Committee on Economic Revitalization & Business, then to the Committee on Finance	144	Committee on Housing
120	Committee on Judiciary, then to the Committee on Finance	145	Committee on International Affairs, then to the Committee on Finance
121	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	146	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
122	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	147	Committee on Agriculture, then to the Committee on Legislative Management
123	Committee on Labor & Public Employment, then to the Committee on Finance	148	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs
124	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance		
125	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance		
126	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance		
127	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		

ADJOURNMENT

At 1:24 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 16, 2012. (Representatives Herkes and Souki were excused.)

THIRTY-THIRD DAY

Friday, March 16, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Reverend Ryoso Toshima of Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Herkes and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-First and Thirty-Second Days was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 417 and 418) were received and announced by the Clerk:

Sen. Com. No. 417, transmitting S.C.R. No. 28, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF COMMEMORATIVE PLAQUES DESIGNATING THE FORMER SITES OF THE KOREAN CHRISTIAN INSTITUTE," which was adopted by the Senate on March 15, 2012.

Sen. Com. No. 418, transmitting S.C.R. No. 29, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," which was adopted by the Senate on March 15, 2012.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Mizuno introduced social work students who were at the Capitol for Students Day at the Hawaii Legislature in recognition of National Social Work Month:

University of Hawaii at Manoa Myron B. Thompson School of Social Work graduate students, Ms. Erin Tanaka, Ms. Cecelia Gregory and Mr. Sanford Sasaki.

Hawaii Pacific University student organizers, Ms. Alena Krol, Ms. Marty Oliphant, Mr. Patrick Corpitt and Mr. Colin Hosking.

BYU Hawaii School of Social Work, students of social work.

Representative Rhoads introduced Mr. Fetu Kolio, President of the Mayor Wright Tenants Association, and his nephews.

Representative Ching introduced Mr. Stanford Yuen, inter-governmental affairs executive assistant for Commander, Navy Region Hawaii.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 180) was announced by the Clerk and the following action taken:

H.R. No. 180, entitled: "HOUSE RESOLUTION HONORING THE UNITED STATES NAVY FOR STRONG ENVIRONMENTAL STEWARDSHIP IN HAWAII," was jointly offered by Representatives Ward and Morikawa.

Representative Ward moved that H.R. No. 180, be adopted, seconded by Representative Morikawa.

Representative Ward commended the United States Navy in Hawaii for their protection and stewardship of the environment and congratulated them on receiving the following national awards:

The Installation Award for Cultural Resources Management was received by Joint Base Pearl Harbor – Hickam;

The Team Award for Environmental Quality was received by the Naval Supply Systems Command Fleet Logistics Center Pearl Harbor Environmental Quality Team; and

Two Awards for Natural Resources Conservation were received by the Pacific Missile Range Facility, Kauai.

Representative Ward then introduced the honorees representing the United States Navy in Hawaii who were seated on the Floor of the House:

Rear Admiral Fernandez L. "Frank" Ponds, Commander, Navy Region Hawaii, Naval Surface Group Middle Pacific;

Captain Jeffery W. James, Commander, Joint Base Pearl Harbor-Hickam;

Command Master Chief (SW/AW) Marc F. Sibal, Command Master Chief, Navy Region Hawaii;

Machinist Mate 1st Class (SS) Cody Davis, Vice Chief of Naval Operations Shore Activities Sailor of the Year, Pearl Harbor Naval Shipyard; and

Ms. Ellyn Goldkind, Architect/Historic Preservation Officer, Navy Region Hawaii.

Representative Morikawa also thanked the United States Navy for their environmental stewardship and commended the Pacific Missile Range Facility for their two nationally recognized programs: displaying the habitat types that existed on the Mana Plain; and ensuring the survival of the Laysan Albatross population at the Kilauea Point national Wildlife Refuge.

Representative Aquino then introduced the guests seated in the Gallery:

Mrs. Carol Ponds, Wife of Rear Admiral Ponds;

Ms. Janice Fukawa, Naval Facilities Engineering Command; and

Mr. Stanford Yuen, Executive Assistant of Intergovernmental Affairs, Navy Region Hawaii.

Representative Cabanilla also thanked the United States Navy in Hawaii for their efforts in cleaning the Westlock and Pearl Harbor shorelines.

Representative Pine thanked the Navy for the support shown to her and other Navy spouses.

Representative Yamane commended the Navy for their work on environmental issues, including the work of the civilian workforce.

Representative M. Lee, as a former Navy nurse, congratulated the Navy on their national recognition.

Representative Brower thanked the young men and women of the United States Navy, especially those serving on the USS Ronald Reagan.

Representative Cullen also congratulated the Navy for their environmental efforts and thanked them for their work to clean the Kapakahi Stream.

The motion was put to vote by the Chair and carried, and H.R. No. 180, was adopted, with Representatives Herkes, Oshiro and Tokioka being excused.

The following resolution (H.R. No. 181) was announced by the Clerk and the following action taken:

H.R. No. 181, entitled: "HOUSE RESOLUTION CONGRATULATING CHAD MILLER AS THE 2012 STATE TEACHER OF THE YEAR, KAEOKULANI VASCONCELLOS AS THE 2012 HONOLULU DISTRICT TEACHER OF THE YEAR, MEGHAN MCCORMICK AS THE 2012 CENTRAL OAHU DISTRICT TEACHER OF THE YEAR, LUANE HIGUCHI AS THE 2012 LEEWARD OAHU DISTRICT TEACHER OF THE YEAR, NANCY IAUKEA AS THE 2012 HAWAII DISTRICT TEACHER OF THE YEAR, MITZI HASEGAWA AS THE 2012 MAUI DISTRICT TEACHER OF THE YEAR, SHERIANN MOISES AS THE 2012 KAUAI DISTRICT TEACHER OF THE YEAR, AND AMBER STRONG MAKAIU AS THE RECIPIENT OF THE 2011 TEACHING TOLERANCE AWARD FOR EXCELLENCE IN CULTURALLY RESPONSIVE TEACHING," was offered by Representative Takumi.

Representative Takumi moved that H.R. No. 181, be adopted, seconded by Representative Belatti.

Representative Takumi introduced Mr. Chad Miller, an English teacher at Kailua High School and 2012 State Teacher of the Year, who was seated on the Floor of the House.

Mr. Miller was accompanied by his girlfriend, Ms. Hilina Fukutomi; brother and sister-in-law, Mr. Chip and Mrs. Ty Miller; Principal, Ms. Francine Honda; Vice Principal, Mr. Brett Matsukawa; and friends, Mr. Steven Deburger, Dr. Thomas Jackson, Dr. Benjamin Lukey, Ms. Katie Berger and Mr. Jonathan Delahoyde, who were seated in the Gallery.

Representative Belatti then introduced additional honorees seated on the Floor of the House:

Mr. Kaeokulani Vasconcellos, a teacher at Roosevelt High School and the 2012 Honolulu District Teacher of the Year. He was accompanied by his family and friends, Kumu Vasconcellos, Ms. Susan Shim, Ms. SueAnn Napoleon, Mr. Allan Napoleon and Ms. Caroline Tolentino, who were seated in the gallery.

Ms. Meghan McCormick, a teacher at Wheeler Middle School and the 2012 Central Oahu District Teacher of the Year. She was accompanied by her grandparents, Mr. Richard and Ms. Helga Matzko; her boyfriend, Mr. Justin Ugalino; and Vice Principal, Mr. Sam Bennett, who were seated in the gallery.

Ms. Mitzi Hasegawa, a teacher at Hana Elementary and High School, and the 2012 Maui District Teacher of the Year. She was accompanied by her husband, Mr. Neil Hasegawa; and their children, Master Brayden and Miss Caelyn Hasegawa, who were seated in the gallery.

Dr. Amber Strong Makaiau, a teacher at Kailua High School, and the recipient of the 2011 Teaching Tolerance Award for Excellence in Culturally Responsive Teacher. She was accompanied by her mother, Ms. Linda Strong; her husband, Mr. Jared Makaiau; and daughter, Miss Cappy Makaiau, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 181, was adopted, with Representatives Herkes, Oshiro, Saiki and Tokioka being excused.

At 12:36 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:49 o'clock p.m., with Speaker Say presiding.

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1020-12) recommending that S.B. No. 2323, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2323, SD 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 Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1021-12) recommending that S.B. No. 2845, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2845, SD 1, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker. On S.B. No. 2845, I wish to speak for this measure with very small reservations. I believe this is basically a good bill. It can speed the process up. My only concern is, on page 3, there seems to be an amendment in there that states that notwithstanding section 386-86, the Director may make a decision without a hearing, but shall make a decision within 30 days of the filing. So what this seems to say is that the Director may call for a hearing. Whereas the indication, when you read the bill, is there will not be a hearing.

"So if this measure that does provide for the possibility of a hearing, it makes me a little nervous as to how it will proceed. But as this bill moves along, maybe the next Committee can look at that language and make some clarification, because there seems to be some redundancy that can lead to a problem. Thank you."

Representative Ching 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. 2845, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1022-12) recommending that S.B. No. 2071, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2071, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 1023-12) recommending that S.B. No. 3017, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3017,

SD 2, 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 Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 1024-12) recommending that S.B. No. 3048, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3048, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Choy rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Cabanilla 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 support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in support, but I do have some reservations. And you may be wondering, well how come a guy who likes tax credits is in reservations. My concern is the \$200 million estimated revenue loss to the State. I think it's a good idea, but the way it's drafted now, it's so wide, and it's so open-ended, I believe this could create a major problem. I'm hoping as it moves forward that the Finance Committee could look at perhaps constraining it, either through caps or through some other measure so that we can move this idea forward, but not encounter such a huge possible revenue loss. 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. 3048, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AND TOURISM STIMULUS INITIATIVES," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1025-12) recommending that S.B. No. 2783, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1026-12) recommending that S.B. No. 3011, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3011, SD 2, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative Evans.

Representative Hanohano rose to speak in support of the measure with reservations, stating:

"Kanalua. 'A'ohe ka leo no nā po'e Hawai'i. 'A'ohe e kakakua ma ke komike ke kuleana Hawai'i. Mahalo.

"With reservations, because the Hawaiian people's voices were not heard and there was no discussion with the Committee on Hawaiian Affairs. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3011, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Agriculture, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1027-12) recommending that S.B. No. 2110, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2110, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Giugni rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'm requesting a ruling on a potential conflict. I'm a co-founder of this archive."

The Chair responded, stating:

"You are excused."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. And may I have permission to enter written comments into the Journal? Thank you."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB 2110, SD1. The purpose of this measure is to help preserve Hawaii's historical film, videotape, and audiovisual materials and increase access to such materials by designating 'Ulu'ulu: The Henry Ku'ualoha Giugni Moving Image Archive of Hawai'i as the official state archive for moving images and to establish a special fund for its support.

"For over 100 years, Hawaii has been making movies and television shows. Today more than 80% of the State's media history has been lost forever because of our tropical weather or simple neglect. And the remaining 20% of our media that is still preserved is rendered unviewable because of obsolete hardware and outdated equipment.

"Since its inception in 2008, Ulu'ulu: The Henry Ku'ualoha Giugni Moving Image Archive of Hawai'i has collected over 10,000 hours of recorded video and film footage, including the first commercial inter-island flight in 1927, volcanic eruptions during the 1940's and 1950's, the 1978 Constitutional Convention, and over 30 years of news and sports programming from KGMB.

"Mr. Speaker, I had the privilege of visiting the Ulu'ulu Archive earlier this year and it was truly a "chicken-skin" epiphany for me. I witnessed Hawaii's history on film that could have been lost forever but for the efforts of the Ulu'ulu Archive. The staff is dedicated to this endeavor and we are fortunate to have such talented and passionate people who are committed to seeing that Hawaii's history is not lost.

"As it is essential to Hawaii's present and future generations and to people all over the world to preserve and archive these moving images, I strongly support this measure. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. And I would like the written comments of the Representative of Kapolei entered into the record as if it were my 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 Committee was adopted and S.B. No. 2110, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S

MOVING IMAGES," passed Second Reading and was referred to the Committee on Finance, with Representatives Giugni, Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1028-12) recommending that S.B. No. 2056, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2056, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1029-12) recommending that S.B. No. 2792, SD 3, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2792, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY REVENUE," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1030-12) recommending that S.B. No. 2669, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2669, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1031-12) recommending that S.B. No. 2175, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2175, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1032-12) recommending that S.B. No. 2386, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2386, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1033-12) recommending that S.B. No. 3071, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3071,

SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1034-12) recommending that S.B. No. 2790, SD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2790, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1035-12) recommending that S.B. No. 3053, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3053, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1036-12) recommending that S.B. No. 2397, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2397, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1037-12) recommending that S.B. No. 2769, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2769, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1038-12) recommending that S.B. No. 2747, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2747, SD 1, HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, just a request on a ruling on a potential conflict. I'm an owner of an electric vehicle. Thank you," and the Chair ruled, "no conflict."

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. 2747, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1039-12) recommending that S.B. No. 2339, SD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2339, SD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative Evans.

Representative Takai 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. 2339, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1040-12) recommending that S.B. No. 2876, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2876, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1041-12) recommending that S.B. No. 2224, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2224, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1042-12) recommending that S.B. No. 2419, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2419, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1043-12) recommending that S.B. No. 2084, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2084, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1044-12) recommending that S.B. No. 2182, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2182, HD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"I stand in support, and I'd like to have written comments in the Journal. In support, except for the date. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. SB 2182, HD 1 would make permanent the assessment and deposit of the Hawaii State Center for Nursing (HSCFN) fees into the Compliance Resolution Fund and distribution of those funds to the credit of the HSCFN special fund.

"In 2003, the Legislature passed Act 198, to create the Hawaii State Center for Nursing. The Center was given the mandate to collect and analyze data, and make recommendations regarding the current status and trends of the nursing workforce; conduct research in best practices and quality outcomes; develop a plan for implementing strategies to recruit and retain nurses; and research, analyze and report data related to the retention of the nursing workforce. We can see in the work that the Center for Nursing has produced that they have very ably done what was asked of them.

"The data and evidence collected by the Hawaii State Center for Nursing is invaluable in making workforce, policy and resource decisions. The HSCFN should be continued as it has become a leader in workforce planning, nursing research, and professional practice in the State. Stakeholders recognize the HSCFN as the source of reliable information regarding existing and emerging trends in nursing. The repeal of the Center fees would in essence cause the demise of the HSCFN as the fee is its main source of funding.

"I support the bill, but not the defective date."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1045-12) recommending that S.B. No. 2766, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2766, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1046-12) recommending that S.B. No. 2106, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2106, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on

Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1047-12) recommending that S.B. No. 2825, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1048-12) recommending that S.B. No. 2101, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2101, SD 1, HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs, seconded by Representative Evans.

Representative Pine rose to disclose a potential conflict of interest, stating:

"Yes. I just want to declare a potential conflict. I'm a recipient of TRICARE," and the Chair ruled, "no conflict."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. Same ruling for the same possible conflict. Thank you," and the Chair ruled, "no conflict."

Representative Takai rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. Same thing. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2101, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1049-12) recommending that S.B. No. 2434, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2434, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1050-12) recommending that S.B. No. 2436, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2436, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG," passed Second Reading and was referred to the

Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1051-12) recommending that S.B. No. 2228, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2228, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Marumoto 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. 2228, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1052-12) recommending that S.B. No. 2398, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2398, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Awana rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand with reservations and just a few comments if I may. Thank you. My only concern is with regards to, and I understand the purpose of this particular measure. However my concern is with regards to Native Hawaiian tattoo cultural practitioners and the effects that it may have on them with the passage of this measure. 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. 2398, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1053-12) recommending that S.B. No. 2424, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2424, SD 2, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

Representative Marumoto 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. 2424, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1054-12)

recommending that S.B. No. 2324, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2324, SD 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 Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1055-12) recommending that S.B. No. 2981, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2981, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, a no vote. Thank you. Mr. Speaker, there are many good things in this measure, but it includes the undersea electricity transmission cable, and I've spoken at length about my concerns about that. Thank you."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley 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. 2981, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen voting no, and with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1056-12) recommending that S.B. No. 1197, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1197, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1057-12) recommending that S.B. No. 2250, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2250, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1058-12) recommending that S.B. No. 2584, SD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2584, SD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict? I'm a member of the Hawaii Army National Guard, however I don't think I'll be taking advantage of this tuition assistance. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2584, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1059-12) recommending that S.B. No. 2394, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2394, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1060-12) recommending that S.B. No. 2489, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2489, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1061-12) recommending that S.B. No. 2776, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2776, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Pine 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 Ching 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. 2776, SD 2, 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 Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1062-12) recommending that S.B. No. 2248, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2248, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine 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. 2248, SD 2, 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 Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1063-12) recommending that S.B. No. 2582, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2582, SD 2, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'm requesting a ruling on a potential conflict. Yes, I'm an owner of a Veteran Owned, Service-Disabled Veteran's company. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2582, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Aquino and Rhoads, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1064-12) recommending that S.B. No. 2261, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2261, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1065-12) recommending that S.B. No. 3016, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3016, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC

SAFETY," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1066-12) recommending that S.B. No. 2713, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2713, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1067-12) recommending that S.B. No. 3008, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3008, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1068-12) recommending that S.B. No. 2576, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2576, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Hanohano 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. 2576, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1069-12) recommending that S.B. No. 2579, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2579, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Hanohano 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. 2579, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Mizuno and Rhoads, for the Committee on Human Services and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1070-12) recommending that S.B. No. 2123, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2123, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Hanohano 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. 2123, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1071-12) recommending that S.B. No. 2088, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2088, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1072-12) recommending that S.B. No. 2712, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2712, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1073-12) recommending that S.B. No. 2655, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2655, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, may I rise in opposition and say a few words? Mr. Speaker, we thought the silly bill today, or this Session was going to be the State bacteria.

"I cannot figure out the logic of this bill, Mr. Speaker. It's going to put a \$2,000 fee on people who have portable electronics like this. I pay \$7 a month, so if I lose it, or it breaks, or it falls, it can be replaced. Now the people already selling this are already selling this without us getting in there and saying, 'Give us \$2,000 in order to sell insurance for these portable electronics'. What's the logic of this?

"This is clearly a blatant grab for money and one of the, I would call it the, dirty three dozen fees that we're putting in the guise of tax increases in this Session. And \$2,000 for somebody to sell insurance is prohibitive. It's almost unfathomable that we could do that. So I'm going to stand up continually and say that this is unwarranted, unnecessary, unfair and it is part of the three dirty dozen tax in disguises fee increases in this Session."

Representative Fontaine rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote 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 Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of S.B. 2655-Relating to Portable Electronics Insurance. This bill establishes provisions for the sale of portable electronics insurance and requires vendors to hold a limited lines license to sell or offer coverage under a policy.

"S.B. 2655 puts more unnecessary economic hardship on the people of Hawaii. The Legislature should not add a new form of insurance or regulation to the State code at this time, as there is no need for it. Thank you."

Representative Johanson rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Riviere 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. 2655, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ching, Fontaine, Johanson, Marumoto, Pine, Riviere, Thielen and Ward voting no, and with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1074-12) recommending that S.B. No. 2235, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2235, SD 2, 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. I'd like to cast a no vote on Senate Bill 2235. Mr. Speaker, it's automatic approval for a permit, and such a permit would include landing of an underseas cable."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 2235, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1075-12) recommending that S.B. No. 2941, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2941, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am going to vote with reservations on this particular bill, regarding the portion that requires UH to extend its lease. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2941, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1076-12) recommending that S.B. No. 2947, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2947, 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 Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1077-12) recommending that S.B. No. 2421, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2421, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I ask for a ruling on a potential conflict? I'm a public accountant. Thank you," and the Chair ruled, "no conflict."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am voting with reservations on this measure with hopes that I can vote up at the end of Session."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2421, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1078-

12) recommending that S.B. No. 2504, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2504, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF DOGS AND CATS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1079-12) recommending that S.B. No. 2528, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2528, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1080-12) recommending that S.B. No. 2239, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2239, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives McKelvey and Brower, for the Committee on Economic Revitalization & Business and the Committee on Tourism presented a report (Stand. Com. Rep. No. 1081-12) recommending that S.B. No. 2433, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2433, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHALLENGE COURSE TECHNOLOGY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Herkes, Kawakami, Oshiro and Tokioka being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1082-12), recommending that H.R. No. 22, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 22, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO EDUCATE OPERATORS OF ADULT RESIDENTIAL CARE HOMES AND COMMUNITY CARE FOSTER HOMES ABOUT THE APPROPRIATE INSURANCE FOR THEIR BUSINESS," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1083-12), recommending that H.C.R. No. 42, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO EDUCATE OPERATORS OF ADULT RESIDENTIAL CARE HOMES AND COMMUNITY CARE FOSTER HOMES ABOUT THE APPROPRIATE INSURANCE FOR THEIR BUSINESS," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1084-12), recommending that H.R. No. 7, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1085-12), recommending that H.C.R. No. 9, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1086-12), recommending that H.C.R. No. 15, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY TO DETERMINE WAYS, OTHER THAN TAX INCENTIVES, TO ENCOURAGE EMPLOYERS TO PROVIDE AND PAY FOR LONG TERM CARE INSURANCE AND INDIVIDUALS TO PURCHASE LONG TERM CARE INSURANCE," was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1087-12), recommending that H.C.R. No. 32, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 32, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S OFFICE TO CONDUCT A STUDY ON THE EFFICACY OF COMBINING STATE GOVERNMENT HEALTH POLICY, PLANNING, AND PURCHASING IN A SINGLE AGENCY IN ORDER TO ADVANCE TRANSFORMATION OF HAWAII'S HEALTHCARE SYSTEM AND UNIVERSAL ACCESS TO CARE," was referred to the Committee on Finance, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1088-12) recommending that H.C.R. No. 12, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 12, be adopted, seconded by Representative Evans.

Representative Pine 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 H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING JANUARY 22-28, 2012 AS "REPRODUCTIVE RIGHTS AWARENESS WEEK," TO ENCOURAGE PUBLIC AWARENESS, CONVERSATION, AND SUPPORT FOR REPRODUCTIVE RIGHTS AWARENESS," was adopted, with Representatives Herkes, Kawakami, Oshiro, Tokioka and Ward being excused.

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. I just wanted to announce that today at the Ala Moana Americana Hotel, the Ala Moana Hotel now, there was the National Kidney Foundation helping with some screening. I think it may be still going on. So today there is screening, blood screening, etc. And I know they will most likely be coming to the Capitol, but I encourage everyone to, especially if you think you have any members in your family. I did, so I had myself checked. So far so good."

Representative McKelvey: "Thank you, Mr. Speaker. On behalf of all your Irish, Scottish, Welsh poi dogs, I just want to wish everybody a Happy Saint Patrick's Day. *Erin go bragh* and please be safe. Thank you, very much."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
1197, SD2, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
2421, SD1, HD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2527, SD2	Committee on Education, then to the Committee on Finance
2632, SD1	Committee on Tourism, then to the Committee on Finance
2874, SD1	Committee on Transportation, then to the Committee on Finance
2947, SD2, HD1	Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance

ADJOURNMENT

At 1:14 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 19, 2012. (Representatives Herkes, Kawakami, Oshiro and Tokioka were excused.)

THIRTY-FOURTH DAY

Monday, March 19, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Pastor David "Waxer" Tipton of One Love Ministries, after which the Roll was called showing all Members present with the exception of Representatives Carroll and Herkes, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 229) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 229, dated March 14, 2012, transmitting the 2011 Annual Report Relating to an Emergency Appropriation for Natural Disasters, prepared by Hawaii State Civil Defense pursuant to Act 78, SLH 2007, and Act 76, SLH 2009.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Awana introduced Mr. Oliver Weng, Director of the Taipei Economic and Cultural Office.

Representative Ching introduced her daughter, Miss Anna Lauren Lerner. She was accompanied by her legislative staff, Mr. Lindsey Barrow, Jr.

ORDER OF THE DAY**INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)**

The following resolution (H.R. No. 182) was announced by the Clerk and the following action taken:

H.R. No. 182, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING THE CENTENNIAL ANNIVERSARIES FOR PALAMA SETTLEMENT, THE CHINESE CHAMBER OF COMMERCE OF HAWAII, AND LILIHA SHINGONJI MISSION," was jointly offered by Representatives Ching, Marumoto, Pine, Rhoads, Riviere, Thielen, Ward, Fontaine and Johanson.

Representative Ching moved that H.R. No. 182, be adopted, seconded by Representative Rhoads.

Representative Ching congratulated and thanked the Palama Settlement for their 100 years of service and support of the community, and introduced the honorees seated on the Floor of the House representing the Palama Settlement:

Ms. Jean Evans, Executive Director; and
Mr. Richards Sutton, Jr., Vice President.

Representative Ching also congratulated the Liliha Shingonji Mission on their centennial anniversary, and introduced the honoree seated on the Floor of the House:

Ms. Lorraine Minatoshi-Palumbo, on behalf of Reverend Clarence Higa.

Representative Ching then congratulated the Chinese Chamber of Commerce on their centennial anniversary.

Representative Rhoads then introduced the honorees seated on the Floor of the House representing the Chinese Chamber of Commerce:

Mr. John Hui, President; and
Mr. Vernon Ching, General Chairman of the Centennial Committee.

Representative Ching also recognized the many guests seated in the Gallery:

Palama Settlement

Ms. Mary Ann Chang, Board Member;
Mr. Bruce Greek, 3rd Vice President;
Ms. Sylvia Flores and Ms. Donna Taniguchi, Staff Members;
Ms. Jocelyn Ho, Liliha resident; and
Ms. Lyn Moku, Director, Lanakila Meals on Wheels.

Liliha Shingonji Mission – Members

Ms. Setsuko Nakamoto;
Ms. Gayle Fujita;
Mr. Russell Honma, President of International Business and Government Affairs, Economic Development and Transportation; and
Ms. Girtie Hara, AARP advocate.

Chinese Chamber of Commerce

Mr. Leonard J.K.H Kam, President Elect;
Ms. Betty Anh H. Brow, 1st Vice President;
Ms. Tina Au, English Secretary;
Mr. Jeffrey D. Lau, Immediate Past President;
Mr. James Yuen, President of Hawaii Chinese News;
Mr. Chris Loo, President of Ket On Society;
Mr. Joseph Young, Chinese Society Past President;
Mr. Frances Goo, Chinese Society Past President;
Ms. Tiffany Au, 2012 Narcissus Queen; and
Mr. Oliver Weng, Director of the Taipei Economic and Cultural Office.

The motion was put to vote by the Chair and carried, and H.R. No. 182, was adopted, with Representatives Carroll and Herkes 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 12:44 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1089-12) recommending that S.B. No. 2542, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2542, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1090-12) recommending that S.B. No. 2543, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2543, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1091-12) recommending that S.B. No. 2773, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2773, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1092-12) recommending that S.B. No. 2952, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2952, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1093-12) recommending that S.B. No. 2057, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2057, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1094-12) recommending that S.B. No. 2214, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2214, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine 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. 2214, 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 Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1095-12) recommending that S.B. No. 2213, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2213, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1096-12) recommending that S.B. No. 2167, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2167, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

PROFESSIONS AND VOCATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1097-12) recommending that S.B. No. 2432, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2432, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1098-12) recommending that S.B. No. 2546, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2546, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Hanohano 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. 2546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary, with Representative Belatti voting no, and with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1099-12) recommending that S.B. No. 2823, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2823, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"No vote, on this 300% fee increase."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Reservations please, because of the high fee."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Riviere 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 Awana rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. This measure, Relating to Solid Waste, will increase the surcharge from 35 cents per ton to \$1.25 per ton. This may not seem like much, however, the estimated increase in revenue will be a half million dollars per year. In the end, consumers and taxpayers will be negatively impacted, and as stated by the General Contractors Association in their testimony, 'This increased surcharge will be passed onto contractors and owners and raise the cost of all construction projects, such as rail, transit oriented development, shipyard maintenance, as well as commercial and residential building and renovation. In today's economic situation, increasing costs will adversely affect economic recovery.'

"The existing funds that are collected for this Department are reallocated at many times to other divisions for purposes other than the Department's solid waste regulatory program as stated in this measure, as well as the Department's testimony. Mr. Speaker, as the Representative whose district includes the only solid municipal landfill on the most populated island, residents in this area have seen numerous incidents of illegal dumping, with little to no inspection, enforcement, or monitoring. It is my hope that the Finance Committee can take a closer look at where the existing fees are being expended.

"The Department of Health states that they are in need of these funds to address funding that they have received, yet used it for purposes other than its intended use. For the aforementioned reason, Mr. Speaker, I stand with strong reservations. Thank you."

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. A ruling on a potential conflict. I have two contracting sons," and the Chair ruled, "no conflict."

Representative Thielen continued, stating:

"Thank you. Mr. Speaker. After the words of the former speaker, I'd like to change my vote with reservations to a no vote."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Coffman rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support with some comments. Thank you, Mr. Speaker. This is a carryover bill, a repeat from last year. This bill also addresses some waste energy disposal issues. And through the Committee process and some of the hearings we held, we've taken into account waste energy issues to some degree. What this surcharge is doing, is providing a benefit for waste energy issues and trying to, in some cases penalize solid waste. And the Department testified while they needed over \$600,000, they're not getting all of it. And for those reasons, I can support this."

Representative Hanohano 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. 2823, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Finance, with Representatives Thielen and Ward voting no, and with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1100-12) recommending that S.B. No. 2337, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2337, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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. 2337, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1101-12) recommending that S.B. No. 2971, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Ching, Herkes and Mizuno being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Ching, Herkes and Mizuno were excused.)

THIRD READING

S.B. No. 3024, SD 1, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Herkes and Mizuno being excused.

S.B. No. 2508, SD 2, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2508, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Herkes and Mizuno being excused.

At 12:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 3024, SD 1, HD 1
S.B. No. 2508, SD 2, HD 1

ANNOUNCEMENTS

Representative Har: "Thank you, Mr. Speaker. Mr. Speaker, this morning your Committee on Water, Land and Ocean Resources filed a hearing notice for 11:15 a.m. on Wednesday March 21st, but unfortunately it was clocked in at the Sergeant at Arms Office at 11:21 a.m.

"Therefore, your Committee on Water, Land and Ocean Resources requests a waiver of the 48-hour advance notice requirement, for the purpose of conducting a public hearing and decision making on:

S.B. No. 2782, SD 2, Relating to Environmental Protection;
S.B. No. 580, SD 2, Relating to Aquatic Life; and
S.B. No. 755, SD 2, HD 1, Relating to Economic Development.

"Thank you, Mr. Speaker. The public hearing and decision making will be held on Wednesday, March 21st at 11:15 a.m. in Conference Room 325," and the Chair "so ordered."

At 12:54 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:55 o'clock p.m.

Representative Har: "Thank you, Mr. Speaker. In addition, Members, decision making will be held on the following bills after the public hearing and decision making on the three previously noted bills.

"Decision making will occur on:

S.B. No. 2678, SD 2, Relating to Honouliuli;
S.B. No. 2335, Relating to Special Management Areas; and
S.B. No. 2918 SD 2, Relating to Community Development," and the Chair "so ordered.

Representative Ching: "Thank you, Mr. Speaker. We'd like to invite all the House Members up to Room 423 where there is a nice lunch going on with the three organizations that we honored on the Floor today. Thank you, Mr. Speaker."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
755, SD2, HD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance
2790, SD1	Committee on Hawaiian Affairs, then to the Committee on Finance
3016, SD2, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
3025, SD2	Jointly to the Committee on Housing and the Committee on Hawaiian Affairs, then to the Committee on Finance

ADJOURNMENT

At 12:56 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 20, 2012. (Representatives Carroll, Herkes and Mizuno were excused.)

THIRTY-FIFTH DAY

Tuesday, March 20, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Heather H. Giugni, after which the Roll was called showing all Members present with the exception of Representatives Herkes and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 230, 1107 and 1108) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 230, dated March 5, 2012, transmitting the State of Hawaii Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011, prepared by the Department of Accounting and General Services pursuant to Section 40-5, HRS.

Gov. Msg. No. 1107, informing the House that on March 19, 2012, the following bill was signed into law:

H.B. No. 2437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS." (ACT 007)

Gov. Msg. No. 1108, informing the House that on March 19, 2012, the following bill was signed into law:

H.B. No. 2438, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." (ACT 008)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 419 and 420) were received and announced by the Clerk:

Sen. Com. No. 419, transmitting H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," which passed Third Reading in the Senate on March 19, 2012.

Sen. Com. No. 420, transmitting H.B. No. 2030, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," which passed Third Reading in the Senate on March 19, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Herkes and Oshiro were excused.)

H.B. No. 2030, HD 2, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative M. Lee introduced University of Hawaii at Manoa School of Nursing and Dental Hygiene students and Faculty Professors, Jan Schultz and Nancy McGuckin.

Representative Yamane introduced members of the Hawaii Chapter of the American Physical Therapy Association (HAPTA):

President, Mr. Art Lum;

Legislative Chair, Ms. Ann Frost; and
Legislative Committee Members, Mr. Herb Yee, Ms. Elyse Nakama and Ms. Shannon Lau.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 159) was announced by the Clerk and the following action taken:

H.R. No. 159, entitled: "HOUSE RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE OUTDOOR CIRCLE IN HAWAII," was jointly offered by Representatives C. Lee, Aquino, Belatti, Brower, Carroll, Chang, Ching, Chong, Coffman, Evans, Fontaine, Hanohano, Johanson, Jordan, Kawakami, Keith-Agaran, M. Lee, Manahan, Rhoads, Riviere, Thielen and Pine.

Representative C. Lee moved that H.R. No. 159, be adopted, seconded by Representative Takai.

Representative C. Lee commended the Outdoor Circle for their work in protecting the unobstructed views of our islands, and applauded them for 100 years of keeping Hawaii clean, green and beautiful.

Representative Takai also thanked the Outdoor Circle for protecting the trees in our communities, and introduced the honorees seated on the Floor of the House:

Mr. Joel Kurokawa, President of the Board of Directors;
Mr. Bob Loy, Director of Environmental Programs; and
Board Members, Ms. Betsy Connors, Ms. Diane Anderson and Ms. Susan Spangler.

Representative Takai also welcomed the many friends and members of the Outdoor Circle who were seated in the Gallery and were at the Capitol this day for a tree planting ceremony.

Representative Ching offered her gratitude to the Outdoor Circle for helping to protect and preserve heritage trees and the Walker Estate.

Representative Marumoto also thanked the many volunteers with the Outdoor Circle.

Representative Fontaine thanked the Outdoor Circle for their work in helping to save the monkey pod trees in South Maui.

Representative Evans, on behalf of the area branches of the Outdoor Circle, congratulated them on their 100th anniversary and commended them on their vigilance to protect the islands from outdoor advertising.

Representative Ward thanked the Outdoor Circle for their persistence in having trees planted along Kalanianaʻole Highway.

Representative Brower encouraged the Outdoor Circle to continue their work to ban campaign signs.

Representative McKelvey thanked the Outdoor Circle for their work in South Maui.

Representative Thielen applauded the work of the Outdoor Circle, particularly the planting and beautification project at the Kailua Post Office and the I Love Kailua party.

The motion was put to vote by the Chair and carried, and H.R. No. 159, was adopted, with Representatives Herkes, Oshiro and Tokioka being excused.

The following resolution (H.R. No. 183) was announced by the Clerk and the following action taken:

H.R. No. 183, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING THE PRUDENTIAL SPIRIT OF COMMUNITY 2012 HAWAII STATE HONOREES AND 2012 HAWAII STATE DISTINGUISHED FINALISTS," was jointly offered by Representatives Riviere, Coffman and Evans.

Representative Riviere moved that H.R. No. 183, be adopted, seconded by Representative Evans.

Representative Riviere commended the honorees for their commitment to volunteerism and community spirit, and congratulated them on receiving the nationally recognized Prudential Spirit of Community Award.

Representatives Riviere, Evans and Coffman then congratulated and introduced the awardees seated on the Floor of the House and their guests seated in the Gallery:

Prudential Spirit of Community Award for middle and high school:

Mr. Jackson 'Jack' Button, an 8th grade student at Hawaii Technology Academy in Waipahu, who co-founded a non-profit organization to raise funds to assist children worldwide including Africa, Mexico and the United States. He was accompanied by his parents, Mr. Mark and Mrs. Diane Button; sister, Ms. Hannah Button; and hanai aunt, Ms. Linda Polasek, who were seated in the Gallery.

Mr. Candonino 'CJ' Agusen, a junior at Kealakehe High School, who helped raise funds to buy temporary housing kits for people displaced by the earthquake in Japan. He was accompanied by his parents, Mr. Kevin and Mrs. Nicole Charlton; and friend, Ms. June Mohr, the 2010 Hawaii State High School Prudential Spirit of Community Award honoree, who were seated in the Gallery.

2012 Hawaii State Distinguished Finalists:

Ms. Jessica Sonson, a senior at Lanakila Baptist Jr. and Sr. High School in Ewa Beach, for her volunteer work at Pali Momi Medical Center. She was accompanied by her mother, Ms. Christy Sonson; sister, Ms. Crystal Sonson; National Honor Society Advisor, Ms. Wendy Stevens; and friend, Ms. Madison Stevens, who were seated in the Gallery.

Mr. Scott Fetz, a sophomore at Hawaii Preparatory Academy, for his work in the community, as well as organizing school beautification and unity projects. He was accompanied by his parents, Mr. Lloyd and Mrs. Norma Fetz, who were seated in the Gallery.

Representative Riviere also introduced Mr. Todd Thakar, Vice President of Government Affairs at Prudential Financial Inc., who was seated on the Floor of the House.

Representative Pine then commended Ms. Sonson and thanked her family for raising an outstanding citizen of the community of Ewa Beach.

The motion was put to vote by the Chair and carried, and H.R. No. 183, was adopted, with Representatives Herkes, Oshiro and Tokioka being excused.

At 12:41 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m., with Speaker Say presiding.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Takai, on behalf of Representatives Giugni and Johanson, introduced 4th grade students of Pearl Ridge Elementary School

and their teachers: Mr. Alec Masuda, Ms. Jenny Au and Ms. Wendy Lum. They were accompanied by Capitol Tour Coordinator, Ms. Monica Chapman of the Governor's Office.

REPORTS OF STANDING COMMITTEES

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1102-12) recommending that S.B. No. 2772, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1103-12) recommending that S.B. No. 2774, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1104-12) recommending that S.B. No. 2484, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2484, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Choy 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. 2484, 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 Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1105-12) recommending that S.B. No. 2535, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2535, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine 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."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, 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."

Representative Cullen 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 Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support. This bill seeks to require the Department and the Board to come up with some standardized bell schedules. This is important for many reasons, one of which is, when we talked about this on Third Reading, to remind the Members, that there is a large disparity between schools. Secondary schools as an example, between those who have the lowest amount of instructional time, and the highest amount of E and C instructional time.

"The Members have to remember that even with a single collective bargaining unit with the teachers, each school must approve the bell schedule by two-thirds. And that is why you have some schools with such a large time difference. I think when you compute it, just a rough computation between the lowest and the highest is approximately, almost just short of 2 months of instructional time.

"There are other benefits to this, clearly. The issue of the bus service and standardizing scheduling, as well as for those schools who want to receive or offer AP classes through distance learning. It's difficult for a teacher or school to offer it to another school when they don't have the same schedule. I know there is some concern, but this is part and parcel of what we've gone down the road already. Whether it be Act 51, or whether it be instructional days, hours or calendars, this is the last and final piece. Otherwise, I don't see anybody else wanting to get rid of the other two right now. Thank you."

Representative Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley 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. 2535, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1106-12) recommending that S.B. No. 2969, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2969, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1107-12) recommending that S.B. No. 3006, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3006, SD 2, 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 with reservations, stating:

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, it wasn't too many days ago that this was a \$25 surcharge on tires. I'm going to put reservations because I don't trust the Committee that went from 25 down to 1, that when it goes to Conference is not going to bump it back up. It's suspicious. Thank you."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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. 3006, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1108-12) recommending that S.B. No. 2822, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2822, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1109-12) recommending that S.B. No. 3003, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 3003, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1110-12) recommending that S.B. No. 2745, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2745, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1111-12) recommending that S.B. No. 2184, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2184, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE

TRANSFER FEES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1112-12) recommending that S.B. No. 2906, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2906, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THRILL CRAFT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representatives Chang and Cabanilla, for the Committee on Water, Land, & Ocean Resources and the Committee on Housing presented a report (Stand. Com. Rep. No. 1113-12) recommending that S.B. No. 2927, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2927, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Riviere rose and asked that the Clerk record a no vote for him, 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 Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise with reservations on SB 2927, Relating to Community Planning and transit-oriented development. While I am supportive of responsible development that takes into consideration the needs and preferences of its surrounding communities and I recognize the role that the construction and development industries have in providing jobs to local workers, I am concerned about the potential impact of this measure on surrounding communities given the broad permitting exemptions granted to these transit-oriented zones and other exceptional planning projects. Responsible, smart growth is critical for Hawaii's future and a healthy economy that provides jobs and opportunities for our people. That growth

must factor in community input and quality of life inputs on surrounding neighborhoods. It is on this latter point that this particular measure concerns me. For these reasons, I will be supporting this measure with reservations."

Representative Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, in strong support. Mr. Speaker, I think it's important that we support smart growth. There's been a lot of work done by this Legislature to look into what smart growth means. And the reality is that when you put in these public transportation stations and centers along a transportation route, whatever route that is, be it rail, be it highways, be it bus transit lanes, whatever it is, these centers are about trying to avoid urban sprawl. It's about really thinking out of the box as to how are we going to have higher density in an urban environment and do it in such a way that the transportation compliments where people live.

"I'm a very strong supporter of this, and I encourage us to consider what Honolulu is going to look like in 20 years if we don't encourage this type of growth. Thank you, Mr. Speaker."

Representative Wooley 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. 2927, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Hanohano, Luke, Riviere, Saiki and Thielen voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1114-12) recommending that S.B. No. 2753, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2753, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1115-12) recommending that S.B. No. 2811, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2811, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1116-12) recommending that S.B. No. 2701, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2701, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading

and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1117-12) recommending that S.B. No. 2671, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2671, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1118-12) recommending that S.B. No. 2749, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2749, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1119-12) recommending that S.B. No. 2761, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2761, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise with reservations on SB 2761, regarding increasing regulatory fees for financial institutions. This measure, with the amendments made, would create 41 new fees and raise fees from a range of \$600 - \$7,700 to \$5,000 - \$15,000, a substantial increase for financial institutions here in Hawaii which will likely be passed on to consumers. I also have some concerns about the potentially unchecked discretion the Division of Financial Institutions may have to create new fees or raise current fees without legislative oversight. I do believe we need to responsibly adjust certain fees to reflect the rise in inflation; however, the increases and new fees proposed in this measure are significant and may be a barrier for financial institutions here in Hawaii to remain viable. For these reasons I vote with reservations on SB 2761."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine 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 Marumoto 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 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. 2761, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS,"

passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1120-12) recommending that S.B. No. 3062, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3062, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1121-12) recommending that S.B. No. 2179, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2179, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1122-12) recommending that S.B. No. 2591, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2591, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1123-12) recommending that S.B. No. 2703, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2703, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1124-12) recommending that S.B. No. 2796, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1125-12) recommending that S.B. No. 2589, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2589, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER YOUTH," passed Second Reading and was referred to the Committee on

Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1126-12) recommending that S.B. No. 2808, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1127-12) recommending that S.B. No. 2236, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2236, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1128-12) recommending that S.B. No. 2739, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2739, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1129-12) recommending that S.B. No. 2958, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2958, 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 Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1130-12) recommending that S.B. No. 1168, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1168, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1131-12) recommending that S.B. No. 2103, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2103, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on

Consumer Protection & Commerce, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1132-12) recommending that S.B. No. 2344, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2344, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1133-12) recommending that S.B. No. 2383, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2383, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1134-12) recommending that S.B. No. 2422, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2422, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1135-12) recommending that S.B. No. 2778, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2778, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1136-12) recommending that S.B. No. 2813, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2813, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1137-12) recommending that S.B. No. 2827, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA

SYSTEM SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1138-12) recommending that S.B. No. 2935, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2935, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1139-12) recommending that S.B. No. 2871, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2871, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1140-12) recommending that S.B. No. 2933, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1141-12) recommending that S.B. No. 2158, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2158, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1142-12) recommending that S.B. No. 1187, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 1187, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I wish to speak against this measure. In opposition. First of all I don't believe the Attorney General should be elected, because once you're elected, then the decisions you make will be on the premise of how you're going to get reelected. I'm very content with what we have now in the appointment system where election is not the consideration. Thank you."

Representative Thielen rose in opposition to the measure and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative C. Lee. rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker, please note my reservations. I think there's a question as to the electoral process. By moving to an elected Attorney General, we introduce politics into ultimately, what should be an objective office serving our State. For example, if there were tobacco companies who provided a ton of money in political contributions, would we as a state really believe that our elected Attorney General, under that circumstance, would pursue, for example, a case against them? So I just have reservations with this. Thank you, very much."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Yes, I would like the words of the speaker from Wailuku entered in the record as if they were my own, and just some brief comments, Mr. Speaker, about my opposition, besides the things that were raised. When I had the privilege of going to law school, there was a story that was told to us about how the Attorney General came about where the President of the United States was golfing with a Supreme Court Justice and basically asked him for some legal advice. And he just turned to him and he said, 'I'm not your attorney. Go get your own.'"

"I think that's an important story to tell, because what we're saying to the Governor and to the State is, you're not going to have your attorney to zealously represent you and your interests. Your attorney will be elected for you. I think that, that sets a dangerous precedence, because how can we expect the attorney for the Governor, for the State, to zealously represent the interest when they were not retained, nor given these parameters, that, that is not the focus of their office anymore. So that's the reason why I stand in opposition to this measure at this point. Thank you very much, Mr. Speaker."

Representative Fontaine rose in opposition to the measure and asked that the remarks of Representatives McKelvey and Souki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The Attorney General is the chief legal advisor to both the Governor and to the Legislature, as well as the chief law enforcement officer. An Attorney General that I knew in the late 90s once told me, she described her role as being the people's lawyer. So this bill really just answers the question and allows the public to answer the question: Who's the boss?"

"An Attorney General independent of an elected Governor may be a more effective check if people are concerned about whether the advice and the positions that the State government has taken on actions of the Governor or that the Legislature has taken. It provides a little bit more independence, and I think that it's worthwhile to have at least a discussion about whether or not it makes sense to go ahead and allow the people the people to vote on this issue. 43 other states have elected Attorney Generals. 43 other states. And a lot of them also pursued claims against the tobacco companies, claims against big business and corporations, and have taken positions against large corporations and business interests. And while I understand the arguments on the other side, I think that it's worthwhile to have this considered. Thank you."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Coffman rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. And can I have the words of the Judiciary Chair in the Journal as my own? I also want to add that I too believe that having an Attorney General that is working for the people, for

the people of the State of Hawaii is really important because they could disagree with the Governor. A long time ago I was taught, sometimes when you work with a lawyer, you can say to them, 'I'm going to do this, and now your job is to defend me.' Or you talk to the lawyer and say, 'Am I going to violate the law if I do this?'

"So how do you ask the question of your lawyer? My take on it, having worked in a state where the Attorney General was elected, it was really refreshing to see an Attorney General take a stand against a Governor's decision. It was also refreshing to see the Attorney General work with the Native American tribes in the State of Washington to work on issues. They're going to represent so many huge issues that impact the citizens of the state.

"I like knowing that, that person is independent from the Governor. I like knowing that they're held accountable by the citizens of the State, as we all are in elected office. If they are not taking into consideration the best interest of the people, then they don't get reelected. So I'm really supportive of this measure and hope it moves forward. Thank you."

Representative C. Lee rose, stating:

"Thank you, Mr. Speaker. With your permission, I'd like to change my reservations to a no vote. And don't let anybody say that the debate here has never changed anyone's mind.

"I really do think that, quite frankly, it's the experience of other states that really should drive the conversation. Because we've got just as many examples of unwanted or egregious activity on the part of Attorneys General around the country that we can reference just the same. And quite frankly, we are a representative democracy. We are a democratic republic where we don't elect people to do directly the bidding of the people who elect us, but rather those who can put in the time and due diligence to do something that is in the best interest of the public in general, whether the public, sometimes, understands all those nuances and details of that job or not."

Representative Takumi rose to speak in opposition to the measure, stating:

"Thank you, very much, Mr. Speaker. In opposition and just some brief comments. To respond to the point that 43 other states elect their Attorney General, that's well and good, and that's also true. On the other hand, that really raises the whole issue of politicizing that office to the degree that I would really caution colleagues in going to. Because if you take that logic, Mr. Speaker, 39 states elect their judges. I hope most of us think that's probably not the most prudent path to take with our judges as well. Simply because the majority of states do something, is not necessarily indicative that, that's something for this State to do as well. Thank you."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I think it's enough that the people elect the Legislature."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose in support of the measure with reservations asked that the remarks of Representative McKelvey and Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai 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. 1187, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII STATE CONSTITUTION, TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, Fontaine, Hanohano, C. Lee, McKelvey, Saiki, Souki, Takumi and Thielen voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1143-12) recommending that S.B. No. 2497, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2497, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1144-12) recommending that S.B. No. 2737, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2737, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1145-12) recommending that S.B. No. 2052, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2052, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1146-12) recommending that S.B. No. 2502, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2502, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla 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. 2502, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1147-12) recommending that S.B. No. 2648, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2648, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just note my opposition and I'd like to reserve my comments for Third Reading."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Carroll 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 2648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representative McKelvey voting no, and with Representatives Chang, Herkes, Nakashima, Pine and Tokioka being excused.

ANNOUNCEMENTS

Representative Hanohano, for the Committee on Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing, with decision making to follow, on the following measure on Wednesday, March 21, 2012 at 10:45 a.m. in Room 326, and the Chair "so ordered."

S.B. No. 3016, SD 2, HD 1, Relating to Public Safety.

Representative Cabanilla, for the Committee on Housing, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Wednesday, at 10:00 a.m. in Room 325, and the Chair "so ordered."

S.B. No. 2804, SD 2, Relating to the Hawaii Interagency Council on Homelessness.

Representative Takumi: "Thank you, very much, Mr. Speaker. Just an announcement that we had four bills yesterday, from yesterday's Committee on Education hearing.

S.B. No. 2115, SD 2;
S.B. No. 2116, SD 2;
S.B. No. 2530, SD 2; and
S.B. No. 2528, SD 2 HD 1.

"We're going to have decision making on these measures tomorrow, Wednesday, March 21st at 2:00 p.m. in Conference Room 309."

Representative Fontaine: "Yes, Mr. Speaker. I just wanted to thank the Members for their support of my fundraiser for the Maui Food Bank. We sold over 160 hotdogs today and it was a big success. So thank you, everyone."

Representative Awana: "Thank you, Mr. Speaker. Mr. Speaker a little over a year ago, Members of this Body took a moment of silence to mourn the loss of lives due to an earthquake and tsunami in Sendai, Japan. They continue to rebuild what has been lost and our thoughts and prayers continue to be with them.

"Earlier today, an earthquake between 7.4 and 7.9 took place in the Oaxaca region of Mexico. Reports stated that hundreds of homes and buildings are now in rubble. Although there are no reports of lives lost, I'm sure there is concern for many relatives and friends who have lost loved ones in this region.

"So, Mr. Speaker at the appropriate time I would like to ask for a moment of silence as we know that there is much pain and suffering, to many of the Oaxaca residents assessing the damages and looking for those who are missing. In addition, there are many here with much concern, including those in this Chamber and their friends and loved ones, thousands of miles away. Our thoughts and prayers are also with them. So at the appropriate time, Mr. Speaker. Thank you."

At this time, the Members of the House of Representatives stood for a moment of silence for the people of Oaxaca, Mexico, in observance of today's earthquake and the destruction it caused.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R. Nos.</u>	<u>Referred to:</u>
111	Committee on Labor & Public Employment, then to the Committee on Finance
112	Committee on Transportation
113	Committee on Health
114	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
115	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance
116	Committee on Transportation, then to the Committee on Finance
117	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
118	Committee on Health, then to the Committee on Finance
119	Committee on Judiciary
120	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
121	Committee on Human Services, then to the Committee on Finance

122	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	147	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
123	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	148	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
124	Committee on Human Services, then to the Committee on Finance	149	Committee on Education, then to the Committee on Finance
125	Committee on Judiciary, then to the Committee on Finance	150	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
126	Committee on Water, Land, & Ocean Resources	151	Committee on Energy & Environmental Protection, then to the Committee on Finance
127	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	152	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management
128	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance	153	Committee on Public Safety & Military Affairs, then to the Committee on Finance
129	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance	154	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
130	Jointly to the Committee on International Affairs and the Committee on Tourism	155	Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance
131	Committee on Culture & the Arts, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	156	Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection, then to the Committee on Legislative Management
132	Committee on International Affairs	157	Committee on Public Safety & Military Affairs, then to the Committee on Finance
133	Committee on International Affairs	158	Committee on Transportation, then to the Committee on Finance
134	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce	160	Committee on Hawaiian Affairs, then to the Committee on Judiciary
135	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance	161	Committee on Energy & Environmental Protection, then to the Committee on Finance
136	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	162	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
137	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management	163	Committee on Transportation, then to the Committee on Finance
138	Committee on Consumer Protection & Commerce	164	Committee on Energy & Environmental Protection, then to the Committee on Finance
139	Committee on Legislative Management, then to the Committee on Finance	165	Committee on International Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
140	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism	166	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
141	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	167	Committee on Public Safety & Military Affairs, then to the Committee on Finance
142	Committee on Health, then to the Committee on Consumer Protection & Commerce	168	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
143	Committee on Finance	169	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
144	Committee on Water, Land, & Ocean Resources	170	Committee on Public Safety & Military Affairs, then to the Committee on Finance
145	Committee on Education, then to the Committee on Judiciary		
146	Committee on Higher Education, then to the Committee on Finance		

171	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance	165	Committee on Health, then to the Committee on Consumer Protection & Commerce
172	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business	166	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
173	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	167	Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
174	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	168	Committee on Water, Land, & Ocean Resources, then to the Committee on Health, then to the Committee on Finance
175	Committee on Housing, then to the Committee on Finance	169	Committee on Water, Land, & Ocean Resources
176	Committee on Health, then to the Committee on Finance	170	Jointly to the Committee on International Affairs and the Committee on Tourism
177	Committee on Education, then to the Committee on Finance	171	Committee on Culture & the Arts, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
178	Committee on Transportation, then to the Committee on Finance	172	Committee on International Affairs
<u>H.C.R.</u>		173	Committee on International Affairs
<u>Nos.</u>		174	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection & Commerce
<u>Referred to:</u>		175	Committee on Housing, then to the Committee on Judiciary, then to the Committee on Finance
149	Committee on Labor & Public Employment, then to the Committee on Finance	176	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
150	Committee on Health	177	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
151	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce	178	Committee on Legislative Management, then to the Committee on Finance
152	Committee on Labor & Public Employment, then to the Committee on Finance	179	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism
153	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Transportation, then to the Committee on Finance	180	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
154	Committee on Health, then to the Committee on Finance	181	Committee on Health, then to the Committee on Consumer Protection & Commerce
155	Committee on Judiciary	182	Committee on Housing, then to the Committee on Finance
156	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	183	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
157	Committee on Human Services, then to the Committee on Finance	184	Committee on Health, then to the Committee on Finance
158	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	185	Committee on Finance
159	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance	186	Committee on Water, Land, & Ocean Resources
160	Committee on Human Services, then to the Committee on Finance	187	Committee on Judiciary
161	Committee on Judiciary, then to the Committee on Finance	188	Committee on Education, then to the Committee on Judiciary
162	Committee on Water, Land, & Ocean Resources	189	Committee on Higher Education, then to the Committee on Finance
163	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance		
164	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance		

190	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	213	Committee on Energy & Environmental Protection, then to the Committee on Finance
191	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection	214	Committee on International Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance
192	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance	215	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
193	Committee on Education, then to the Committee on Finance	216	Committee on Public Safety & Military Affairs, then to the Committee on Finance
194	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism, then to the Committee on Finance	217	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
195	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce	218	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
196	Committee on Energy & Environmental Protection, then to the Committee on Finance	219	Committee on Public Safety & Military Affairs, then to the Committee on Finance
197	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Legislative Management	220	Committee on Public Safety & Military Affairs, then to the Committee on Finance
198	Committee on Public Safety & Military Affairs, then to the Committee on Finance	221	Committee on Culture & the Arts, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
199	Committee on Health, then to the Committee on Finance	222	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance
200	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	223	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business
201	Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance	224	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
202	Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection, then to the Committee on Legislative Management	225	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
203	Committee on Public Safety & Military Affairs, then to the Committee on Finance	226	Committee on Housing, then to the Committee on Finance
204	Committee on Transportation, then to the Committee on Finance	227	Committee on Health, then to the Committee on Finance
205	Committee on Hawaiian Affairs, then to the Committee on Judiciary	228	Committee on Education, then to the Committee on Finance
206	Committee on Energy & Environmental Protection, then to the Committee on Finance	229	Committee on Transportation, then to the Committee on Finance
207	Committee on Agriculture, then to the Committee on Finance	<u>S.C.R.</u>	
208	Committee on Agriculture, then to the Committee on Finance	<u>Nos.</u>	
209	Jointly to the Committee on Education and the Committee on Human Services, then to the Committee on Finance	28, SD1	<u>Referred to:</u> Committee on International Affairs, then to the Committee on Finance
210	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance	29, SD1	Committee on International Affairs, then to the Committee on Finance
211	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Finance	COMMITTEE REASSIGNMENTS	
212	Committee on Transportation, then to the Committee on Finance	The following measures were re-referred to committee by the Speaker:	
		<u>S.B.</u>	
		<u>Nos.</u>	<u>Re-referred to:</u>
		1312	Committee on Finance

2489, Committee on Public Safety & Military Affairs, then to the
SD2, Committee on Finance
HD1

2947, Committee on Economic Revitalization & Business, then to
SD2, the Committee on Finance
HD1

3053, Committee on Hawaiian Affairs, then to the Committee on
SD2, Finance
HD1

ADJOURNMENT

At 1:19 o'clock p.m., on motion by Representative Evans, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 21, 2012. (Representatives Chang, Herkes, Nakashima, Pine and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated March 20, 2012, from CJ Leong, 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 House Bill:

H.B. No. 2030, HD 2, SD 1

THIRTY-SIXTH DAY

Wednesday, March 21, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Marcus R. Oshiro, after which the Roll was called showing all Members present with the exception of Representatives Coffman, Herkes, Kawakami, Riviere and Thielen, 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 communication from the Senate (Sen. Com. No. 421) was received and announced by the Clerk:

Sen. Com. No. 421, transmitting H.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," which passed Third Reading in the Senate on March 20, 2012.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Johanson introduced his friend, Mr. Jay Kang, Director of Investments with the Conrad N. Hilton Foundation in Los Angeles and his girlfriend, Ms. Christina Ryu. They were accompanied by Representative Johanson's parents, Mrs. Cindy and Mr. Larry Johanson.

Representative Cullen introduced his constituent, Ms. Stacy Hayashi.

Representative M. Lee introduced her Office Manager, Mr. Keanu Young; his girlfriend, Ms. Kimberly Click; and their son, 'Aukai Young.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 184) was announced by the Clerk and the following action taken:

H.R. No. 184, entitled: "HOUSE RESOLUTION CONVEYING SINCERE AND GENUINE APPRECIATION FOR THE CONTRIBUTIONS OF THE HAWAII CONTINGENT OF STAFF AND VOLUNTEERS WHO SUPPORTED THE ASIA-PACIFIC ECONOMIC COOPERATION ECONOMIC LEADERS' MEETING 2011," was offered by Representative Awana.

Representative Awana moved that H.R. No. 184, be adopted, seconded by Representative McKelvey.

Representative McKelvey introduced honorees seated on the Floor of the House, and thanked them for their foresight and for taking the leadership role in the application process to secure Hawaii as the APEC 2011 Leaders Meeting host state:

Ms. Prescilla Texeira, Managing Director of PRIME Hawaii; and
Dr. Charles Morrison, President of the East-West Center.

Representative Ward introduced honorees seated on the Floor of the House and thanked them for their leadership and participation toward the success of the event:

Ms. Stephanie Saito, Vice President, Bank of Hawaii; and

Mr. Clayton Kau, Asst. Chief, Honolulu Police Department.

Representative Ward also recognized and thanked the members of the Honolulu Police Department who were seated in the Gallery:

Chief Louis M. Kealoha, Chief of Police, Honolulu Police Department;
Deputy Chief Dave Kajihira;
Deputy Chief Marie McCauley;
Assistant Chief Mark Nakagawa;
Assistant Chief Bart Huber;
Assistant Chief Gregory Lefcourt;
Assistant Chief Randal Macadangdang; and
Assistant Chief Susan Dowsett.

Representative Awana then introduced Mrs. Pualani Jones, one of the many volunteers and Ambassadors of Aloha who was seated on the Floor of the House. She was accompanied by her husband, Mr. Kimo Jones; and cousins, Ms. Marge and Ms. Puanani Cortes, who were seated in the Gallery.

Representative Brower also thanked the organizers of APEC 2011 for showcasing Hawaii's ability to host world-class events and our expertise in tourism.

Representative Ching also thanked the many volunteers for all their hard work.

Representative Yamane commended the men and women of the Honolulu Police Department, as well as the Honolulu Fire Department, our Emergency Medical Service personnel, our National Guard and other first responders in ensuring the health and safety of our citizens and APEC participants.

The motion was put to vote by the Chair and carried, and H.R. No. 184, was adopted, with Representatives Belatti, Herkes, Luke and Saiki being excused.

The following resolution (H.R. No. 185) was announced by the Clerk and the following action taken:

H.R. No. 185, entitled: "HOUSE RESOLUTION HONORING OLOMANA FOR ITS CONTRIBUTIONS TO HAWAIIAN MUSIC," was jointly offered by Representatives Tokioka, Aquino, Awana, Belatti, Brower, Carroll, Chang, Ching, Chong, Choy, Coffman, Cullen, Evans, Fontaine, Giugni, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Johanson, Jordan, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, Marumoto, McKelvey, Mizuno, Morikawa, Nishimoto, Oshiro, Pine, Rhoads, Saiki, Say, Thielen, Tsuji, Ward, Wooley, Yamane, Yamashita, Cabanilla, Nakashima, Riviere, Souki and Takumi.

Representative Tokioka moved that H.R. No. 185, be adopted, seconded by Representative Nishimoto.

Representative Oshiro thanked the members of Olomana for their gift of music, and told of how their music and the *mana* in their songs helped define a generation and shape political history.

Representative Tokioka then introduced the members of Olomana who were seated on the Floor of the House and thanked them for over 30 years of cultivating and revitalizing Hawaiian music:

Mr. Jerry Santos, vocals and guitar;
Ms. Haunani Apoliona, vocals and guitar; and
Mr. Wally Suenaga, bass guitar.

Representative Tokioka also honored the memory of Mr. Robert Beaumont who, along with Jerry Santos, founded the band Olomana in 1973.

Olomana then entertained the Members of the House and audience with the following:

*Ku'u Home O Kahalu'u
E Ku'u Sweet Lei Poina 'ole
Alu Like*

Representative Nishimoto introduced other guests accompanying Olomana on the Floor of the House: Ms. Nalani Badua-Fernandes, hula dancer; Mr. Michael Kelly, manager; and Mr. Richard China, soundman.

Representative Nishimoto then introduced guests seated in the Gallery: Mr. Henry Perez, General Manager, Hilton Grand Vacations Club at the Hilton Hawaiian Village; and Ms. Sondra Gibson, Hilton Hawaiian Village resident and Olomana's biggest fan.

The motion was put to vote by the Chair and carried, and H.R. No. 185, was adopted, with Representatives Belatti, Herkes, C. Lee, Luke, Marumoto, Saiki and Wooley being excused.

At 12:55 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:04 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1148-12) recommending that S.B. No. 2582, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2582, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1149-12) recommending that S.B. No. 2780, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2780, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1150-12) recommending that S.B. No. 2354, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2354, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1151-12) recommending that S.B. No. 2859, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2859, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN

GOVERNMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1152-12) recommending that S.B. No. 2742, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2742, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen being excused.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you Mr. Speaker. I realize I missed the vote on the first measure, but I wanted to, just for the record, to request as I've always done, a ruling on a potential conflict on Stand. Com. 1148, and just note that in the past I've been allowed to vote on this," and the Chair ruled, "no conflict."

Representative McKelvey rose, stating:

"Yes, Mr. Speaker, just a correction. On Number 6, Reports of Standing Committees, it shows Stand. Com. Rep. 1148-12 reporting from Finance, and referred to Finance. But it should be reported from ERB, to Finance, because I don't think Finance heard it twice."

ANNOUNCEMENTS

Representative Awana, for the Committee on International Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures with decision making to follow:

H.R. No. 38; and
H.C.R. No. 59.

"These measures urge the United Nations to grant Taiwan participation as an observer in the United Nations' Framework Convention on Climate Change Conference of the Parties Meeting. The reason for this waiver request, is to allow for greater participation for committee members and the public. Thank you, Mr. Speaker," and the Chair "so ordered."

Representative Cabanilla: "Thank you, Mr. Speaker. I just would like to announce, the combined Committees of Housing and Hawaiian Affairs will be reconvening for decision making on Senate Bill 3025, SD 2, in Room 325 this afternoon after the completion of the hearings of the Committees of Judiciary and CPC."

At 1:08 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:09 o'clock p.m.

Representative Cabanilla: "Yes, Mr. Speaker. Thank you very much for this opportunity. I will restate my announcement. I would like to announce that the Joint Committees of Housing and Hawaiian Affairs will reconvene this afternoon in Room 325 for decision making on S.B. No. 3025, SD 2. Thank you."

ADJOURNMENT

At 1:10 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 22, 2012. (Representatives Herkes, C. Lee, Luke, Marumoto, Saiki and Thielen were excused.)

THIRTY-SEVENTH DAY

Thursday, March 22, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Most Reverend Larry Silva of Roman Catholic Church Hawaii, after which the Roll was called showing all Members present with the exception of Representative Herkes, who was excused.

At this time, the Chair addressed the Clerk who announced that, with the concurrence of the Representatives of the 17th and 34th districts, the Journal of the 20th day has been corrected by deleting certain portions of debate of those Representatives relating to House Bill No. 2417, House Draft 1.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Twentieth, Twenty-First, Twenty-Second, Twenty-Third, Twenty-Fourth and Twenty-Fifth Days were approved. (Representatives Hashem, Herkes and Wooley were excused.)

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Nakashima introduced Ms. Ailee Yanagishita, a student at Punahou School interning in his office during her spring break.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 186) was announced by the Clerk and the following action taken:

H.R. No. 186, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING JENNIFER WONG FOR HER RESEARCH AND ACHIEVEMENTS IN SCIENCE, WHICH HAVE LED TO THE DISCOVERY OF A CHEMICAL PRECURSOR TO LIVER CANCER," was jointly offered by Representatives Har, Aquino, Awana, Jordan and Yamane.

Representative Har moved that H.R. No. 186, be adopted, seconded by Representative Tokioka.

Representative Har commended Ms. Jennifer Wong, a junior at Kapolei High School who was seated on the Floor of the House, for her determination and perseverance, and congratulated her on her grand-prize winning project, 'Human Hepatocellular Liver carcinoma cell line Hep-G2 Cells: Inflammation response' in the 27th annual Leeward District Science and Engineering Fair which identified cells as a precursor to liver cancer.

Representative Tokioka applauded Ms. Wong for her achievements and introduced her friends and family seated in the Gallery:

Mr. Estan Reynon, teacher and advisor;
Mrs. Danxia Wong, mother;
Ms. Stacie Inouye, teacher;
Mr. Calvin Lin, cousin;
Ms. Zi Wei, aunt; and
Friends, Reisha and Samantha.

The motion was put to vote by the Chair and carried, and H.R. No. 186, was adopted, with Representatives Herkes and Giugni being excused.

The following resolution (H.R. No. 187) was announced by the Clerk and the following action taken:

H.R. No. 187, entitled: "HOUSE RESOLUTION CONGRATULATING OPERATION MANONG ON THE OCCASION OF ITS 40TH ANNIVERSARY AND COMMENDING ITS MEMBERS FOR PROVIDING OUTREACH ACTIVITIES WHICH ENCOURAGE UNDERREPRESENTED AND UNDERSERVED GROUPS TO PURSUE HIGHER EDUCATION," was jointly offered by Representatives Manahan, Aquino, Awana, Brower, Cabanilla, Cullen, Har, Keith-Agaran, Mizuno, Morikawa, Nishimoto, Pine, Yamane, M. Lee, Nakashima and Souki.

Representative Manahan moved that H.R. No. 187, be adopted, seconded by Representative Aquino.

Representative Manahan congratulated Operation Manong, now known as the University of Hawaii's Office of Multicultural Student Services, on its 40th Anniversary, and thanked them for their many years of providing outreach services to under-represented and underserved groups by encouraging them to pursue higher education.

Representative Aquino also thanked and congratulated Operation Manong for their support of underserved students and introduced the honorees seated on the Floor of the House:

Dr. Amy Agbayani, first Director (1972-1986), and current Director of the UH Manoa Student Equity Excellence and Diversity (SEED) Program;

Dr. Melinda Tria Kerkvliet, former Director (1986-1992);

Mr. Clement Bautista, Director, Office of Multicultural Student Services and Operation Manong Alum;

Ms. Ethel Ward, retired Farrington High School teacher; and

Mr. Jade Butay, Deputy Director of the Department of Transportation and Operation Manong Alum.

Representative Cabanilla, on behalf of the Filipino Caucus, thanked Operation Manong for the important service they provide, and honored the work they do with immigrants.

Representative Pine, on behalf of the Minority Caucus, also thanked Operation Manong for the work that they do.

The motion was put to vote by the Chair and carried, and H.R. No. 187, was adopted, with Representatives Herkes and Giugni being excused.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

The Chair welcomed to the Chamber, Dr. Vince Todd, Professor at the University of Hawaii West Oahu and husband of Representative Har.

At 12:33 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:50 o'clock p.m., with Vice Speaker Manahan presiding.

REPORTS OF STANDING COMMITTEES

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1153-12) recommending that S.B. No. 2220, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2220, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto 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. 2220, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives McKelvey and Brower, for the Committee on Economic Revitalization & Business and the Committee on Tourism presented a report (Stand. Com. Rep. No. 1154-12) recommending that S.B. No. 3050, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 3050, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM, TELEVISION, DIGITAL, AND NEW MEDIA DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1155-12) recommending that S.B. No. 2789, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2789, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes Mr. Speaker. I wish to speak with some reservations, please. I just want to make mention that I think this bill by itself is very well written, very well thought out, and for that my congratulations to the Committee and to the Chairman. However, my reservation is, as it has always been, that this has not been initiated by the Board of Education, the appointed Board of Education. And until we can get away from doing the work for them, they will continue to rely on us to provide the policy making role for them.

"Actually, the Constitution states, and we provided some enabling legislation, that the Board of Education is responsible for making policy for the Department of Education. And by us continuing to do this, we abate their role as policy makers.

"The other concern I have is that there are some items in here that should be looked at as collective bargaining items, but they're included in legislation. I know we have done that from time to time. We are all guilty of that, making it a little easier, or making it a little bit more difficult, depending upon the situation. But we have done that in the past, so, this is not unusual.

"Another concern I have here is that, you're increasing the term for the tenure. I think many of the teachers complained about that. I don't know what the difference is between three years, and two years for tenure, or

how much more enhancement and security we're going to get by the additional year. So for these items, I wish to vote with reservations. I just want to make mention that it has nothing to do with the Committee and Chairman. I think they have done a wonderful job in the drafting. But I believe they are taking the wrong step again, when you take this role away from the Board of Education. Thank you."

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Souki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise with reservations on SB 2789, Relating to Teacher Evaluations. I know that most educators desire and appreciate some form of constructive feedback and I support the principle and concept of teacher evaluations for support and development purposes. However, I am concerned that the procedures for teacher evaluations set forth in this measure may not be successfully implemented because the Department of Education has already experienced considerable challenges in implementing the current teacher and principal evaluations.

"I also am concerned about the fairness and accuracy of the evaluations and believe the specifics of an evaluation procedure should be arrived at through the collective bargaining process rather than instituted in statute. Ultimately, we need to continue to improve education for our students and I am concerned that in potentially adversely impacting teacher morale and instituting a policy that may be carried out ineffectively, we may not accomplish this end.

"Again, I want to emphasize my belief that this measure is underpinned by a very worthy intent, but the details of implementations give me considerable pause. While I do not wish to jeopardize our Race to the Top funding, I also want to avoid implementing a non-pragmatic solution for a one-time financial gain. For these reasons I am voting with reservations on this measure."

Representative Carroll 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 Keith-Agaran 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 Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I support SB 2789 HD1 with some reservations. I agree generally with the remarks of the Speaker Emeritus from Waikapu. I also appreciate the good faith and hard work put into this measure by the Chair of the Education Committee.

"The intent of the bill is to move Hawaii education forward. However, I am also concerned that this appointed Board of Education, like its elected predecessor, appears intent on having the Legislature mandate what it has not been able to persuade educators and other stakeholders to implement through existing means and within their own discretion. While I support the intent of this bill, which stresses the importance of measuring students and rewarding teachers based on good performance, I have reservations on the means put forth in this bill to achieve these ends.

"This bill as it is written relies on measurements of students' academic achievement and teachers' performance that likely require more extensive discussion. As some critics of the language point out, the measurements listed take into account less than a handful of criteria. The language cannot be used to evaluate individual teacher performance in teaching

individual students within the context of individual classroom dynamics. This bill could well add yet another pressure point for principals to force teachers to place inordinate focus on drilling rote memorization into their students in order to reach these arbitrary numbers which determine whether or not they are a "good teacher". Performance measures need to take into account students' long term academic development, the depth and breadth of their education, as well as their growth as people. Our schools have served and should continue to serve as places where our children learn to be good citizens who participate in and contribute to our democracy and our communities.

"I certainly support a modified Race to the Top program, which welcomes input from educators on reliable measures of student and teacher performance, and affords teachers fair evaluations and due process before they are sanctioned for poor performance. Basing a judgment of poor performance on four points of arbitrary criteria does not afford them that. Let us design valid and reliable tools for assessing our teachers and preparing or *keiki* for the future.

"I agree with my Central Maui colleague who represents Waikapu that the tenure language seems arbitrary. The probationary time, I understand, in the past has been left to collective bargaining negotiation and perhaps that should remain the case.

"Nevertheless, if the Administration and the Department are incapable of reaching an agreement to move Hawaii education forward with the collective bargaining representatives of our education workers, then the Legislature should consider a bill that provides guidance with the directive, means, and flexibility to establish a performance management system that includes an evaluation of teachers and educational officers."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai 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. 2789, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Souki and Coffman, for the Committee on Transportation and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1156-12) recommending that S.B. No. 3010, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 3010, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Carroll 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 Riviere rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure, stating:

"Yes. Thank you very much, Mr. Chairman. I wish to speak in favor of this bill. It should be mentioned that this measure calls for an exemption for only ten bridges. Ten bridges that are badly in need of repair. If we would go through the process, this would take over a year, maybe up to five years to complete the whole process, including permits and all that goes with it. SMAs and all that is needed to go with it. The need for the repair is right now. People traverse on these bridges every day, and there is potential danger that some problem may arise with this bridge.

"Not too long ago, there was a bridge on Maui, in the Kipahulu area that also was broken down. The people from Keanae could not travel to Hana, or even to Central Maui, for a long period of time. You had to go the other route. We have many, many old bridges that go way back, that we need to repair right now. But the DOT chose only ten. Ten of the most in need of repair. So this is the basis for this bill. Thank you, very much."

Representative Cabanilla rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. This is job creator number one, Mr. Speaker. We need shovel-ready projects. We need to employ our people. So I urge my colleagues to support this measure."

Representative C. Lee rose to respond, stating:

"Thank you, Mr. Speaker. Still with reservations. I'd just like to comment briefly. One of the bridges, for example, in this particular bill is in the area I represent in Waimanalo. There's been a long need for replacement for that bridge which has been around for many decades. However, one of the biggest problems we face is that there's been a lack of transparency and a lack of communication between the State and the community. And whether it's this project or a number of others that have come before, there's been a real issue with the community making sure that the project is done right, and is followed through with all the various hurdles that need to be followed through with in order to ensure that it's done for the public benefit and it's not going to end up with any adverse consequences to the community.

"That being said, there is also the question of what happens after we pass this bill, after we put these ten bridges through. There's going to be ten more next year, and ten more the year after that. At what point what do we say, we need some sort of adequate standard by which to judge these projects? That's the concern I have, but I look forward to seeing it in the next Committee. Thank you, very much."

Representative Wooley 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. 3010, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, Riviere and Thielen voting no, and with Representatives Chang, Herkes and Nakashima being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1157-12) recommending that S.B. No. 2872, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2872, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT,"

passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1158-12) recommending that S.B. No. 2946, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2946, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto 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. 2946, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no, and with Representatives Chang, Herkes and Nakashima being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1159-12) recommending that S.B. No. 2378, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2378, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1160-12) recommending that S.B. No. 3001, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3001, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes and Nakashima being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1161-12) recommending that S.B. No. 2857, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2857, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1162-12) recommending that S.B. No. 2850, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2850, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and I would just like permission to enter written comments into the Journal."

Representative McKelvey's written remarks are as follows:

"Senate Bill 2850, SD1, HD1, proposes to authorize the Department of Land and Natural Resources to assume control and remove a vessel that is either grounded on a coral reef or is in imminent danger of breaking up if the owner cannot remove the vessel within twenty-four hours of notification or initiate an effective salvage operation within twenty-four hours of grounding. These grounded vessels present safety concerns and may severely affect our near shore environment. I support SB2850 SD1, HD1, to ensure that grounded vessels are removed in a timely manner.

"People often underestimate the power of the ocean and fail to realize the danger that can present itself when a vessel is not properly moored. With the repeated pounding of the waves these vessels are often torn apart creating not only marine pollution, but a hazard to the natural resources and to the safety of our ocean users. This bill meets the needs of the State to step in and take action towards recovery procedures when the damage to both the boat and environment is at its infancy.

"Vessels that run aground often cause extensive and irreparable damage to our coral reefs and as unfortunate as this may be the failure to take appropriate and timely action would just compound the problem. The time parameters set forth in this bill would enable the DLNR to act quickly and reduce costs to the taxpayer by preventing additional damage both to the vessels and the environment.

"I believe that SB 2850, SD1, HD1, addresses the need for the DLNR to quickly establish whether or not the owner of a grounded vessel has the resources to salvage the vessel and act as effectively as possible. Yet it also reflects the rights of the vessel owners to be the primary agent in the saving of their vessel if possible without putting our environment at undue risk."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2850, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1163-12) recommending that S.B. No. 2221, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2221, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes and Nakashima being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1164-12) recommending that S.B. No. 2222, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2222, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes and Nakashima being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1165-12) recommending that S.B. No. 2592, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2592, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise with reservations on SB 2592 regarding the Universal Children's Savings Account Program. While I honor the intent of the measure, I have concerns with the measure's potential to overstep the government's role by compelling all children who live in Hawaii, or who were born in Hawaii to be a part of this universal savings account program. I also have concerns about whether the Department of Budget and Finance is equipped to handle the administration of this program along with its other duties. For those reasons, I vote with reservations on this measure."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Riviere 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. 2592, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1166-12) recommending that S.B. No. 2178, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2178, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1167-12) recommending that S.B. No. 2060, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2060, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ACCUSED TO TRANSPORT WITNESS OR WITNESSES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1168-12) recommending that S.B. No. 2092, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2092, 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 Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1169-12) recommending that S.B. No. 2093, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2093, 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 Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1170-12) recommending that S.B. No. 2120, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2120, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on Stand. Com. Report 1170-12, I would like to declare a possible conflict of interest. Thank you. My husband is a primary care provider," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2120, 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 Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1171-12) recommending that S.B. No. 2435, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2435, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1172-12) recommending that S.B. No. 2779, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2779, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1173-12) recommending that S.B. No. 2797, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2797, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1174-12) recommending that S.B. No. 2166, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2166, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1175-12) recommending that S.B. No. 2762, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2762, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto 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. 2762, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1176-12) recommending that S.B. No. 2763, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2763, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1177-12) recommending that S.B. No. 2787, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2787, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1178-12) recommending that S.B. No. 2398, SD 2, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2398, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," was referred to the Committee on Legislative Management, with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1179-12) recommending that S.B. No. 2758, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2758, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1180-12) recommending that S.B. No. 2752, SD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2752, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto 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. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," was referred to the Committee on Finance, with Representative Ward voting no, and with Representatives Chang, Herkes and Nakashima being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1181-12) recommending that S.B. No. 2785, SD 2, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2785, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine 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 an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote 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 Wooley 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. 2785, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," was referred to the Committee on Finance, with Representatives Hanohano, Riviere and Thielen voting no, and with Representatives Chang, Herkes and Nakashima being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1182-12) recommending that S.B. No. 2239, SD 1, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2239, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1183-12) recommending that S.B. No. 2747, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2747, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, thank you. May I request a ruling on a potential conflict? I am an owner of an EV. Thank you," and the Chair ruled, "no conflict."

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. 2747, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1184-12) recommending that S.B. No. 2350, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2350, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the

Committee on Housing, with Representatives Chang, Herkes and Nakashima being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1185-12) recommending that S.B. No. 2646, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2646, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Chang, Herkes and Nakashima being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1186-12) recommending that S.B. No. 1500, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Herkes and Nakashima being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1187-12) recommending that S.B. No. 2208, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2208, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1188-12) recommending that S.B. No. 2229, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Herkes and Nakashima being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1189-12) recommending that S.B. No. 2820, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1190-12) recommending that S.B. No. 2939, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2939, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of SB 2939 HD1, Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii.

"Mr. Speaker, I would first like to say thank you to all of my colleagues who are making it possible to issue these Special Purpose Revenue Bonds for St. Francis Healthcare System. This bill will assist St. Francis Healthcare System of Hawaii to finance the construction, improvement, and equipment of its healthcare facilities, upon the finalization transfer of ownership back to St. Francis.

"Since 1883, St. Francis has been healing the people of Hawaii. By helping St. Francis reinvest in their operations, we can show that we are taking action to improve the quality and access of their healthcare.

"Mr. Speaker, may I please reiterate the words provided in a testimony by the Healthcare Association of Hawaii, where the issuance of this SPRB "does not involve any appropriation of expenditure of State funds". Rather, corporations are drawn to provide the financial investment, as the interest income acquired from the SPRB is exempt from State taxes.

"For these reasons, Mr. Speaker, I am happy to stand in strong support of SB 2939 HD1. Mr. Speaker, thank you for this opportunity to share my thoughts on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2939, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1191-12) recommending that S.B. No. 2083, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2083, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1192-12) recommending that S.B. No. 2793, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2793, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1193-12) recommending that S.B. No. 2751, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang, Herkes and Nakashima being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1194-12) recommending that S.B. No. 2503, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2503, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes and Nakashima being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain Senate Bill for Third Reading by consent calendar. (Representatives Chang, Herkes and Nakashima were excused.)

THIRD READING

S.B. No. 2648, HD 1:

Representative Chong moved that S.B. No. 2648, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to speak in opposition to the measure, stating:

"Unfortunately, I am in opposition, Mr. Speaker. I know that this is a really well intended thing to give scholarships to students. And the reason I just had opposition is, there was a Congressperson in California that was also doing what this bill calls to make legal, which is illegal right now; to allow them to use their campaign funds for scholarships for high school students. It seemed very harmless, but what had happened was, there was a media uproar and community uproar all across the nation. What this Congressman did was he started to call the scholarship program in his name, and a lot of good-government people said this was almost like buying votes.

"So I'm just really concerned about where this would go here in Hawaii. I know that it sounds like a good idea, but I think that we should use our campaign funds strictly for campaign purposes and maybe personally start up another organization that gives scholarship funds that is separated from these different accounts. So that's my opposition today. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, also in opposition. Mr. Speaker, education is a great cause. Education is a great equalizer. Without it, probably many of us in this room would not be in this room. Giving scholarships is very important. The cost of a college education is almost prohibitive nowadays. But this practice should be prohibited. This is not something that people are going to do with the intent which otherwise, it's couched under and with. In brief, summary terms, it doesn't pass the smell test. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with serious reservations on this measure."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of S.B. 2648-Relating to Campaign Finance. This bill authorizes campaign funds to be used to award scholarships to full-time students attending an institution of higher education or vocational education school in a program leading to a degree, certificate, or other recognized educational credential. This bill also provides that in any election period, the total amount of all scholarships awarded shall be no more than twice the maximum amount that one person may contribute to that candidate pursuant to section 11-357, Hawaii Revised Statutes, while providing that no awards shall be made from the filing deadline for nomination papers to the date of the general election.

"While I generally support measures that award scholarships to students attending institutions of higher education, I am concerned that S.B. 2648 would make impertinent use of excess campaign funds. The League of Women Voters Of Hawaii declare, "The legitimate use of campaign funds should be to provide communications with the public through media advertisements, mailings listing the candidates qualifications and issue positions, making signs, rallies and meetings, car expenses, office rent, paid staff etc." Thank you."

Representative M. Lee 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 S.B. No. 2648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Belatti, Fontaine, Hanohano, Jordan, McKelvey, Pine, Riviere, Takumi and Ward voting no, and with Representatives Chang, Herkes and Nakashima being excused.

At 1:14 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2648, HD 1

ANNOUNCEMENTS

Representative McKelvey: "I should actually have the good Representative from Manoa do this announcement. I just want to announce to everybody, that tomorrow, the good Representative from Manoa and myself will be doing our Foodbank fundraiser.

"We are going to be open for the day with McChoy's McGoodies, with plenty of good stuff, like Double Dipping Drumsticks, Economic Matrix Mochi, some Kung Hee Fat Boys, and of course, our famous E-R-B Brownies, ERB Brownies. So please come on by, and we'd love to serve you and give you some of the McChoy McAloha."

Vice Speaker: "If there are no further announcements, the Chair would like to remind the Committee Chairs that today is the Second Lateral Filing deadline. For bills that need to move to their final Committees, please file your Committee Reports and Drafts with the Chief Clerk's Office by 6:00 p.m. this evening. Thank you, very much."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R.

No. Re-referred to:

131 Committee on Economic Revitalization & Business, then to the Committee on Finance

H.C.R.

No. Re-referred to:

171 Committee on Economic Revitalization & Business, then to the Committee on Finance

S.B.

Nos.

Re-referred to:

2224, Committee on Transportation, then to the Committee on
SD1 Finance

2640, Committee on Judiciary
SD1

2967, Committee on Finance
SD2

ADJOURNMENT

At 1:16 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 23, 2012. (Representatives Chang, Herkes and Nakashima were excused.)

THIRTY-EIGHTH DAY

Friday, March 23, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:09 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Pastor Brad Smith of Makiki Christian Church, after which the Roll was called showing all Members present with the exception of Representatives Awana and Herkes, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Sixth and Thirty-Seventh Days was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 422 through 425) were received and announced by the Clerk:

Sen. Com. No. 422, transmitting H.B. No. 2573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIP," which passed Third Reading in the Senate on March 22, 2012.

Sen. Com. No. 423, transmitting H.B. No. 2576, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," which passed Third Reading in the Senate on March 22, 2012.

Sen. Com. No. 424, dated March 22, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bill:

S.B. No. 2508, SD 2, HD 1

Sen. Com. No. 425, dated March 22, 2012, informing the House that the Senate has on March 21, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Pine introduced her grandmother, Mrs. Alionora Marcos; and her brother, Mr. Kawika Pine.

Representative Har introduced Ms. Courtney Ketzenberger, a senior at Island Pacific Academy, volunteering in her office during her spring break. She was accompanied by Legislative Aide, Mr. Ronson Dela Pina.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

At this time, the Chair announced:

"Members, we have a total of 31 pages, which equates to approximately one hundred and twenty something measures for Second Reading. One of our distinguished Members has a speaking engagement up at the East-West Center. And Members of our Neighbor Island delegation want to get on home for the three-day weekend. So can we surmise to say that we can do the 31 pages in 45 minutes, and finish by 1:00 o'clock?"

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1195-12) recommending that S.B. No. 2182, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2182, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. SB 2182, HD 1 would make permanent the assessment and deposit of the Hawaii State Center for Nursing ("HSCFN") fees into the compliance resolution fund and distribution of those funds to the credit of the HSCFN special fund.

"In 2003, the Legislature passed Act 198, to create the Hawaii State Center for Nursing. The Center was given the mandate to collect and analyze data, and make recommendations regarding the current status and trends of the nursing workforce; conduct research in best practices and quality outcomes; develop a plan for implementing strategies to recruit and retain nurses; and research, analyze and report data related to the retention of the nursing workforce.

"We can see in the work that the Center for Nursing has produced that they have very ably done what was asked of them. The data and evidence collected by the Hawaii State Center for Nursing is invaluable in making workforce, policy and resource decisions. The HSCFN should be continued as it has become a leader in workforce planning, nursing research, and professional practice in the State. Stakeholders recognize the HSCFN as the source of reliable information regarding existing and emerging trends in nursing. The repeal of the Center fees would in essence cause the demise of the HSCFN as the fee is its main source of funding.

"I support the bill, but not the defective date."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1196-12) recommending that S.B. No. 2584, SD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2584, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I ask for a ruling on a potential conflict. I'm a member of the Hawaii Army National Guard and this measure will allow me to partake in the Tuition Assistance. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2584, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1197-12) recommending that S.B. No. 3071, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3071, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1198-12) recommending that S.B. No. 2506, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2506, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Souki and Aquino, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1199-12) recommending that S.B. No. 2877, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1200-12) recommending that S.B. No. 2810, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2810, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1201-12) recommending that S.B. No. 2833, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2833, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1202-12) recommending that S.B. No. 2750, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2750, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine 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."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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 Cullen rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takumi rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley 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. 2750, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1203-12) recommending that S.B. No. 2310, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2310, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1204-12) recommending that S.B. No. 223, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 223, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 223 SD1, which is a Women's Caucus measure relating to domestic abuse orders. This bill requires a police officer to impose a 24-hour no contact period when there are "reasonable grounds to believe" that harm was inflicted and that there is probable danger of further harm to the family or household member.

"SB223 SD1 is needed to address the gaps in the current system and help ensure the safety of domestic violence survivors. Calling the police can be very dangerous for domestic violence survivors. Once the police leave, the survivors are often left alone with the abuser, who may retaliate and escalate the violence. However, in circumstances when the no contact order has been issued by police, it has been successful in preventing further domestic violence. It denies the person doing the harm access to the victim, and gives the victim essential time to seek refuge and get to safety.

"This bill will provide victims of domestic violence greater protection against their abusers. Protection that is essentially necessary and valuable on evenings, weekends, and holidays when there is limited access to seek temporary restraining orders or other relief from the court system.

"I urge my fellow Members to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 223, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1205-12) recommending that S.B. No. 2803, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2803, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1206-12) recommending that S.B. No. 2760, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2760, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1207-12) recommending that S.B. No. 2655, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2655, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I'll be very brief, and would cancel my speech before I not say no to this one with a couple of comments. Yesterday, we had job creation bill number 1. This is job killer, business killer number 1. Because Mr. Speaker, as I said so many times, this is the phone that I have with \$7 a month insurance for. And we're asking the carrier to provide this insurance, with \$2 thousand to get a license to sell me this. This is an interruption of business, of commerce. It's not good, sound policy, and I'm going to vote no continually."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote 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 Fontaine rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Johanson rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching 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. 2655, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS

INSURANCE," was referred to the Committee on Finance, with Representatives Ching, Fontaine, Johanson, Marumoto, Pine, Riviere, Thielen and Ward voting no, and with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1208-12) recommending that S.B. No. 2168, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2168, 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 Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1209-12) recommending that S.B. No. 2981, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2981, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen 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. 2981, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance, with Representative Thielen voting no, and with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1210-12) recommending that S.B. No. 2765, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2765, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1211-12) recommending that S.B. No. 2436, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2436, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1212-12) recommending that S.B. No. 2106, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2106, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1213-12) recommending that S.B. No. 2084, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2084, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1214-12) recommending that S.B. No. 2766, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2766, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1215-12) recommending that S.B. No. 2748, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2748, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1216-12) recommending that S.B. No. 2858, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2858, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

At 12:22 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

Representative Thielen rose, stating:

"Thank you, Mr. Speaker. The pace was quite rapid, and I wanted to just have our Caucus members have a chance to speak on this measure. I'm going to defer to the Minority Leader."

Representative Ward rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I rise in opposition with brief comments. Mr. Speaker, this is an anti-transparency measure that the Governor is bringing to us. I think we shouldn't carry his water, given that he's made secretive Executive Orders. He's not revealed the names of the Judiciary. It seems to be a thematic, if you will, to keep the public access to information minimized. And this does this without whatever good that it's going to do. I have not seen, nor heard, and to vote for this as a closed government and transparency just doesn't make sense. Thank you, Mr. Speaker."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"A vote with reservations, and I'll take a look at it in the next Committee."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on SB 2858, relating to judicial reviews regarding the Sunshine Law. While I am supportive of a streamlined process to appeal decisions made by the Office of Information Practices in reviewing State agency procedures, I am concerned that these review processes may reduce transparency by creating unnecessary or cumbersome regulations that make it more challenging for the public to gain an understanding of the state agencies and their procedures. For these reasons, I stand with reservations on the measure before us."

Representative Ching rose in support of the measure with reservations and asked that Ching's written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on S.B. 2858 SD1 HD1 – Relating to Open Government. This bill would create a process for an agency to obtain judicial review of a decision made by the Office of Information Practices relating to the Sunshine Law or the Uniform Information Practices Act, and clarify standard of review.

"Mr. Speaker, while this measure attempts to ensure an increased accountability and transparency, I would like to echo the words provided by Mr. Douglas S. Chin, Managing Director for the City and County of Honolulu, on his testimony dated March 16, 2012:

This measure unduly restricts the rights of agencies to appeal advisory opinions issued by the Office of Information Practices ("OIP"), without affording any process for agencies to present facts and arguments in support of their position. We believe the bill does not give proper weight to the privacy and public policy interests recognized in statute that limit the application of the Sunshine Law and the Uniform Information Practices Act.

"Thank you."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano 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. 2858, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Pine and Ward voting no, and with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1217-12) recommending that S.B. No. 2950, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2950, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1218-12) recommending that S.B. No. 2493, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2493, 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 Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1219-12) recommending that S.B. No. 2304, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2304, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2304, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF THE ACCUSED," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1220-12) recommending that S.B. No. 2842, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2842, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Takumi and Mizuno, for the Committee on Education and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1221-12) recommending that S.B. No. 2545, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2545, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1222-12) recommending that S.B. No. 2800, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2800, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1223-12) recommending that S.B. No. 2828, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2828, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1224-12) recommending that S.B. No. 2540, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2540, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1225-12) recommending that S.B. No. 2399, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2399, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO URBAN ART," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1226-12) recommending that S.B. No. 2030, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2030, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Johanson rose to speak in support of the measure with reservations, stating:

"I wish to register my reservations. And a brief comment. I just think that this potentially expands the scope beyond what is reasonable. 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. 2030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1227-12) recommending that S.B. No. 2226, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2226, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Nishimoto rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, thank you for giving me those extra two seconds. I actually realized that this is the biggest tax increase, probably, for the people of Hawaii. Because it's a roll of the internet tax, into a different bill of which I didn't recognize until I researched it.

"So this is a no vote, this is another way, I know, of collecting the Use Tax, which if it was tried to pass in the House today, would never be passed because it wasn't implementable when it was passed decades ago. And now we're sneaking it up, saying we want to tax the internet."

Representative Johanson rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Fontaine 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 a no vote for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley 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. 2226, 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 Representatives Ching, Hanohano, Johanson, Nishimoto, Thielen, Ward and Wooley voting no, and with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1228-12) recommending that S.B. No. 2238, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2238, 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 Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1229-12) recommending that S.B. No. 2457, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2457, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1230-12) recommending that S.B. No. 2845, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2845, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I think this is not a good bill. I rise in opposition. I think it will increase the cost of medical care, services and supplies under workers' comp, and drive up the premiums that businesses have to pay. There is a need, yes, for the Director to make the operation of the Disability Compensation Division more efficient. However, employers should be able to review the treatment plan to determine if the plan is reasonable or necessary. A review of a surgery, proposed surgery, under the thirty-day limit, is almost impossible.

"When surgery is proposed, the Director should be able to review evidence from both sides to make an informed decision. Any sort of

treatment proposed, should be able to be looked at by employers. Without a hearing, the Director just doesn't have the information to make an informed decision. This bill would encourage the submission and approval of unreasonable and unnecessary treatment plans to maximize the revenue of attending physicians and related medical providers and entities.

"The cost of medical care, services, and supplies will increase, thereby increasing premium costs, hurting businesses in our tough economy. Any rendered treatment, including surgery and narcotic drugs may be harmful to the injured worker, and lead to further disability or addiction. I think we should be very careful about moving this bill out, and so I would ask that concerned people vote no. Thank you."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations on S.B. 2845 SD1 HD2 – Relating to medical benefits under the workers' compensation law. This bill would allow for the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing, but would require a decision within 30 days of the filing of a dispute.

"Mr. Speaker, I support ensuring that an injured employee's medical care in workers' compensation-related cases help the injured worker return to work, but this particular measure poses anti-employer consequence, as it may provide the Director of Labor and Industrial Relations the ability to make decisions regarding workers' compensation cases without the refutation of the employer. Enabling a decision to be made without the recourse of both parties involved may pose a disadvantage to the defending party of the claim, and/or room for falsified information to succeed in a hearing. 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. 2845, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW," was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1231-12) recommending that S.B. No. 2804, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2804, 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. 2804, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1232-12) recommending that S.B. No. 2740, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2740, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1233-12) recommending that S.B. No. 2009, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2009, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1234-12) recommending that S.B. No. 2568, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1235-12) recommending that S.B. No. 2116, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2116, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1236-12) recommending that S.B. No. 2534, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2534, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee 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 Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching 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. 2534, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," was referred to the Committee on Finance, with Representatives Hanohano and Wooley voting no, and with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1237-12) recommending that S.B. No. 2528, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2528, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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. 2528, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1238-12) recommending that S.B. No. 2994, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2994, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm going to have reservations, but I just wanted to thank the Chair of Education for removing the bad parts of the bill, and to let this go forward. My reservations are just that I want to make sure that the bill stays in its present form rather than going back to the original. Thank you."

Representative Cullen rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative M. Lee rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker, first I may have a ruling on a potential conflict? I'm a charter member of the Friends of the Mililani Public Library for 25 years. And I am a member of the Board of the Friends of the Mililani Public Library," and the Chair ruled, "no conflict."

Representative M. Lee continued to speak in support of the measure with reservations, stating:

"I'd like to speak in support with some concerns. My concerns are the same as those of Representative Thielen."

Representative Yamane rose and asked that the Clerk record an aye vote with reservations for him, 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. 2994, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE LIBRARIES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Takumi and Rhoads, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1239-12) recommending that S.B. No. 2115, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2115, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1240-12) recommending that S.B. No. 417, SD 2,

as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 417, 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 Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1241-12) recommending that S.B. No. 2013, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2013, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1242-12) recommending that S.B. No. 2332, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2332, 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 Representative Herkes being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1243-12) recommending that S.B. No. 3039, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3039, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1244-12) recommending that S.B. No. 2126, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2126, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1245-12) recommending that S.B. No. 2227, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1246-12) recommending that S.B. No. 2536, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2536, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, strong support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1247-12) recommending that S.B. No. 2466, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2466, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1248-12) recommending that S.B. No. 2320, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2320, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB 2320 SD2 HD1, Relating to Aging. The purpose of this measure is to build a statewide system of support for Hawaii's older adults and their caregivers by establishing the Kupuna Care Program and provides funding support for the healthy aging partnership programs such as Better Choices, Enhance Fitness. This bill builds and strengthens a statewide system to provide affordable and quality home and community-based services for adults who are sixty years or older and their family caregivers.

"Important components of Hawaii's aging addressed by programs in the bill including: access to information; affordable home and community based services, social and civic engagements for retired seniors, ensuring safety for people with Alzheimer's dementia related diseases, and promoting healthy aging through the Healthy Aging Partnership program.

"The Kupuna Care Program has been providing essential services for Hawaii's seniors since 1999, and is Hawaii's only State funded home and community based services programs for older adults who do not qualify for other government or private assistance. Currently Hawaii residents aged 60 years or older constitute 18.7% of the population and data suggests that this numbers who will increase substantially in the future. The explosive growth of older adults demands a strong infrastructure to address their growing needs. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2320, 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 Representative Herkes being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1249-12) recommending that S.B. No. 2397, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2397, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano 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. 2397, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1250-12) recommending that S.B. No. 2866, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2866, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1251-12) recommending that S.B. No. 2101, SD 1, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2101, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to disclose a potential conflict of interest, stating:

"Yes, I'd like to declare a potential conflict. I am a recipient of the TRICARE Program," and the Chair ruled, "no conflict."

Representative Takai rose to disclose a potential conflict of interest, stating:

"Same request, Mr. Speaker," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2101, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1252-12) recommending that S.B. No. 2865, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2865, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Aquino and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1253-12) recommending that S.B. No. 2518, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1254-12) recommending that S.B. No. 2268, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2268, entitled: "A BILL FOR AN ACT RELATING TO QUEEN LILIUOKALANI," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1255-12) recommending that S.B. No. 2305, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2305, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1256-12) recommending that S.B. No. 2001, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2001, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1257-12) recommending that S.B. No. 3016, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3016, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1258-12) recommending that S.B. No. 2341, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2341, SD 2, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I would like to cast a no vote, and then request to have some remarks placed in the Journal. Thank you, Mr. Speaker. I do want to disclose that the remarks that will be placed into the Journal were drafted by the Agricultural Liaison for the Mayor's Office who happens to be Laura Thielen, my daughter, and I wanted to disclose that to you. She details how this bill and another bill that is yet to come before us can really do great damage to our agricultural lands and to our efforts as a State to become food self-sufficient.

"I would hope that Members would take these remarks into account. I'd be glad to provide them personally to anyone that wants them as well, but I

believe that they have gone out fully to the Water, Land Committee and the Agriculture Committee.

"Mr. Speaker, you know, we're doing such a push to try to say we want to become self-sufficient. We want to help our farmers. We want to encourage more young people to enter into the field of farming. And then at the same time, we're taking actions like this that are going to reduce the number of farms, and price that land out of reach of any of the new young families that want to enter into that field, because they'll be used for tourism. I know there's a limit on the bill, on population, but those things have a way of disappearing with future Legislatures. So I would say that this is a smoking gun, pointed at Oahu as well. Thank you."

Representative Thielen submitted the following:

"Aloha Representatives,

Two bills that your Committee is poised to hear will eradicate a huge amount of high quality farmland, make it nearly impossible to increase local agriculture, and will transform large amounts of the agricultural district into a rural tourism district.

SB 2341 allows vacation rentals on agricultural lands, including the highest production lands. Even worse, vacation rentals can be the primary use, no farming is required.

SB 2350 doubles the number of houses permitted on agricultural lots with one ohana dwelling for each farm dwelling.*

If these bills pass, the number of houses built on agricultural lands will dramatically increase and agricultural lots will be priced for their vacation rental value, not their farming potential.

The expansion of tourism has already transformed other areas, like Windward Oahu. The density of some communities doubled when ohana units were allowed. The vacation rental market dominates many neighborhoods, affecting home prices.

Nearly 16,000 acres of farmland on Oahu's North Shore are being marketed for great views or access to the ocean. These qualities aren't relevant to farming; they're relevant to tourism. The bill permitting vacation rentals as a primary use will destroy any ability to assure these lands remain available for agricultural production.

The price of Oahu farmland is nearly out of reach for food farms today. These bills will make it impossible for food farms to operate. The vast majority of Oahu's food is grown on rented land. Will landlords force farms to close when neighboring vacation rentals complain about noise, or when they realize they can increase their rental income by transforming all or some of the property to vacation rentals?

The Department of Agriculture, Office of Planning, and City and County of Honolulu have all testified against these bills and the Farm Bureau has raised serious concerns.

Our Constitution requires the State to assure the availability of agricultural lands for agriculture. The law requires directing non-agricultural uses away from the best farmland. Several bills before the Legislature this session support increasing local food production.

How is it that the Legislature on one hand says it supports agriculture, but on the other hand takes action to pass laws that will transform the agricultural district into the rural tourist district?

The Senate unanimously passed both bills. They have passed several House Committees, and are now at the House Committee on Water Land and Ocean Resources.

* While the ohana unit bill was amended to take out Oahu, it just as easily can be put back in, now or next year.

Laura H. Thielen
Agricultural Liaison
Mayor's Office
City and County of Honolulu
(808) 768-6603
lthielen@honolulu.gov"

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Members, if you read the measure, it was amended to basically make it for one area only, Maui County. I know there's a lot of disfunctionality going on in other places, but our County Council has worked hard, in an eight to one vote, to create a bed and breakfast program to help true small farmers, *bona fide* ag, with a complaint system, and an adjudication system. But because of the bar against any overnight stay whatsoever in State law, they cannot enact this bed and breakfast ordinance.

"All we're asking for is to give Maui County home rule, and the tools to be able to implement something that everybody has bought into, and has worked on over the last year. Thank you very much, Mr. Speaker."

Representative Fontaine rose in support of the measure and asked that the remarks of Representative McKelvey be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, just to clarify my opposition. I do respect the intent of the Maui County Council and other Members to try and rectify this situation. The problem I have with the bill is that there's a specific clause within it which allows for this tourist bed and breakfast, et cetera, use of ag lands without any *bona fide* ag activity on the property. Essentially doing an end run around the Land Use Commission's intent of local agriculture and everything else. Thank you."

The Chair then noted:

"Representative Chang, and Vice Chair Har, this particular measure will be going to your Committee, so really try to vet it. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I understand what the speaker from Maui was saying. However, you take a look at the bills that go through and the laws that are put on the books. And then you find a subsequent legislature saying, 'Well let's just change that. It's worked for Maui. Let's now do it for Oahu.'

"We have a terrible problem with transient vacation units on the Windward side, and competition for housing for local people. We also will have a terrible problem were this to be laid onto Oahu in the future. We would really be decimating our farmland and it would become tourism. Come look at where plants and crops used to be. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2341, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives C. Lee, Thielen and Wooley voting no, and with Representative Herkes being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1259-12) recommending that S.B. No. 2375, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2375, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," passed

Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representative Herkes being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1260-12) recommending that S.B. No. 2695, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2695, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1261-12) recommending that S.B. No. 3011, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3011, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record a no vote 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 Awana 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. 3011, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representative Herkes being excused.

Representatives McKelvey and Nishimoto, for the Committee on Economic Revitalization & Business and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1262-12) recommending that S.B. No. 3037, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 3037, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1263-12) recommending that S.B. No. 3031, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3031, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1264-12) recommending that S.B. No. 2419, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2419, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1265-12) recommending that S.B. No. 2111, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2111, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I want to vote with reservations, even though it's from my good friend from Maui, from Lahaina. I know that this is very dear to his heart. However, I note in this measure that the credits have been increased quite a bit, from 8 million to 16 million for production; and 20 to 25%, plus 5% additionally for hiring of local people, which is nice. But I don't know why we have to pay them to hire local people.

"My major concern is that while I recognize that movie production in the State is good for the State image, I believe that there are a lot of needs in this State that are going unfunded right now. And at some point in time, I think we all need to know, what are all of these tax credits costing us? The bottom line, not only for this measure, but for other measures is, is it worth the credits that we're giving inasmuch as the tradeoff is, if we have many programs that are yet unfunded throughout the State. I think we can look at health, and labor, and et cetera, et cetera as unfunded. Education, for one. And we need to have a handle on this cost.

"I know I've seen some figures that were provided to me, showing as to the turnaround of the money, but these figures were done by those who are requesting the credit. I would prefer that somehow, some local economist begin looking at this kind of figure, and report to the Finance Committee as to how much does the State really get from this here. What's the value of this hundreds of millions of dollars that we spend per year in tax credits.

"In fact I was looking across the wall, they requested for approximately 400 million, and can we afford it? Of course, we're not going to give the whole 400. I'm sure when it gets to the Finance Committee, they will whittle it down to a more manageable figure. But again, I think what they should know, and what should be then provided to us, is what is the net value, and what is the cost to programs that are not sufficiently funded.

"Is it as a result because of this? Or does this, in effect, provide more dollars for those that need to be funded? These things, I don't think we know yet. So we cannot just be throwing tax credits around, not knowing what the ultimate result is going to be, the bottom line figure. And this is not to disrespect those who advocate, and they're advocating in good faith because they sincerely believe that this will provide a better image for the State of Hawaii and provide jobs. For this I give plenty *aloha* for them, because they work hard to do this. But I think we need to take one step more, and begin to evaluate the result of all of this. Thank you, very much."

Representative Wooley rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I also want to express reservations, and thank Speaker Emeritus for his very wise comments."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support, briefly. Thank you. I think what we need to do is take a look at the reports being generated by the film offices, not only at the State level, but all throughout the entire State. Each county has one. And you'll see from it, there's clear evidence that this type of funding support through tax credits benefit not only the industry, but more importantly, the entire State.

"Now last year, we recognized Hawaii Five-O. And Hawaii Five-O, the amount of money we put in through these tax credits, we can't even imagine how much it'll cost to pay for the impressions that are seen throughout the nation, and in fact throughout the world. So I'll try and get

some of that information for the Chairmen of both Transportation, and the Culture and Arts Committee, because I think the evidence is there. We just have to kind of take a look at it.

"And I do understand their concerns. Their concerns are legitimate, because we can't be giving tax credits away. But I do believe that these tax credits have over time shown that it benefits the State of Hawaii. 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. 2111, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1266-12) recommending that S.B. No. 2412, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2412, SD 2, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching 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 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. 2412, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Herkes being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1267-12) recommending that S.B. No. 2511, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2511, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Cullen rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose in support of the measure with reservations 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 with reservations on Standing Committee Report 1267-12, Senate Bill 2511, Senate Draft 2, House Draft 2. The purpose of this measure is to reduce the adverse impact of single-use checkout bag waste in Hawaii by establishing a fee for the distribution of single-use

checkout bags, also known as plastic bags. Specifically, this measure proposes that beginning January 1, 2013, all businesses in the State shall charge and collect a fee of 5 cents for each single-use checkout bag that is provided to customers. Mr. Speaker, I base my reservations on three reasons.

"First, while I support the intent of protecting the environment today and for future generations, I believe passing on the financial burden of improving the natural environment to consumers is unfair. Hawaii residents already face much higher costs for necessities such as food and utilities than people living on the mainland. Furthermore, the proposed fee places a disproportionate burden on our elderly and low-income residents. In these tough economic times, the last thing government should be doing is hurting those who already have little disposable income to afford even the most basic necessities.

"A second reason for my reservations on this bill is that the price of plastic bags is already assessed by grocery stores and folded into the price of all goods purchased. The Retail Merchants of Hawaii, who represent grocery stores and other merchants offering plastic bags, noted in their testimony before the House Finance Committee on February 2, 2012, that they could not guarantee that the price of goods would come down if consumers paid for their plastic bag usage, particularly when retailers would be reimbursed for the cost of the plastic bag. I cannot in good conscience support a bill that would charge consumers twice – for the plastic bag fee and for the cost already folded into the price of goods.

"Finally Mr. Speaker, if we are genuinely concerned with the environment, we should just ban plastic bags. This bill purports to help the environment by placing a fee on single-use checkout bags but to truly address the environmental concerns if legitimized, then placing a fee on these bags does not address the problem. Furthermore, the funds from this bill which would be placed into the general fund, ultimately ends up being just another fee to our constituents who are all struggling to make ends meet. Instead of "nickel and diming" our constituents, let's support an outright ban.

"Environmental protection is paramount, but there are much better ways to incentivize people's behavior (rather than penalize) in plastic bag usage. For these reasons, I stand with reservations on this measure. Thank you, Mr. Speaker."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations to SB 2511, relating to single use plastic bags. While I support the intent of this measure to improve the environment and to proactively reduce the amount of material put into our landfills, I am concerned about the widespread effect that this fee will have on many of the families who are struggling the most through these difficult economic times.

"This fee will increase the already high cost of living because it targets the purchase of necessities such as food and groceries. Though it seems like a small fee, I believe the added cost to the grocery bill is not a cost that can be absorbed by our constituents, especially in these difficult economic times. This added fee will touch everyone, each time they step into a store or business.

"Again, I do support the intent of this measure; however, this particular fee is broad-based and may adversely impact all of our constituents. I am concerned as to whether my constituents can afford this additional fee. For these reasons, I have reservations with the measure before us."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2511, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1268-12) recommending that S.B. No. 650, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 650, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1269-12) recommending that S.B. No. 2261, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2261, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Aquino rose to disclose a potential conflict of interest, stating:

"May I request a ruling on a potential conflict? I work for the company that serves as the fiscal agent for the Weed and Seed in Waipahu," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2261, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1270-12) recommending that S.B. No. 2277, SD 2, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2277, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 2277, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," was referred to the Committee on Finance, with Representative Thielen voting no, and with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1271-12) recommending that S.B. No. 2709, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1272-12) recommending that S.B. No. 2783, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1273-12) recommending that S.B. No. 2248, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2248, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1274-12) recommending that S.B. No. 2318, SD 1, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2318, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 2318 SD1 HD1, Relating to Adult Guardianship and Protective Proceedings Jurisdiction.

"The purpose of this measure is to address the challenges Hawaii has encountered in dealing with issues surrounding interstate adult guardianships and protective orders.

"Adoption of this Act will establish guidelines to determine which court, in this State or another state, has jurisdiction to appoint a guardian or conservator for an incapacitated adult and to determine the disposition of out-of-state guardianship and protective orders thereby ensuring that only one state has jurisdiction at any one time. There will also be a prioritization of which states may proceed with a petition. This process provides uniformity and reduces conflicts among states.

"For this reason, I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2318, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1275-12) recommending that S.B. No. 2712, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2712, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1276-12) recommending that S.B. No. 2776, SD 2, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2776, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching 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 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. 2776, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1277-12) recommending that S.B. No. 2233, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2233, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. With reservations and brief comments. While I understand the need to want to help facilitate using electronic methods to getting notices out, I'm very concerned about this measure because of how it may impact our elderly who may not have access to computers, and may not be able to get the notices. That's why I have my reservations. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, very much, Mr. Speaker. With reservations, and I finally get to say this, this year. I would like the comments and the words of my brother from another mother, the Representative of Kihei to be entered into the record as if it were my own."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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 an aye vote with reservations for her, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2233, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC INFORMATION," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1278-12) recommending that S.B. No. 3008, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3008, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1279-12) recommending that S.B. No.

2250, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2250, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1280-12) recommending that S.B. No. 2209, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2209, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE JUDICIAL SELECTION COMMISSION TO DISCLOSE THE NAMES OF AND CERTAIN INFORMATION REGARDING ACTIVE NOMINEES AND APPLICANTS TO FILL JUSTICE AND JUDGE VACANCIES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1281-12) recommending that S.B. No. 2713, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2713, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1282-12) recommending that S.B. No. 2738, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2738, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Belatti rose to disclose a potential conflict of interest, stating:

"Thank you Mr. Speaker. May I request to be excused from the voting on this? A client of my law firm is a beneficiary of this measure."

The Chair responded, stating:

"To be excused? The Chair will not excuse you. If you're asking for a ruling of a potential conflict, there is no conflict, Representative Belatti."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2738, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1283-12) recommending that S.B. No. 2821, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2821, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR

INTELLECTUAL DISABILITIES," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1284-12) recommending that S.B. No. 2281, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2281, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1285-12) recommending that S.B. No. 2873, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2873, SD 1, HD 2, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Riviere rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I actually thought about voting yes on this. And then I thought, well there are so many bills going forward that are so disconcerting that I thought I better go reservations. Then I thought about it once again, and I thought you know, the Departments have a chance to exempt projects, and they have a chance to go to the Office of Environmental Quality Control and get rulings on exemptions, so there is a procedure for that. Therefore, even though this may seem like an insignificant bill, it creates another blanket exemption which is bad policy. Opposition, please."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto 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. 2873, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was referred to the Committee on Judiciary, with Representatives Riviere and Thielen voting no, and with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1286-12) recommending that S.B. No. 2288, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2288, 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 opposition to the measure, stating:

"Thank you, Mr. Speaker. This is the solar, or photovoltaic bill that I've spoken about before, and I'm still voting no on the bill. Mr. Speaker, we've had other measures that have increased fees, some deal with taxes. This one takes a different approach. It is going to severely damage an industry

that has been one of the fastest job growing industries in our State, and that's the photovoltaic and solar industry.

"We've talked about how the technology will require up to a certain amount of energy flowing through an individual system. If you go above that, you could create fires. You could create other problems. So from a technical aspect, you need to put different systems on a larger roof. And from a technical aspect, that isn't doing anything that is illegal. It's doing something that is prudent and safer. We used to give, until this bill moving forward, a tax credit for those systems. Thereby, the solar industry was, I believe among the very fastest growing groups within this State, providing the most green jobs, good paying jobs, in our State.

"I've called this the 'photovoltaic for millionaires,' but I think it's better named, 'protection for Hawaiian Electric.' Because fewer people will go to getting their power from the sun, which means that those people more and more will be receiving the very costly monthly electric bills from Hawaiian Electric. I'm sorry to see us do this. I think it would've been much better to put together a task force to have the different players, including the Department of Taxation sit down and work out what could happen so there wouldn't be any abuse of the system, but so people could continue to stretch and buy that photovoltaic system and be able to get their utility bills back down to probably where they were about maybe five or ten years ago.

"I imagine everyone in this room has constituents that have either talked to them, or called them, or indicated that their bills are just going out of sight, and they can't get a handle on it. They can't do a budget because the next month, the Hawaiian Electric bill comes and it's even more than it was the month before. There are stories of people that haven't used air conditioning in two or three years. That unplug all of their different appliances. That have clothes drying on a clothesline. They've done just virtually everything they can, and yet the price continues to go up. This bill does not help. This bill harms our constituents. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. And just a quick rebuttal. In regards to jobs, I guess you could make that argument. But I would say, I would almost guarantee anybody, if we gave a 65% tax credit, and yes, 35% is State and 30% is federal. I'm assuming we're all federal tax payers in here, so it's our money too. If you give a 65% tax credit to any business or industry, they'll be the fastest growing industry as well. Why don't we do it for automobile dealers, to help our American car companies? Or why don't we do that for hotels since hotels are a big part of our industry? You can do that to any industry. At 65%, they'll create a ton of jobs. So that's a red herring.

"Secondly, is on the issue of Hawaiian Electric. This is not a 'protect Hawaiian Electric' bill. This is a fiscally prudent bill to ensure that the taxpayers' interest, like in any other tax expenditure, or budget expenditure, is managed correctly. I would remind the Members that actually, Hawaiian Electric was looking to do this, because they saw so much profit in it. A 65% tax credit, and depreciation over the life, where they would be able to sell electricity after installing PV on someone's house and sell it to them without going through the PUC rate filing case. So this is not helping Hawaiian Electric. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition, with brief comments. Mr. Speaker, this is not a red herring. It's about a \$6 billion debt that we pay every year. We're trying to get off of imported oil. Let's not lose focus on the ball. This thing is premature because we beat our chest saying we are the leaders of the nation of PV. Mr. Speaker, you know what the data is? We're 3% renewable energy on our grid. 3% and now we're going to cut the legs out from underneath this incentive. Let us remember, it took us 30 years to get the 30% with just the water heaters.

"We're 3% now with PV, and we think if we cut off these incentives, that people are going to continue buying this stuff. In other words, we've got to invest, keep the pipeline filled, and then when we get traction. When we get a percentage, at least of the adoption now, with the solar water heaters, then I say, 'Okay, let's cut it off.' And I would also suggest

Members who just voted for the movie tax credit, the same purpose is to vote for this tax credit because this industry is real. We've got the best sun and the longest days in the nation. We can be a world leader. Mr. Speaker, this is pennywise and pound foolish, the way we're behaving on this bill. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"In opposition Mr. Speaker, with the words of the Minority Leader, as well as the Representative from Kailua entered as my own. And additional written comments, listing also the opponents: Solar Energy Industries Association, Sunrun, Sierra Club, Blue Planet Foundation, Hawaii Renewable Energy Alliance, Kauai Island Utility Cooperative and others. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of S.B. 2288 – Relating to Energy. This bill applies the renewable energy technologies tax credit on a per-property basis and prohibits a taxpayer from claiming the renewable energy technologies income tax credit for a renewable energy system installed for, a power purchase agreement with any government agency. This bill also increases the credit for systems installed on various types of properties and authorizes the issuance of general obligation bonds for renewable energy systems for state facilities.

"While I support renewable energy, I am concerned that S.B. 2288 contains language that prevents competition amongst contractors. The testimony provided by Aaron S. Fujioka, Administrator of the State Procurement Office, explains that open and fair evaluation processes are necessary to find the most appropriate and qualified vendor. This bill restricts the entity, in this case taxpayers, from the right to compete for government contracts, which violates equality under the law. Furthermore, prohibiting taxpayers from claiming tax state credits for installing a renewable energy system or power purchase agreement does not help the quality of living for taxpaying residents because it prevents them from benefitting from lower warranty costs as a result of entering power purchase agreements, to which they are exempted in this bill. Power purchase agreements provide stable utility costs that do not fluctuate as often, which is in the benefit to our State of Hawaii residents as the cost of living in Hawaii is so high.

"Thank you."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, the same reservations as before with a couple of comments. The reason I had serious reservations about this bill, is, as I mentioned in previous times, we are trying to be creative in Ewa Beach, where we're trying to have private-public partnerships with some of our public schools. We really believe that we're saving the taxpayers money by being creative and combining these partnerships together for our students. And we really believe that this actually could help other State projects. So, by eliminating some of these possibilities with these tax credits, we truly believe that we're eliminating possibilities to save the State money in the future."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 2288, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Ching, Thielen, Ward and Wooley voting no, and with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1287-12) recommending that S.B. No. 2438, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2438, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Sorry, Mr. Speaker, but here goes another one. Mr. Speaker, I'm rising to vote against this bill, and I'd like to explain why. Thank you. Mr. Speaker, the US Department of the Navy is holding a two-day symposium, next week, about marine energy. They're bringing out experts in the field. They're holding the first event at Marine Corps Base Hawaii in Kaneohe, and that's for the purpose of inviting international wave energy companies to come to Hawaii. They have people coming from all over the world.

"One of those companies had a device for a period of about 7 years off Marine Corps Base Hawaii actually feeding power into the grid. They're going to be back again with their newer device which will be much more powerful. The difficulty with this bill, and it does go on to CPC, so there'll be another shot at it. But the difficulty with this bill is, it says that the Public Utilities Commission can only approve technology that is above Level 6, and let me read to you what Level 6 is. Technology Readiness Level 6 means engineering scale models have been tested in an environment that closely resembles the actual operating environment. The PUC won't be able to approve those. That's exactly the environment that the military is constructing.

"The wave hub off of Kaneohe, that the United States Department of the Navy is bringing people from around the world for that, to be out there. They've invited the international companies and local companies. And there are local companies, to come for the purpose of testing their devices in this marine area. They also have the ability to feed the power into the grid and those tests aren't just conducted within one month, one year, two years. Those tests can be ongoing, as they refine the systems, feeding power into the grid. They can be, as I mentioned, with OPT, up to a seven-year test period.

"What does this do for Hawaii? It provides the local jobs. These aren't bought off the shelf, retail from another nation. These are developed right here in Hawaii with the local jobs provided for our community, and they're very good paying jobs, Mr. Speaker. The ones our young people who graduate from college would love to have.

"So, my concern with this bill is, by limiting this section 6, Level Readiness, Level 6 by saying, 'PUC, you can't approve that to go into the grid.' We're acting in direct conflict to what is actually taking place and being encouraged today by our federal government that is putting money into this process, and money into the wave hub.

"The next Committee can look at it and modify that language, but it would be pretty darn foolish for the Legislature to pass a bill that says, 'PUC can't approve what you, Department of the Navy have funded and put into place and brought in the players from around the world to provide the jobs for our economy.'

"So I think the bill needs to be looked at with this new knowledge. And I do need to say that the Chair didn't have this knowledge before. This is a recently put together symposium. With this knowledge we need to amend

this bill to make sure we're not cutting off this financial and renewable energy opportunity for Hawaii. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Also in opposition and asking that the words of the Representative of Kailua be entered as my own. Thank you, Mr. Speaker. And to note that in the Committee Report it says it adopted and amended. On number 4 amendment it says, 'Requiring that all proposed renewable energy projects of the PUC be of technology Readiness 7 or higher.' 7 or higher. And so I just ask that the words of the Representative of Kailua, and additional remarks should be warranted."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of S.B. 2438– Relating to the Public Utilities Commission. This bill sets forth technology readiness levels based on upon the U.S. Department of Energy's assessment guide. It requires the Director of the Hawaii Natural Energy Institute to provide the Public Utilities Commission with an analysis of the technology readiness of a renewable energy project, upon the request of the Public Utilities Commission. This bill also requires the Public Utilities Commission to only consider projects with a technology readiness level of above 6.

"While I support renewable energy, I am concerned that S.B. 2438 contains problematic and unclear language. As explained in the testimony provided by Jeffrey T. Ono, Executive Directors of the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs, the imposition of an economic impact analysis that this bill proposes delays procedural schedules of projects. Furthermore, the language of the bill is unclear if the economic impact analysis is to be proportionate to the scale of the projects, thereby causing confusion with the application criteria. The language of S.B. 2438 does not provide standards that allow each agency submitting an economic impact analysis to weigh equally quantifiable results.

"Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, in strong support. Just some brief comments. The Committee on Energy & Environmental Protection, the reason and the genesis of this bill is to provide the PUC authority. The bill includes Levels 1 through 9 from the Department of Energy outlining Technology Readiness of Products.

"The PUC has been presented products that weren't even technology ready for commercial utilization. So this bill was to provide them language so they don't have to look at things that aren't really ready for production. This bill does exempt, for three years, pilot projects. So the concerns mentioned before, really are exempted. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I understand what the Chair wanted to do, is to not have the PUC waste its time on projects that are kind of a dream today, but maybe you need to go through much more vetting until they become much more viable. But let me just read from the Consumer Advocates testimony. If the Senate bill, which it does, means that a renewable energy project or proposal must already be at Technology Readiness Level 6 when approval is being sought, it may mean that the PUC will have to reject projects that are at Technology Readiness Level 5, but are seeking approval for a pilot project that will demonstrate and establish itself as being at Level 6. If the State of Hawaii is to be an international leader in renewable energy technology, then the PUC needs to have discretion in approving pilot or prototype projects that may not yet be at Level 6. And the bill is even worse, because it says at Level 6, you can't approve it.

"So this is from the Consumer Advocate saying, if we want to be a leader, don't do something like this, as the bill is presently worded. It can be modified to take into account the opportunity that we're going to have at

Marine Corps Base Hawaii, with federal money, into this economy. But that may not be possible if this bill goes through in its present form, and that, to me, would be foolish. Thank you."

Representative Coffman rose to respond, stating:

"Thank you, Mr. Speaker. Just a brief rebuttal. The exemption for pilot projects and demonstration was placed in the bill after that testimony was submitted. 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. 2438, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ching and Thielen voting no, and with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1288-12) recommending that S.B. No. 2746, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2746, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. May I have a ruling on a potential conflict? I am an owner of an electric vehicle," and the Chair ruled, "no conflict."

Representative Takai continued and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose in support of the measure with reservations 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 with reservations on Standing Committee Report 1288-12, Senate Bill 2746, Senate Draft 1, House Draft 2. The purpose of this measure is to continue to incentivize the use of electric vehicles. Additionally, the purpose of this measure is to enable the public to more readily access existing laws pertaining to electric vehicles by codifying elements of Act 290, Session Laws of Hawaii 1997, into the Hawaii Revised Statutes.

"I do support the idea of codifying elements of Act 290 into the Hawaii Revised Statutes which will provide the public with better access of existing laws pertaining to electric vehicles. The language in the bill, however, is not the right tool for incentivizing the use of electric vehicles. A great majority of those who purchase electric vehicles do not do so because of parking fee exemptions. There do not seem to be any reports from State or federal agencies indicating that owners of electric vehicles purchase to benefit from free parking. Owners of electric vehicles purchase because they want to preserve the environment and are conscious of their gasoline use.

"Additionally, this bill is premature. According to the State of Hawaii Department of Business, Economic Development & Tourism there are roughly only 700 electric vehicles on the island. Such a limited amount of electric vehicles in the state will not truly benefit from parking fee exemptions.

"For these reasons, I stand with reservations on this measure. 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. 2746, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was

referred to the Committee on Finance, with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1289-12) recommending that S.B. No. 2630, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2630, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representatives Coffman and McKelvey, for the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1290-12) recommending that S.B. No. 2402, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2402, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1291-12) recommending that S.B. No. 2465, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2465, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Just a ruling on a potential conflict. I serve on a couple of association boards," and the Chair ruled, "no conflict."

Representative Cullen rose to disclose a potential conflict of interest, stating:

"Same ruling. Thank you," and the Chair ruled, "no conflict."

Representative Takai rose to disclose a potential conflict of interest, stating:

"I didn't think we had to do this, but I also serve on a board," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2465, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1292-12) recommending that S.B. No. 2650, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2650, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1293-12) recommending that S.B. No. 2805,

as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1294-12) recommending that S.B. No. 2256, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Herkes being excused.

Representatives Cabanilla and Hanohano, for the Committee on Housing and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1295-12) recommending that S.B. No. 3025, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 3025, 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."

Representative Belatti rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. Just a few brief remarks. I would like to just point out to colleagues that this measure would impose upon matters of home rule and potentially negatively impact counties' affordable housing requirements as it applies to providing affordable housing for all the population.

"While I think it's important and noteworthy and worth our attention to make sure that DHHL is able to build up its inventory of affordable housing, I think it's important that we build it up for all of our population. But I also note, Mr. Speaker, that if you look at who testified in opposition, uniformly across the board, all counties oppose this measure, or representatives of those counties oppose this measure. Thank you, Mr. Speaker."

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 Committees was adopted and S.B. No. 3025, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representative Belatti voting no, and with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1296-12) recommending that S.B. No. 2434, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2434, SD 1, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes. Thank you very much, Mr. Speaker. I wish to speak with some reservations. This bill, I think is one of the more important bills in the President's health plan. It basically has to do with those who can't, who don't have sufficient insurance or sufficient funds to provide for their care. What I'm concerned about in the measure here is it seems to be insurance loaded. It's that the major decision is going to be made, it seems, by insurance companies.

"There's no mention of where the money is going to come in for the gap group, those who may need possibly a major operation, a major procedure that their plan does not cover. The other major problem of course that I have is that, you have a nonprofit board that's connected to a government board, and that could provide some difficulties where they don't follow the same rules.

"I think that the Finance Committee, in concert with the Health Department, the Chair and CPC Chair should look at this a little more closely and hopefully make the needed improvements. Again, this is probably one of the more important measures that came out of the health plan, and to tell you the truth I'm not very happy that the plan that came out is insurance oriented. So to the Chairmen, please do your best. Thank you."

At 1:20 o'clock p.m., Representative Yamane requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:21 o'clock p.m.

Representative Souki rose, stating:

"Yes, Mr. Speaker. If I can make a clarification. The Chairman of Health has advised me that the insurance groups will be advisory. However, the money that will be coming out for their care will still be based on insurance. 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. 2434, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," was referred to the Committee on Finance, with Representative Herkes being excused.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Keith-Agaran introduced students visiting from Purcell Marian High School in Cincinnati, Ohio.

REPORTS OF STANDING COMMITTEES

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1297-12) recommending that S.B. No. 2769, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2769, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1298-12) recommending that S.B. No. 2825, SD 1, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

HAWAII IMMUNIZATION REGISTRY," was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1299-12) recommending that S.B. No. 2424, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2424, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine 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."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2424, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1300-12) recommending that S.B. No. 2433, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2433, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHALLENGE COURSE TECHNOLOGY," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1301-12) recommending that S.B. No. 2394, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2394, SD 1, HD 2, 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. I'm voting no on the bill, but only because of Part 2, Mr. Speaker. Part 1 is very good and it protects our military, but Part 2 really creates a quasi State Bank, and it's of great concern to me. If you look at page 5 of the bill, it creates a Mortgage Loan Purchase Program to help those homeowners who are facing foreclosure. And the corporation, which is the State, extends the full faith and credit of the State to guarantee payment on the loans.

"There's also a provision where the corporation issues revenue bonds for the purpose of the Act, or of the law. It concerns me, Mr. Speaker, that it's maybe an attempt to help people save their homes, but it also then puts the State in a position of putting together revenue bonds that are backed by defaulted mortgages. It isn't, I think, a very financially sound way to proceed. Thank you.

"I'm sorry, Mr. Speaker. The main thing is, it imposes fees and basically punishments on our local banks, which were not the banks that were causing the problems. And they're the ones who are really going to be penalized under this. And then when they're in competition with mainland banks, we're at a disadvantage. So we're taking a real hit on the local financial institutions when they've been the good guys. Thank you."

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Reservations, Mr. Speaker, for the same concerns as the previous speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker I'd like to thank the Chair of Finance, who at 6 a.m. this morning had us talking to the Bank of North Dakota. A very good discussion. A very enlightening discussion and one that some of us concluded, we got to study before we move anywhere near establishing a bank. I think the same applies for this state bank for the mortgages. I didn't know that this bill had actually morphed into that, but it looks as though this is the fourth attempt to get a state bank around."

"I think until really we get all the stakeholders, because Budget & Finance is against this. DCCA is against it. The Bankers Association is against it. And quite frankly, the Bankers Association of North Dakota said, 'If we were going to have this come out now, we would be against it.' So there's a lot of discussion and stakeholder massaging that needs to be done here, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you. A no vote, with the words of the Minority Leader and the Representative of Kailua entered as my own. I have similar concerns and just wanted to point out that once again, that punishing the local bank is ironic when one of our banks have been, not just once, but numerous times, considered the best bank. Judged by the nation to be the best bank. Thank you."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on SB 2394, relating to mortgage loan programs and predatory lending. I am in support of the mechanisms within this bill that protect our US Service Members and their families from predatory lending. However, I am concerned about other language in this measure that would create a special fund to allow for the purchase of distressed residential properties by the State. I have concerns that our State is not in a fiscal position to get involved with mortgage foreclosures in this manner. For those reasons, I am voting with reservations on the measure before us."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support. Mr. Speaker, and Members, in this bill before you, Part 2 specifically which is being addressed at the current time, is to establish a Distressed Residential Properties Program. Mr. Speaker, there is no reference or intention regarding a State Bank."

"Members, during the last two years, we as a Body, through the passing of Act 48, as well as with the recent foreclosure settlement, have been

trying to address foreclosures to our local people, Mr. Speaker. Local individuals who are struggling to make payments. Mr. Speaker, in the Associated Press, dated March 14, 2012, RealtyTrac projects foreclosures to rise about 25%, so Mr. Speaker, this is an issue that we're going to have to address this year."

"In light of past discussions, those in opposition to the issue of a State Bank, the Vice Chair received the bill and found it quite interesting. This is an innovative program, a program, now Mr. Speaker, to try to address and give the local individuals, those who have remained in their residence for 200 days, once they make an agreement, once they determined that this would be an appropriate situation, would then have to remain in that home for 5 years, or 60 months."

"There has been reference to the issue about the attacking of the local bank. Mr. Speaker, when I talked with those who drafted the measure, the intent was never to attack the local bank. The intent was to find various ways to help seed this Fund so that way we could assist families in an agreement to get these potentially difficult foreclosure mortgages and assist them in making sure that local people could stay within their homes."

"Mr. Speaker, the bill you have before you, has that language deleted. So the language before you does not have any fees to any financial institutions. There has been an ongoing need for discussion regarding fees associated with mortgagees and refinancing of mortgages, which would be the appropriate place for discussion in the House Finance Committee. But Mr. Speaker, and Members of this Committee, we are trying to develop a Mortgage Loan Purchasing Program using the resources of the State and the Attorney General to help our struggling locals get out of their current financial situation."

"Members, not everybody will qualify. And once they do qualify, Mr. Speaker, there has to be an agreement for not only a Power of Attorney, but those individuals will sign over the property to the State. If they are unable to make their own payments, that property would become the property of the State, as well as any assets or appreciation associated with it. So Mr. Speaker, this is an innovative idea that merits more discussion on behalf of the people of Hawaii. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Yes, Mr. Speaker. I just wanted to rebut, even though I want to agree with the first statement, that it's an innovative idea that needs more discussion. That's precisely the case. But this bill says, establishes the program. There are 7,000 give or take a few hundred, underwater mortgages, toxic mortgages. 7,000. The average price of a house in Hawaii is, what? About 500-some thousand. So we're talking about millions of dollars potentially here, of which it says it's going to come out of the treasury of the State of Hawaii, or by private contributions, repayment of loans and interests."

"The point is, this is half baked. It's not, with what we have in terms of money availability, in terms of risks to do this. Who in this Body is qualified to do that? We don't have the capacity to, Mr. Speaker. So I think it's premature. Let's go back to study it. Let's keep the dialogue open, but let's not establish it."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to read the testimony from a brief part of the testimony of the Commissioner of Financial Institutions and I quote, 'While the special mortgage recording fees set forth in section 4 of the proposed House Draft 2 applies across the board on each residential mortgage recorded in this State, the assessment of \$100 per residential mortgage set forth in section 9 of the proposed House Draft 2 effects only ...'"

Representative Yamane rose, stating:

"Point of clarification. Is the language that she's referring to, in the current bill before us? In reference to the testimony, the language that she's reading. Is that language in the current bill before us?"

At 1:32 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:35 o'clock p.m., with Vice Speaker Manahan presiding.

Representative Thielen rose to respond, stating:

"Mr. Speaker, I see that we did delete the \$100 assessment in this final draft that we have. I would just encourage the Members to keep that out. The Commissioner of Financial Institutions was concerned at focusing on our local banks when it was the mainland banks that caused the problem. And she didn't want to create a disincentive for our State chartered institutions to be at a competitive disadvantage.

"She was saying that it would create a clear disincentive for them to obtain or maintain a State charter. So, instead of focusing on the out-of-state banks that caused the problems. So while this is a work in progress, I hope it doesn't progress itself back into putting that onus on our local banks. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker. Yes, I was very happy to see the assessment of \$100 taken out of the bill. But I'm glad that was a good idea, because the penalty for not paying that one-time \$100 fee was \$250 a day, which didn't quite make sense to me.

"I believe that this bill is premature. We should wait to see what happens with the federal bailout program that the Attorney General announced, which will provide \$70 million to help local owners who are in trouble with their mortgages. Once this program goes into effect, then we can see how much of a problem we have left.

"I'm trying to remain open minded on this. I'm very happy to see the Finance Chairman has provided us with an opportunity to hear mainland experts with these 6:00 a.m. conference calls. But on the other hand, I think this is not a really good idea, and I'm trying to keep an open mind. Thank you, very much."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. First of all, I'd like to thank the members of the Finance Committee who did show up this morning at 6:00 a.m. to learn what other people have done, and actually consult with some professional bankers. I think it's always good to go back to those who as a matter profession and employment, run these banks. I think it's a good start.

"I have a couple of points I wanted to make, Mr. Speaker. Number one, the settlement of \$26 billion with the five big banks, the national banks, will probably not be understood until it's finally rolled out over 2 or 3 years. That's one point.

"Secondly, I think it's important to know that at the hearing the other day, I had the pleasure of sitting in at the hearing, and the Division of Financial Institution's Chief there did emphasize and remind all of us there that as of yesterday, there has been no settlement. There has been approval of the terms and conditions of the settlement, and no order has been issued by the federal court, sanctioning or even directing any of the settlement terms and conditions that have been described over the last 3 or 4 weeks. So at this point in time, as a matter of law, there is no restraint on anything we might do as a state legislature.

"Another point that came up yesterday, Mr. Speaker, was that, currently six to seven thousand loans are outstanding that may be in trouble under the current crisis. Of that, only about 40% may be, may be covered under the settlement with the 'Big Five Banks.' So I think we need to keep in mind that over 60% of the Hawaii homeowners right now who are facing foreclosures, who may have been ripped off, or may have been cheated, or may have been misled, they still might be in trouble. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. In all due faith to the Finance Chairman, I need to vote with reservations on Part 2. I just want to make mention that I know that the Finance Chair comes from the Legal Aid environment and I come from the Economic Opportunity environment. I think we both share the same view. We love to help people where we can.

"But when you put the good faith of the State's resources at hand, I think we need to be very careful as we move along with this measure. I ask the Finance Committee and the Chair to re-look into that matter. Thank you, very much."

Representative Ching rose in opposition to the measure and asked that her written remarks, and the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of S.B. 2394-Relating to Consumer Protection. This bill authorizes the Director of Commerce and Consumer Affairs to enforce certain federal laws to protect military members and their families from abusive lending practices. It also establishes a Distressed Residential Properties Program.

"While I generally support any measure that protects the men and women of our military, I have concerns with this bill. First, it is my belief that the passing of this measure will have a damaging effect on Hawaii's bond rating. To echo the Hawai'i Association of Realtors, "Specifically the provision that the Hawai'i Housing Finance and Development Corporation (HHFDC) issue \$25 million in revenue bonds, which is exempt from the debt ceiling and taxes, may impact Hawaii's bond rating and needs to be carefully considered."

"Furthermore, there seems to be ample avenues to address abusive lending practices through loan modifications and refinancing. After the housing collapse that spurned our current economy, we have a better understanding as to how to avoid this destruction moving forward.

"Additionally, the "Distressed Residential Properties Program" incorporated in this bill basically bails out lenders who offered no down payment "liar loans" and effectively creates a State portfolio of distressed mortgages and toxic properties. This bill, as stated earlier by the HHFDC authorizes an issuance of \$25 million in revenue bonds to these toxic properties. Practices like these are exactly why we had a mortgage crisis in the first place. 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. 2394, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was referred to the Committee on Finance, with Representatives Ching, Thielen and Ward voting no, and with Representative Herkes being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1302-12) recommending that S.B. No. 580, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 580, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1303-12) recommending that S.B. No. 2678, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2678,

SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOULIULI," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1304-12) recommending that S.B. No. 2918, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2918, 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."

Representative Hanohano 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. 2918, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1305-12) recommending that S.B. No. 2335, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2335, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1306-12) recommending that S.B. No. 2782, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2782, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1307-12) recommending that S.B. No. 755, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 755, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Rhoads 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 opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in strong opposition to Standing Committee Report No. 1307, Senate Bill No. 755, House Draft 2. Thank you, Mr. Speaker. We are at a crossroads with two different paths. One path, the path the Majority in this House would travel down with Senate Bill 755 House Draft 2, results in unchecked development, chasing down the shortsighted goals with serious long-term community impacts that

severely limits, no, practically eliminates, the public vetting of these projects.

"The second path is one that would oppose passage of this measure. This path is one that honors our constitutional obligation embodied in Article XI, Sections 1 and 9 of our State Constitution, and decades of environmental protections that have been hard fought for by thousands and thousands of citizens in our very own Democratic Party.

"Mr. Speaker, this bill is being advanced for jobs, but I would argue, that if you look at our industry, we are coming to a recovery. UHERO's March 16, 2012 construction forecast reports that even though, 'construction has yet to turn the corner in Hawaii, a pick up is now more clearly in sight. Single family home construction may languish, but new high rise condos, retail and resort-related development will boost non-residential building.' The UHERO report goes on to say that there has been a flurry of announcements of new high rise condos in Kakaako. We're also seeing increased movement in shopping center development and resort-related projects. The total value of real non-residential permits will jump more than 40% this year, to more than \$1.6 billion and will sustain a similar level of activity, through mid-decade. This is roughly in line with the level of permitting in 2005-2006 and represents a significant increase over last year's forecast.

"With respect to public sector jobs, which is what is addressed by this bill, UHERO goes on to report, 'Excluding rail, the value of real government contracts awarded will more than double in 2012 from last year's paltry \$431 million. Spending above \$900 million is anticipated in four of the next five years.' Mr. Speaker, we're coming out of our economic downturn. Construction is slowly picking up, albeit maybe not as fast as some of us would want it, but not so slow that we should do damage to our environmental protections.

"Mr. Speaker, I use the example of my own community. While during this downturn, I have seen one hospital break ground and complete in this time period, a major building project. A second hospital has also broken ground and is building much needed facilities along a busy roadway. I saw a new super Safeway go up, as well as a commercial building dedicated to health services. Another affordable rental housing condo is going up. Catholic Charities moved into my neighborhood and refurbished and renovated affordable housing, as well as their main campus. Stevenson Middle School is getting ready to break ground. All of these projects have gone up without these needed exemptions that people are crying willy-nilly for now.

"Mr. Speaker, the other problem I have with this bill is that it systematically, excludes the public from participating. In our democratic system of government, yes, voting is part of democracy, but so is being involved in the rule making process. So is being able to challenge our leaders. This bill again systematically excludes hard fought rights to challenge environmental decisions, by a very small exclusive group. Mr. Speaker, I choose the second path and I hope others will too. Thank you."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition. Thank you. This has been some session, but I'll go straight to the point. I have been wondering what are all these environmental problems at the Maui Airport. What are all these environmental issues? So I looked into this and why we need to waive environmental rules and such. I find out that since 2007, there have been five major SMA permits issued for Kahului Airport, one of those in 2007 was for a security perimeter fence and it's been completed. Four others were approved in 2008 and 2009. Those are projects worth \$34 million and they've not been completed.

"So the SMA, the environmental studies, three years already approved. So to hear the proponents of these bills say, 'Gosh if we could just get the environment out of the way, we could really move some concrete.' I just

disagree. That's a scapegoat situation. And I just want to, for the Members, I want to clarify what is an SMA permit and what is the benefit of that.

"One of them is for this fuel facility at the Kahului Airport. It applied for the SMA permit in September 2008, and received Commission approval in June of 2009. So it took 9 months. What did it reveal and what did it find out? Okay, they have an environmental assessment exemption and during this permitting project, the project is valued at \$14 million, but it's funded by a consortium of airlines. But what does the estimate reveal? It revealed that they're going to require 18 feet of fill to elevate the fuel tanks above the tsunami inundation zone. It will have an oil and water separator on site. It will have security fencing and security oversight. And there will be burms and catchments for rainwater runoff so it does not enter nearby storm water culverts that lead to the ocean.

"This membership has been going hell bent to waive these kinds of reviews and oversights. It's dangerous policy indeed. This is a terrible bill. The whole idea to blanket exempt things is terrible. There is a process for exemptions. There's a process for review. Please Members, don't pass these bills. Opposition. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, in strong opposition to the measure. Mr. Speaker, I would like to have the North Shore Representative's comments inserted into the Journal as if they were my own. And Mr. Speaker, I received a very compelling email from a person that I don't believe is in my District, but was taking a look at what was going on with Senate Bill 755. He commented that, 'The House took a bill, Senate Bill 755, which was about a general excise tax exemption for retail sales, and changed to be about gambling. Gutted all that. And then proposed replacement language with the greatest hit of bad governance and misguided attitudes about the role of environmental protections in the economy. The bill is an egregious abrogation of the House's duties. First, where's the evidence that these exemptions will expedite projects. We haven't seen any.'

"And he goes on with, 'Second, are these exemptions really temporary? Probably not.' Mr. Speaker, it was a bad process that was followed or not followed. And I think that the title is very defective. I don't think that you can say, when you're gutting environmental protections, that it's Relating to Economic Development. Those two things don't go hand in hand. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representatives Riviere and Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Lee rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations. SB 755 SD2, HD2 authorizes temporary or permanent exemptions for some government projects from environmental requirements, including the special management area permit and shoreline setback variance requirements, permit and site plan

approval requirements, and environmental assessment requirements. This bill will erode protections of Hawaii's environmental and cultural resources by creating a myriad of special management area and environmental review exemptions in the name of expediting projects with any level of State or county funding. Permitting requirements and regulatory restrictions are in place for a reason. We need to be careful not to allow them to be eroded in a rush to promote economic development."

Representative Takai 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."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. I just like the previous version better. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Reservations with just a couple of comments. My dad was a former hippy during the 70s, and I remember asking why he moved from California to Hawaii, and he married a local girl. And he said there's one thing so special about Hawaii that actually brings wealth to it, and that's the environment. I remember he would take my brother and I, and we would be driving along the street and he'd stop. And we knew what that meant. We all had to get out of the car and pick up trash. So he taught us how we need to always stop everything, no matter what we're doing in life, to make sure that we make Hawaii beautiful always, because it's what makes us so special.

"And so my reservations are, that I just feel like we're moving so fast this Session, and so fast in our urgency and with a good intention to provide jobs to our people. But as I've mentioned before, and I think other previous speakers have mentioned, is the risk going to be too much for the gain that we're trying to make? So I hope that we continue to pass bills to create jobs, but let's not be so hasty to change the laws that so many people have worked so hard for. Let's find a way to do both."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on SB 755, relating to exemptions for state construction projects designed to spur economic development. While I am supportive of positive, long-term development that takes into consideration the needs and preferences of its surrounding communities and the health of our environment, I have concerns about the potential for this measure to allow for blanket exemptions by State departments on certain special projects. I am also concerned that these exemptions may limit transparency and accountability by limiting public input on these projects.

"Our island's natural beauty and resources are not only inherent to the culture and heritage of this unique place, but they are also a pillar of our economy because so many visitors come to Hawaii specifically to enjoy our beaches, mountains and lush scenery. I believe our economic development is predicated on our ability to preserve and protect our natural resources. Balancing the needs of development and preserving the environment, I do not believe, are mutually exclusive and I think we have a responsibility to manage those two needs responsibly."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I am strongly in favor of this measure. Our airport and our harbors are badly in need of expansion and repair. Over 97% of the goods we receive come through the air and through the water. And the

sooner we get on with these improvements and expansion that we have, the better it is for the people of the State of Hawaii. Thank you."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you, very much, Mr. Speaker. Strong reservations. I actually prefer the original version of the bill, the tax holiday for school supplies.

"If the whole point of this bill is to help out, and I agree with the previous speaker, to fix our roads and harbors and all the rest of it, then it should go through the normal process of having that bill originally be introduced for that subject matter, and then go through the process. As it stands now, this bill has taken more positions than the Kama Sutra. Thank you."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Keith-Agaran rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Saiki 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 Committees was adopted and S.B. No. 755, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was referred to the Committee on Finance, with Representatives Belatti, Ching, Fontaine, Hanohano, C. Lee, Luke, Riviere, Saiki, Thielen and Wooley voting no, and with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1308-12) recommending that S.B. No. 3068, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3068, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1309-12) recommending that S.B. No. 2576, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2576, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1310-12) recommending that S.B. No. 682, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 682, 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 Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, 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 Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record a no vote 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 Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley 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 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. 682, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," was referred to the Committee on Finance, with Representatives Belatti, Brower, Hanohano, Har, C. Lee, Luke, Marumoto, McKelvey and Saiki voting no, and with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1311-12) recommending that S.B. No. 2876, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2876, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1312-12) recommending that S.B. No. 2492, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2492, 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 Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on SB 2492, relating to dog breeding. I do believe this Body has an obligation to create legislation to prevent cruelty to animals, however, I am concerned that this measure may miss its intended target by instituting broad and indiscriminate consequences to all dog owners and breeders instead of those who are committing gross acts of animal cruelty. There are some requirements outlined in this measure that may be unreasonable and impractical for those animal caregivers who in fact want to properly care for and breed animals. In so doing, these responsible breeders are doing a service for these animals by providing proper and attentive care, exercise and living quarters for these animals.

"I truly understand, particularly in the wake of some of the recent disturbing acts of animal cruelty and hoarding, that there is a movement toward action to prevent these incidents from occurring again. However, I am concerned that this measure may punish law-abiding citizens who simply want to raise and breed animals in a humane way without deterring the true criminals this measure is aimed at punishing."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations of S.B. 2492-Relating to Animal Cruelty. This bill requires specified persons who own, control, or have custody or control of ten or more covered dogs to ensure the proper treatment and care of dogs and the dogs' offspring. It also prohibits any person from owning or having custody of more than thirty dogs. S.B. 2492 requires specified persons to maintain specific records for each dog for at least three years following the death of the covered dog or a date on which the person permanently ceased to have possession or control of the dog while prohibiting certain types of dogs in the same enclosure. This bill also establishes penalties.

"This bill is laudable as it is aimed at addressing the atrocious treatment of dogs discovered in the Waimanalo, but it could very well harm the majority of courteous, loving, and protective dog owners. This bill would effectively make it extremely difficult for responsible breeders and kennel club's to continue to properly care for their canines. This would limit the options for the people for Hawaii to own a local, responsibly bred dog in the future.

"Additionally, responsible canine experts were not consulted in the drafting of this legislation. Their input is necessary if animal cruelty laws are to be strengthened.

"Ultimately, I am concerned that the passing of S.B. 2492 will have an overall negative effect on the well being of our four legged companions. This measure would enforce the reduction of caring and responsible dog breeders and care takers in lieu of irresponsible, obscure breeders that work in the shadows of society. Thank you."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

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 on Standing Committee Report 1312-12, Senate Bill 2492, Senate Draft 1, House Draft 1.

"Since the horrifying Waimanalo puppy mill case of last year, there have been several Senate and House bills introduced this Session attempting to address animal cruelty and irresponsible breeding. Senate Bill 2492, Senate Draft 1, House Draft 1 does not address these issues, but instead unfairly places the burden on responsible and caring dog owners. Many of the provisions in this measure are unnecessary and overreaching, and therefore detrimental to responsible dog owners. This measure would negatively impact responsible dog owners and breeders, and therefore limit the number of safe and reliable options for Hawaii residents to purchase a dog. Responsible breeders discouraged by this measure would only incentivize large scale commercial breeders to continue their operations, thus defeating the purpose of the bill.

"Numerous members of the public, many who are dog owners and dog fanciers and even my constituents, testified before the Senate Committee on Judiciary and Labor and the House Committee on Judiciary in strong opposition to this bill. If this measure passed, these lawful citizens and responsible dog owners would be subject to problematic and vague breeding restrictions that incorrectly single them out.

"During this Legislative Session I introduced House Bill 2161. This bill emanates from laws passed in 18 other states and promotes healthy breeding practices and dog purchaser protection. Though HB 2161 has been deferred, I still believe it is the type of legislation that will be most successful in ensuring animal welfare as bills with similar language have become law in eighteen other states.

"While the intent of SB 2492, SD1, HD1 is to prevent negligent breeding practices and dissolve the creation of puppy mills, the bill is detrimental to responsible dog breeders and dog fanciers, the very people we rely on for purchasing our dogs.

"For these reasons, I stand in opposition on this measure. Thank you, Mr. Speaker."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chang rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"I will be voting with reservations on SB2492 SD1 HD1 which was introduced to prevent puppy mills and other acts of animal cruelty. All of us were shocked and saddened that the owners of the Waimanalo Puppy Mill were able to evade 153 animal abuse convictions as well as hundreds of thousands of dollars in civil judgments and fines. Unfortunately, even if SB2492 SD1 HD1 was law when the Waimanalo Puppy Mill was raided, officers of Bradley International would still be able to escape prosecution based on protection under their corporate structure.

"Although SB2492 has been amended many times, it is still confusing and contains standards of care which are unenforceable. The latest amendment, HD1, offers exemptions for "a person entered in and actively

participating in a sanctioned dog show" as well as "a boarding facility that only houses dogs temporarily and prohibits the breeding of dogs or selling of dogs". These exemptions were added in order to address concerns from responsible hobby breeders and fanciers. Unfortunately these latest amendments provide even more loopholes which could be easily exploited by irresponsible large scale dog breeders. The owner of the Waimanalo Puppy Mill would only have to prove that he had entered one dog show to be exempted. Boarding facilities are currently not licensed and it may be difficult to determine which dogs are boarders and which are permanently housed in a kennel, especially if that kennel takes long term boarders.

"Due to the continued restructuring of this bill, it is apparent that we do not have legislation which will meet the intended purpose of SB2492 SD1 HB1, which is to stop puppy mills and animal abuse. This bill appears to have become a "catch all" for many different concepts and is not ready to become law. In fact, SB2492 SD1 HD1 may have created additional loopholes for puppy mill owners. As legislators we are tasked with enacting laws which are effective as well as enforceable. I would like to encourage all stakeholders, including responsible dog breeders, rescue organizations, veterinarians, and the Attorney General to come together and draft legislation which would put an end to animal abuse and puppy mills without taking away private property rights or the ability of dog fanciers to continue hobby breeding."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2492, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Chang and Har voting no, and with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1313-12) recommending that S.B. No. 2588, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2588, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1314-12) recommending that S.B. No. 2579, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2579, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1315-12) recommending that S.B. No. 2998, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2998, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX PENALTIES," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1316-12) recommending that S.B. No. 2571, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2571, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

DOMESTIC RELATIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1317-12) recommending that S.B. No. 2123, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2123, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1318-12) recommending that S.B. No. 2386, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2386, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION," was referred to the Committee on Finance, with Representative Herkes being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1319-12), recommending that H.R. No. 95, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1320-12), recommending that H.C.R. No. 124, be referred to the Committee on Judiciary.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 95; and H.C.R. No. 124, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative M. Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HR 95 and HCR 124, Relating to driving illegally with a revoked license.

"The purpose of these Resolutions is to conduct a study of vehicle immobilization as a sanction against operating a vehicle under the influence of an intoxicant offender. This is an important next step in determining the effectiveness of such a sanction. It is crucial to study the implications of this law because Hawaii recently approved Act 166, the most recent Ignition Interlock law. A vehicle immobilization sanction would require offenders to have a "boot" or "club" placed on their vehicle to prevent mobilization. Vehicle immobilization would strengthen the Interlock law by addressing non-compliant offenders using a fair and reasonable punishment. This sanction would deter and prevent the offender from driving when they are at risk to themselves and others on the road.

"Developing a plan to use vehicle immobilization is an important measure that could help make our roads significantly safer. By increasing the penalties for offenders, the proposed program, in conjunction, with the successful interlock law would serve a powerful deterrent for anyone tempted to drive without a valid license. Immobilizing a vehicle is a sanction that is relatively simple while avoiding the challenges and costs associated with impoundment or forfeiture. The Resolutions would authorize a working group to study, analyze and develop solutions to the problems and issues associated with immobilization. Questions and concerns regarding a statewide immobilization program will be a priority in the study. Ultimately, there should be fewer crashes caused by high risk and these Resolutions support an important step towards keeping our roads safe.

"I urge the Members' support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 95, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was referred to the Committee on Judiciary, with Representative Herkes being excused; and

H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was referred to the Committee on Judiciary, with Representative Herkes being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1321-12), recommending that H.C.R. No. 107, be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Higher Education, with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1322-12), recommending that H.C.R. No. 58, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 58, HD 1, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am rising to vote against this measure, and I'd like to explain why. Mr. Speaker, one of the specific renewable energy scenarios in House Concurrent Resolution No. 58 is the undersea cable. I don't support something like that language unless it would specify that Lanai and Molokai would not be part of that undersea cable. That those islands wouldn't be burdened with being the energy source to serve the Island of Oahu.

"So, while I do support a cable running from Maui to Oahu, if it is done in an environmentally sensitive way, I don't support one that would point the gun at Lanai and Molokai. And unfortunately, this Resolution is way too general. Thank you."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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 H.C.R. No. 58, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC

UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY SCENARIOS IN THE INTEGRATED RESOURCE PLANNING PROCESS," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen voting no, and with Representative Herkes being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1323-12), recommending that H.C.R. No. 98, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 98, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE OFFICE OF SOLID WASTE MANAGEMENT TO DEVELOP A PLAN OF INITIATIVES FOR IMPROVED REUSE AND RECYCLING OF GREEN WASTE BY WORKING WITH THE COUNTIES TO ADDRESS EACH COUNTY'S UNIQUE NEEDS ACCORDING TO THEIR GEOGRAPHY, POPULATION, AND UNIQUE INDUSTRY MAKE-UP," was referred to the Committee on Finance, with Representative Herkes being excused.

ANNOUNCEMENTS

Representative Riviere: "Thank you, Mr. Speaker. March 24th, tomorrow, Saturday, there will be a kickball match between House Republicans and House Democrats. Staff and Members. Anybody that's not already booked up your day for tomorrow, around 10:00 tomorrow, at Kaneohe District Park. I think Phase 2 to be specific. We'll be there. It's an all day tournament. It's a fundraiser for a non-profit organization, so we'll be supporting them. It should be fun. Come on out and see what happens. Mahalo."

Representative Tokioka: "I'd just like to remind everybody that today is the deadline if you want to order lemon crunch cake from Aiea Bowl to support the Kauai Independent Food Bank. And on behalf of the other two Representatives from Kauai, we'd like to ask you to support that. All of the proceeds will be going to the Kauai Independent Food Bank. Thank you very much, Mr. Speaker."

Representative Ching: "Thank you, Mr. Speaker. I tend to do this on an annual basis, and I have a couple of announcements. The first one would be, I would be remiss, as a former elementary school teacher, if we didn't mention why we have Monday off. Prince Kuhio Kalaniana'ole. He was, on behalf of perhaps my Kauai friends and colleagues, he was an incredible person. He was the one who started the Hawaiian Homes Commission Act in Congress.

"He did so much for the people of Hawaii. He was born not far from my District. He was born in Pauoa. He's a big part of our history, and I think it's important that we share with our young ones, what he did and who he was.

"But on another sadder announcement, Mr. Speaker, if I may ask for a moment of silence at this point for another fine person who has contributed so much to the State of Hawaii. Dr. Max Botticelli, passed away, and Dr. Botticelli was a leader in the tremendous advancement and the quality of health care in our State. It can be attributed to the training at our John A. Burns School, the Queen's Medical Center, Kuakini Medical Center, Hawaii Pacific Health Medical Center and Wahiawa Hospital. He has done so much for the people of Hawaii, and dedicated his life to his people. So at the appropriate time, I'd like to ask for a moment of silence for Dr. Max Botticelli and his family. Thank you."

Representative Belatti: "Mr. Speaker, I just join in that request. Dr. Botticelli was not only a constituent, but also a neighbor who lived in my building and always offered a kind smile to me and my family. So I join in that request."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late Dr. Max G. Botticelli.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.C.R.**No. Re-referred to:**

168 Committee on Health, then to the Committee on Finance

S.B.**No. Re-referred to:**

1142, Committee on Finance
SD2

ADJOURNMENT

At 2:07 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Tuesday, March 27, 2012. (Representatives Chang and Herkes were excused.)

THIRTY-NINTH DAY

Tuesday, March 27, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:04 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Gil Riviere, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Herkes, Manahan, McKelvey and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 231) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 231, dated March 19, 2012, transmitting the 2011 Report of the State of Hawaii Efforts to Increase the Number of High-Skilled Jobs in Targeted Industry Clusters, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-16, HRS.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 426 and 427) were received and announced by the Clerk:

Sen. Com. No. 426, transmitting H.B. No. 2639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," which passed Third Reading in the Senate on March 23, 2012.

Sen. Com. No. 427, transmitting H.B. No. 1754, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on March 23, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Carroll, Herkes, Manahan, McKelvey and Oshiro were excused.)

H.B. No. 1754, HD 1, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Johanson, on behalf of Representatives Giugni, Takai, Ichiyama and himself, introduced the 4th grade students of Red Hill Elementary. They were accompanied by their teachers and aides, Mr. Kurt Chang, Mr. Jason Cordero, Ms. Shannon Garam, and Ms. Cherie Burton; and parents, Mr. Thomas, Mr. Chun, Mrs. Lupo, and Mr. Dan.

Representative Riviere introduced the 8th grade students of Wheeler Middle School and their teachers, Ms. Erin Mendelson and Ms. Carol Crews; and Educational Assistant, Ms. Edie Hiroe.

Representative Ching introduced Mrs. Leslie Lam, Executive Director for the American Diabetes Association in Hawaii.

Representative Ward introduced former Honolulu City Councilman, Mr. John Henry Felix.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 188) was announced by the Clerk and the following action taken:

H.R. No. 188, entitled: "HOUSE RESOLUTION COMMENDING THE EXEMPLARY EFFORTS OF THE AMERICAN DIABETES ASSOCIATION HAWAII IN COMBATING DIABETES IN HAWAII AND PROVIDING DIABETES EDUCATION THROUGH ITS PROGRAMS, COMMUNITY EVENTS, AND MEDICAL EXPERTISE," was offered by Representative Yamane.

Representative Yamane moved that H.R. No. 188, be adopted, seconded by Representative Morikawa.

Representative Yamane commended the American Diabetes Association on their mission to promote awareness and prevention of diabetes, and introduced the honorees seated on the Floor of the House:

Ms. Gayle Ishima, Past Chair of the American Diabetes Association of Hawaii;

Ms. Jane Kadohiro, Past Chair of the American Diabetes Association of Hawaii;

Dr. Laurie Tom, Past Chair of the American Diabetes Association of Hawaii;

Ms. Sharlene Tsuda, Community Leadership Board Executive Committee of the American Association of Hawaii.

Representative Yamane also recognized and thanked the many volunteers, members and staff in Gallery.

Representative Ching also thanked the American Diabetes Association for their programs to help save the gems of our State.

Representative Awana applauded the Diabetes Association for their work to promote educational programs and the prevention of diabetes.

Representative Rhoads offered his personal thanks to the Diabetes Association and stressed the importance of diabetes screening and living a healthy lifestyle.

The motion was put to vote by the Chair and carried, and H.R. No. 188, was adopted, with Representatives Carroll, Manahan, McKelvey and Saiki being excused.

The following resolution (H.R. No. 189) was announced by the Clerk and the following action taken:

H.R. No. 189, entitled: "HOUSE RESOLUTION CONGRATULATING 'AIEA HIGH SCHOOL ON THE OCCASION OF ITS 50TH ANNIVERSARY,'" was offered by Representative Giugni.

Representative Giugni moved that H.R. No. 189, be adopted, seconded by Representative Takai.

Representative Giugni congratulated the Na Alii of Aiea High School on 50 years of excellent service to the community and to the State, and for standing as a beacon of knowledge, community spirit, hard work, innovation and progress, and introduced the honorees representing Aiea High School who were seated on the Floor of the House:

Mr. Michael Tokioka, Principal;
Ms. Nancy Hsu, President of the Parent Teacher Student Organization;
Ms. Justine Bolosan, President of the Student Association;
Ms. Sierra Callihan, Vice President of the Student Association; and
Ms. Lynette Serrao of the Alumni Association.

Representative Giugni then introduced faculty, alumni and friends who were seated in the Gallery:

Tyler Imig, Tumia Tuimavave, Leona Kaapuni, Jennifer Sanchez, Liz Bege, Jerilynn Miyaji, Denise Villaflor, and Twylla Dawn Steer.

Representative Takai thanked Aiea High School for all they do for the students and the community, and wished them much success in the next 50 years.

The motion was put to vote by the Chair and carried, and H.R. No. 189, was adopted, with Representatives Carroll, Manahan, McKelvey and Saiki being excused.

At 12:28 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:39 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1324-12), recommending that H.R. No. 43, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH ON THE CORRELATION BETWEEN CHILDREN WHO ARE LATE-BORN AND THE HIGH SCHOOL DROP OUT RATE," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1325-12), recommending that H.C.R. No. 62, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH ON THE CORRELATION BETWEEN CHILDREN WHO ARE LATE-BORN AND THE HIGH SCHOOL DROP OUT RATE," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1326-12), recommending that H.R. No. 81, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 81, entitled: "HOUSE RESOLUTION PROPOSAL TO STUDY THE LESSONS LEARNED BY ISRAELI SOLAR ENERGY INITIATIVES AND THEIR APPLICABILITY TO THE STATE OF HAWAII," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1327-12), recommending that H.C.R. No. 110, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION PROPOSAL TO STUDY THE LESSONS LEARNED BY ISRAELI SOLAR ENERGY INITIATIVES AND THEIR APPLICABILITY TO THE STATE OF HAWAII," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1328-12), recommending that H.C.R. No. 108, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A REVIEW AND MAKE RECOMMENDATIONS ON THE REMOVAL OF MARINE DEBRIS CREATED BY THE 2011 TSUNAMI IN JAPAN," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1329-12), recommending that H.R. No. 9, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1330-12), recommending that H.C.R. No. 13, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 9; and H.C.R. No. 13, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. Just in strong support. I think this is a great idea. A number of streets in my district are proposed to be widened and we question the wisdom of that. Our elderly population as it is, it takes them so long to traverse the wider streets. It's against the walkable, livable community."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused; and

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 1331-12), recommending that H.R. No. 4, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 4, HD 1, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF HAWAII TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1332-12), recommending that H.C.R. No. 104, be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DESIGNATE THE MAGOON

RESEARCH AND TEACHING FACILITY SITE FOR THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was referred to the Committee on Higher Education, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Tsuji, for the Committee on Agriculture presented two reports:

(Stand. Com. Rep. No. 1333-12), recommending that H.R. No. 73, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1334-12), recommending that H.C.R. No. 101, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 73; and H.C.R. No. 101, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

"Mr. Speaker. Sorry to be getting up so often, but I just think these are wonderful ideas. And to promote our Hawaii-grown agriculture is a win-win, because it promotes green and open space, as well as our economy, and helping jobs. And hopefully the health of our people. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused; and

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1335-12), recommending that H.R. No. 74, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 74, entitled: "HOUSE RESOLUTION CONVENING AN AGRICULTURE POLICY TASK FORCE TO REVIEW AGRICULTURAL POLICIES FROM OTHER STATES IN PROVIDING FOR HAWAII'S AGRICULTURE INDUSTRY," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1336-12), recommending that H.C.R. No. 102, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING AN AGRICULTURE POLICY TASK FORCE TO REVIEW AGRICULTURAL POLICIES FROM OTHER STATES IN PROVIDING FOR HAWAII'S AGRICULTURE INDUSTRY," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1337-12), recommending that H.R. No. 75, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 75, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1338-12), recommending that H.C.R. No. 103, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was referred to the Committee on Finance, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain Senate Bill for Third Reading by consent calendar. (Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki were excused.)

THIRD READING

S.B. No. 2503, SD 1, HD 1:

Representative Chong moved that S.B. No. 2503, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

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 S.B. No. 2503, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Third Reading by a vote of 46 ayes, with Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki being excused.

At 12:43 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2503, SD 1, HD 1

ANNOUNCEMENTS

Representative Choy: "Yes, Mr. Speaker. I have a birthday announcement to make. Today is Representative Mark Nakashima's office manager Lori Hasegawa's birthday. And I have to admit that for being 75, she looks pretty good. And just as a coincidence, it is also Representative Mark Nakashima's birthday today. And for being 25, he looks pretty haggard. Thank you, Mr. Speaker."

Representative Awana: "Thank you, Mr. Speaker. On a more somber note, I'd like to request a moment of silence at the appropriate time, to note the passing of King George Tupou of Tonga, also known as Siaosi Tāufa'āhau Manumataongo Tuku'aho Tupou V. He was a champion of his people by moving Tonga closer to democracy. And then shortly after he took the throne in 2006, the people of Tonga demanded greater participation in his destiny, so King George rose to the occasion and

relinquished most of his power to an elected government system after 165 years of a reigning monarchy.

"He was truly a leader with a heart for his people. He was laid to rest earlier today in his homeland where his services were held in Nuku'alofa, the capital of Tonga. At the appropriate time, I request that our thoughts go out to the Country of Tonga, the Royal family, and the Tongan people who reside in Tonga, as well as living outside of their homeland in this time of mourning. Thank you, Mr. Speaker."

Representative Fontaine: "Yes, Mr. Speaker. I would also like to request a moment of silence for the victims who passed this weekend on Maui. We had five young adults that were killed in a very tragic car accident in Kula, and at the appropriate time that we could pray for their families."

Representative Ching: "Thank you, Mr. Speaker. On the Fourth Floor, the American Diabetes Association will be having some activities there."

Representative Brower: "Thank you, Mr. Speaker. I just wanted to thank everyone who participated in our House kickball game over the weekend. All members had a great time and we want to thank the Legislator from Hanalei for bringing the food. Both he and I have very sore muscles."

"Mr. Speaker, it was Republicans against Democrats, and it went into an extra-inning game. I would just like to remind the GOP, that everyone was a winner that day. Participants from both teams after that game, went on to form The Bipartisans led by the Democrat from Waipahu and the Conscience of Waikiki. We won a game. And then we went from the dirt field to the grass field, where we lost a very exciting, well-played game to California Pizza Kitchen."

"So we would just like to thank everyone who participated, staff and Members. We'd like to thank the Majority Leader and the Representative from Waialua, Haleiwa for everyone's efforts to support these teams. Thank you."

Representative Ward: "Mr. Speaker, just in case there's any doubt in anyone's mind, we were all winners. The Democrat Majority and the Republican Minority. However, we had one score higher than theirs. Five to four. Thank you."

Representative Brower: "Mr. Speaker, in fairness. Democrats were more interested in throwing the ball at the Hawaii Kai Legislator than scoring runs."

Speaker Say: "The Chair has an announcement for all of you. If there are no further announcements, the Chair would like to remind everyone that tomorrow, we'll hold our Regular Session at noon, and then convene in Joint Session at 2:00 p.m. in this Chamber for the Hawaii Medal of Honor Ceremony."

"Before calling for the Adjournment, let's all stand for a moment of silence for King Tupou, and the five individuals who died on the Island of Maui, Upcountry Kula."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late King George Tupou V of Tonga; and for the 5 people who died in a recent car accident in Kula, Maui.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. No.

Re-referred to:

137 Committee on Health, then to the Committee on Legislative Management

H.C.R. No.

Re-referred to:

177 Committee on Health, then to the Committee on Legislative Management

S.B. No.

Re-referred to:

2816, SD1 Committee on Finance

ADJOURNMENT

At 12:43 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 28, 2012. (Representatives Carroll, Kawakami, Manahan, McKelvey and Saiki were excused.)

HOUSE COMMUNICATIONS

House Communication dated March 27, 2012, from CJ Leong, 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 House Bill:

H.B. No. 1754, HD 1, SD 1

FORTIETH DAY

Wednesday, March 28, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:08 o'clock p.m., with Speaker Say presiding.

The invocation was delivered in song by former Representative Lynn Finnegan, Executive Director of the Hawaii Charter Schools Network, after which the Roll was called showing all Members present with the exception of Representatives Carroll and Manahan, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Ninth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 428 and 429) were received and announced by the Clerk:

Sen. Com. No. 428, transmitting H.B. No. 2429, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," which passed Third Reading in the Senate on March 27, 2012.

Sen. Com. No. 429, transmitting H.B. No. 2584, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," which passed Third Reading in the Senate on March 27, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Carroll and Manahan were excused.)

H.B. No. 2429, HD 1, (SD 1)

H.B. No. 2584, HD 1, (SD 1)

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1339-12), recommending that H.R. No. 17, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 17, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was referred to the Committee on Finance, with Representatives Carroll and Manahan being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1340-12), recommending that H.C.R. No. 33, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was referred to the Committee on Finance, with Representatives Carroll and Manahan being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1341-12), recommending that H.C.R. No.

138, be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE RENAMING OF THE SCIENCE TECHNOLOGY ENGINEERING MATHEMATICS (STEM) INITIATIVES TO THE SCIENCE TECHNOLOGY ENGINEERING AGRICULTURE MATHEMATICS (STEAM) INITIATIVES," was referred jointly to the Committee on Higher Education and the Committee on Education, with Representatives Carroll and Manahan being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1342-12), recommending that H.C.R. No. 147, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE MEASUREMENT STANDARDS BRANCH WITHIN THE DEPARTMENT OF AGRICULTURE," was referred to the Committee on Legislative Management, with Representatives Carroll and Manahan being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1343-12), recommending that H.C.R. No. 207, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF AGRICULTURE TO CONVENE A TASK FORCE TO DEVELOP LONG-RANGE GOALS AND PLANS FOR THE MOLOKAI IRRIGATION SYSTEM," was referred to the Committee on Finance, with Representatives Carroll and Manahan being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1344-12), recommending that H.C.R. No. 208, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADDRESS THE DANGEROUSLY LOW LEVEL OF IRRIGATION WATER SUPPLY AND IMPROVE THE AGRICULTURAL ECONOMY," was referred to the Committee on Finance, with Representatives Carroll and Manahan being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1345-12) recommending that H.R. No. 86, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXTEND THE HOURS DURING WHICH PARKING IS PROHIBITED ON ISENBERG STREET," was adopted, with Representatives Carroll and Manahan being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1346-12) recommending that H.C.R. No. 113, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

CITY AND COUNTY OF HONOLULU TO EXTEND THE HOURS DURING WHICH PARKING IS PROHIBITED ON ISENBERG STREET," was adopted, with Representatives Carroll and Manahan being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1347-12) recommending that H.R. No. 72, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 72, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROHIBIT PARKING ON DATE STREET BETWEEN KAPIOLANI BOULEVARD AND LA'AU STREET DURING THE MORNING HOURS TO ALLEVIATE TRAFFIC CONGESTION," was adopted, with Representatives Carroll and Manahan being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1348-12) recommending that H.C.R. No. 100, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROHIBIT PARKING ON DATE STREET BETWEEN KAPIOLANI BOULEVARD AND LA'AU STREET DURING THE MORNING HOURS TO ALLEVIATE TRAFFIC CONGESTION," was adopted, with Representatives Carroll and Manahan being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1349-12) recommending that H.R. No. 44, be adopted; and

(Stand. Com. Rep. No. 1350-12) recommending that H.C.R. No. 63, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 44; and H.C.R. No. 63, be adopted, seconded by Representative Evans.

Representative Thielen rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I'm rising to speak in strong support of these Resolutions. Yes, and the Resolutions are requesting the Governor to proclaim July 13, 2012 as Collector Car Appreciation Day.

"Mr. Speaker, my son Peter, who now lives on Kauai, started collecting antique or collectable cars when he was about 15 years old. He started with a Model A. The restoration was unbelievably lengthy, and filled with a lot of challenges. But he persevered. When he moved to the mainland for a period of time, he didn't take that car with him, but sold it. He's back on Kauai now, and guess what? He has a Model A in his garage. It's not operable, but he's ready to pick up and start restoring that.

"It's a wonderful hobby and it's more than that. People become very involved in it, and just love the restoration. I look at people's faces when these cars drive by, and everyone's smiling with great delight and great appreciation. So it's nice to have one day devoted to them. Thank you."

Representative Awana rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. The Collector Car Appreciation Day is a national initiative spearheaded by the SEMA Action Network. As stated in their April 2012 Newsletter:

Hawaii "Collector Car Appreciation Day": Resolutions have been introduced in the Hawaii House of Representatives and Senate seeking recognition by the state for July 13, 2012 as "Collector Car Appreciation Day." Earlier this year, the SAN announced this date to mark the third commemoration in what has become an annual event to raise awareness of the vital role automotive restoration and collection plays in American society. The SAN is again working to secure a U.S. Congressional resolution to recognize the day's significance. In the previous two years, thousands of Americans have gathered at car cruises, parades and other events to celebrate our nation's automotive heritage. The SAN is maintaining a list of scheduled events to commemorate America's time-tested love affair with the automobile. Individuals, car clubs and business owners interested in publicizing events should contact Colby Martin at san@sema.org .

"Mr. Speaker, the appreciation for car enthusiasts are not limited to the mainland. Here in Hawaii, there are tens of thousands who are as passionate about vehicle restoration as other parts of the United States. As the Representative from Kailua just mentioned, these undertakings are a labor of love. Another aspect of this industry is the business that is generated from purchasing parts and kits to build vintage vehicles from the ground up. During weekends you will see these auto lines at shopping centers or driving around the island for all to enjoy.

"For the past three years, car enthusiasts have gathered on the Leeward Coast for an event called Hotrods for a Cause to support a special cause while allowing the public to look at all types of vehicles – cars, motorcycles, and trucks. It has become so popular; there are now airplanes and fire trucks displayed. Mr. Speaker, these resolutions mean a lot to many hobbyist who enjoy participating in one way or another, and I know the passage of these measures will reflect the same on this Body. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," was adopted, with Representatives Carroll and Manahan being excused; and

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," was adopted, with Representatives Carroll and Manahan being excused.

Representatives Brower and Awana, for the Committee on Tourism and the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1351-12) recommending that H.R. No. 25, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1352-12) recommending that H.C.R. No. 46, as amended in HD 1, be adopted.

Representative Chong moved that the reports of the Committees be adopted, and that H.R. No. 25, HD 1; and H.C.R. No. 46, HD 1, be adopted, seconded by Representative Evans.

Representative Takai rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Thank you, Mr. Speaker, for allowing me to submit written comments in support of House Resolution 25 and House Concurrent Resolution 46, urging the inclusion on the People's Republic of China in the Visa Waiver Program.

"International visitors are an important part of Hawaii's visitor industry. The Hawaii Tourism Authority testified that international visitor make up about 30 percent of visitor arrivals and contribute about \$3.7billion in expenditures to the industry. China is the world's second largest economy and a major trade partner with the United States. The Office of the Mayor of the City and County of Honolulu testified that the paramount issue in

travelling to Hawaii, as cited by Chinese travelers, is the difficulty in obtaining travel visas.

"Easing the barriers to travel that Chinese travelers face can result in a significant increase in economic growth for our visitor industry. Supporting the Visa Improvements to Stimulate International Tourism to the United State of America Act not only benefits our Hawaii economy, but it also helps Chinese travelers enjoy the beauty and hospitality of Hawaii. For these reasons, I support these Resolutions."

Representative Awana rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. This measure supports improvements needed for the existing VISA program. For many reasons, people are being denied entry into the US because the existing process is too cumbersome. Currently, Hawaii's largest economic industry – Tourism receives over 30% of visitors from outside of the United States. In addition, foreign visitors spend more money than domestic travelers. This translates to more tax dollars at a time when we need it the most. For these reasons, Mr. Speaker, I rise in support. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted, and H.R. No. 25, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was adopted, with Representatives Carroll and Manahan being excused; and

H.C.R. No. 46, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was adopted, with Representatives Carroll and Manahan being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1353-12) recommending that S.B. No. 3029, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3029, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

The Chair addressed Representative Riviere, stating:

"Representative Riviere, what is the motion before this Body?"

Representative Riviere responded, stating:

"Thank you for the question, Mr. Speaker. I believe the question is to allow this for a vote as this time."

The Chair responded, stating:

"The motion before the Body is to pass Second Reading and be placed on the calendar for Third Reading. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3029, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll and Manahan being excused.

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. We'll be in recess tomorrow, so I wanted to make this announcement and maybe perhaps give some encouragement for some freshman."

"I can't believe it, but this is our tenth annual. Ten years have passed of our Historic Preservation Awareness Day. It was begun ten years ago in order to connect policymakers with the many good organizations that are helping to preserve our heritage and our beautiful historic sites."

"With our Co-Chair from the Big Island, the Kamuela, Waimea side, we are having this wonderful Historic Preservation Day, Friday, 8:30 to 11:30, on the Third Floor lanai. It started in one room, Room 329, with about I guess about ten exhibitors. And I was reminded by my Co-Chair, we could have taken a whole other floor, but the booth cut off came. There are over fifty exhibitors from all over the islands, Maui, Kauai, Molokai, Oahu, Big Island. It's to help us understand what's out there, and who needs our help, and how we can help them to preserve what's special and unique about Hawaii. So I hope everyone will come. Though it's Friday, and I know people have hearings. It's busy, but please come and visit."

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

<u>S.B. No.</u>	<u>Re-referred to:</u>
2350, SD1, HD1	Committee on Agriculture, then to the Committee on Water, Land, & Ocean Resources

RECESS

At 12:21 o'clock p.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 35, met in Joint Session with the Senate, for the Hawaii Medal of Honor Ceremony.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature was called to order at 2:03 o'clock p.m., by the Honorable Calvin K.Y. Say, Speaker of the House.

The Speaker addressed the Chamber, stating:

"Thank you. This is indeed a momentous occasion. We honor members of the Armed Forces of the United States with ties to Hawaii who fought and died bravely in a combat zone designated by Presidential Order. On behalf of the Senate President and all the members of the Hawaii State Legislature, I convey our deepest condolences to our very special guests. The family, friends and colleagues of loved ones who have lost their lives overseas in the Middle East. Our prayers are with you and we are honored by your presence."

At this time, the Members of the House of Representatives and the Senate, guests, and audience rose for the presentation of our Nation's and our State's Colors by the Joint Service Color Guard and the Hawaii Air National Guard Royal Guard. The singing of the National Anthem and *Hawaii Pono'i* was led by Ms. Megann Sala, thereafter the Hawaiian Blessing was delivered by Ms. Puakeala Mann from Halau Hula O Maiki.

Speaker Say then addressed the Members, guests and audience as follows:

"Mahalo to our Joint Service Color Guard, the Royal Guard, Ms. Sala and Ms. Mann. Your participation in today's ceremony is greatly appreciated.

"Good afternoon and aloha!

"Our nation has been at war for more than a decade. And as time passes, it is easy to allow our attention to be diverted from what our brave servicemen and women do overseas. However, the reality is that the threats our military personnel face today are no less real, and no less grave, than when this all began in those days following the September 11th attacks. We are gathered here to pay respects to those who have given their lives, so that we may enjoy the level of comfort, security, and freedom found in the United States of America.

"These patriots whom we honor today were also fathers, sons, and brothers. They had hopes, dreams, and plans for the future as all of us do, but for the love of country, they put those plans aside. By volunteering, deploying to a combat zone, and laying down their lives, these brave men gave away all of their tomorrows, so that we can go on to see ours.

"This is the seventh year that the State has awarded the Hawaii Medal of Honor. The day that we gather each year to honor our heroes and their families is the day that I am most proud, and yet, most sorrowful, to be standing here before you. For while we, as lawmakers, are honored to recognize these outstanding individuals, we also hope the day soon comes when such ceremonies are no longer necessary.

"I would like to thank the families and loved ones for participating in today's proceedings. Every one of us owes you a great debt, one that we can never fully repay. We truly mourn your loss, and it cannot be said enough: These heroes, these patriots, who made the ultimate sacrifice for our nation, will never be forgotten.

"Before proceeding any further, I would like to acknowledge the presence of our State, Congressional, and Military leaders. Please hold your applause until all of our distinguished guests are recognized."

At this time, the Speaker introduced the following State, congressional and military leaders seated on the Floor of the House:

The Honorable Neil Abercrombie, Governor of the State of Hawaii;

The Honorable Brian Schatz, Lieutenant Governor of the State of Hawaii;

Representing the Honorable Daniel K. Inouye, United States Senator: Colonel Retired Walter Kaneakua;

Representing the Honorable Daniel K. Akaka, United States Senator: Mr. Ricky Oshiro;

Representing the Honorable Mazie K. Hirono, United States Congresswoman: Ms. Lauren Montez;

Representing the Honorable Colleen Hanabusa, United States Congresswoman: Mr. Richard Rapoza;

Mr. Bill Paty, Civilian Aide to the Secretary of the Army;

Ms. Christina Kemmer, Civilian Aide to the Secretary of the Army;

Major General Darryll D.M. Wong, The Adjutant General, Hawaii Department of Defense;

Representing United States Army Pacific and Lieutenant General Francis Wiercinski: Major General William Beard;

Representing the 8th Theater Sustainment Command and Major General Michael Terry: Mrs. Cathy Terry, accompanied by Colonel Glenn Grothe;

Brigadier General Gary M. Hara, Commander, Hawaii Army National Guard, and Mrs. Dianne Hara;

Brigadier General Stanley J. Osserman Jr., Commander, Hawaii Air National Guard;

Brigadier General Keith Gallagher, Commander, Tripler Army Medical Center, and Mrs. Sandra Gallagher;

Representing the 25th Infantry Division and Major General Bernard Champoux: Brigadier General Paul LaCamera;

Brigadier General Joseph Kim, Deputy Adjutant General, Hawaii Department of Defense;

Rear Admiral Fernandez Ponds, Commander, Navy Region Hawaii, and Mrs. Carolyn Ponds;

Representing United States Marine Forces Pacific and Lieutenant General Duane Thiessen: Colonel James Reilly;

Representing United States Coast Guard District 14 and Rear Admiral Charles Ray: Captain David Vaughn;

Representing the Hawaii National Guard, Chief of Joint Staff: Colonel Joe Logan, and Mrs. Gaylene Logan;

Colonel Brad Sakai, Commander, United States Air Force 154th Wing, and Mrs. Momi Sakai;

Command Chief Master Sergeant Robert Lee, Senior Enlisted Officer, Hawaii National Guard; and

Representing United States Pacific Air Forces and General Gary North: Chief Master Sergeant Robert Webb.

Speaker Say then called upon the Honorable Neil Abercrombie to deliver his remarks as follows:

"Aloha, dear friends. This gathering today is not the first occasion where we have had a similar ceremony. Yet, we find ourselves, in some respects, as the Speaker has indicated, repeating ourselves, sometimes with regret, but more often with a sense of acknowledgement as to what constitutes the human dimension.

"Those who we honor today, those who we acknowledge today, are those who are rich in character. Their circumstances in terms of their material life may be humble, but they are rich in character. The issues with which conflicts have ensued and individuals' commitments up to and including their very lives are large in scope, but our acknowledgement is individual and personal. The implications of the issues, ostensibly in contention in wars and battles and conflicts are immense on the overall picture that we present to ourselves as human beings. But the implications for those assembled here today, are intensely personal.

"In some respects you could say they are even isolated, or insulated or involuted, but this would not truly represent what it is we do today. Yes, we look to ourselves, and we look inward to determine for ourselves, what meaning we are to derive from gatherings such as this, but more importantly, we reach out to one another in solidarity as brothers and sisters in our common humanity.

"I periodically review, as I contemplate and reflect upon the responsibilities that I have now as Commander in Chief of the National Guard, and upon the circumstances of my public life, on the Armed Services Committee in the United States House of Representatives. And take from my shelf when I am struck with a sense of responsibility for determining what it is that I need to do, this volume of James Gould Couzen's *Guard of Honor*, a novel which, probably within the context of reference out of the period of War World II is not necessarily in the first rank of critics' choices as being representative of the era. One thinks of *The*

Naked and the Dead, From Here to Eternity, William Styron's book *Lie Down in Darkness*, William Manchester's *Goodbye Darkness*.

"The *Guard of Honor* takes as its theme a quotation from Shakespeare in *The Tempest*, and it gives me pause every time I think about it and read it, and gives me perspective on our proceedings here today. I and my fellows are ministers of fate.

The elements of whom your swords are tempered may as well wound the loud winds or with bemocked-at stabs kill the still-closing waters as diminish for one moment what's in my plume. My fellow ministers and I are like invulnerable.

"That I think, is the fundamental message that we bring to one another today and bring to those whom we recognize today, that our commitment to one another as human beings, our commitment to those core values that make up the very basis of our humanity are like invulnerable."

Speaker Say then called upon Major General Darryll Wong to deliver his remarks on behalf of the military as follows:

"Governor Abercrombie, Lt. Governor Schatz, our Congressional delegation, Senate President Tsutsui, Speaker Say, Members of the State Senate, Legislature, family and friends of our honored heroes, and all of our military sitting in the Gallery above. As State Adjutant General, presiding over this ceremony is probably part of the most difficult duties that I have, of the many duties that I do. I'm responsible for the training and the equipping of the Hawaii National Guard Soldiers and Airmen, and it's always with a heavy heart when I see them off as they leave our shores.

"As a Homeland Security Advisor, I must ensure that we have done all we can to prevent this State from falling victim to any act of terrorism, and as Director of State Civil Defense, I feel the burden of preparing and keeping Hawaii's residents and tourists safe from the effects of any natural or manmade disaster. But none of these responsibilities can compare to the burden felt by any of these family members with us today who have lost a loved one in the service to our nation.

"My duty today is in some small way to try to comfort those when comfort may not be enough, and to massage the pain of a broken heart. While I may fall short in this endeavor, I can at least take solace in knowing that the State of Hawaii has provided some closure to these families by recognizing the supreme sacrifice made by their soldiers, Sailors, Airmen and Marines, on behalf of this grateful State.

"Hawaii has a long tradition of welcoming mainland service personnel to our shores. After World War II, many G.I.s stopped in Honolulu on the way back from the South Pacific. So many of them fell in love with Hawaii and they never got back on the ships, and stayed and planted their roots. During the Korean and Vietnam wars, tens of thousands of G.I.s and Airmen, Soldiers, Sailors and Marines touch America for the first time again, in Hawaii, after a long absence, and decided they belong here.

"Hawaii welcomes thousands of new Armed Forces personnel each year, and each one is touched in at least some small measure by their time here. This is more than just a beautiful place. It's more than just beautiful weather. It's the feeling of *aloha* and the feeling of *ohana*, family, that makes our men and women in uniform feel welcome. So it does not matter whether our fallen heroes were born or raised here, or whether they were stationed here for a couple months or a couple years before deployment. They are part of the *ohana*, or family, and by extension, their families become ours as well, and always will be.

"This feeling of family could not be more evident than the request made by Major General Bernard Champoux, commanding General of the 25 I.D. here at Schofield, whose assignment was to close down and bring home the final U.S. forces in Iraq. For his final departure home, after a year-long deployment, his request was for a Hawaii based C17 from the Hawaii Air National Guard to pick him up and take him and his headquarters element back home to Hawaii. This says a lot.

"The State Medal of Honor symbolizes the strength and character of each hero as well as the feeling of *ohana*. The *kalo*, or taro leaves in the medal is emblematic of the embrace of the people of Hawaii. Following America's tradition in past wars, a gold star was often placed, displayed, to let the neighborhood know, that the life of a hero, who had grown up there, had been taken. Today, the gold star and the medal coat of arms represents the fiftieth state star on the American flag, and also represents the person being honored.

"The attachment device in red and yellow ribbon is a rendering of the ancient *puela*, or flag, the Hawaiians raised at sea above the sail of their canoes. All who saw the *puela* from afar, knew that a person of highest rank or honor was coming. Today, this service ribbon and this *puela* will remind us that these families are the highest rank and honor, because our hope that this medal will continuously remind the families and friends of these fallen heroes that this State will always remember the sacrifice you and your family member have made, that you are and forever shall be a member of this family and hold a special place in our heart. Mahalo."

At this time, the Speaker of the House and the President of the Senate presented the Hawaii Medal of Honor. The Clerk of the House announced the names of the Hawaii Medal of Honor recipients, which was followed by the ringing of the memorial bell.

United States Army Corporal Andrew C. Wilfahrt.

Corporal Wilfahrt was 31. He was from Rosemount, Minnesota and served with the 552nd Military Police Company, 728th Military Police Battalion, 8th Theater Sustainment Command from Schofield Barracks, Hawaii. Here to receive his medal were his friends, Specialist Russell Akers and Specialist Kevin Gill.

United States Army Staff Sergeant Mark C. Wells.

Staff Sergeant Wells was 31. He was from San Jose, California and served with the 74th Ordnance Company, 303rd Ordnance Battalion from Schofield Barracks, Hawaii. Here to receive his medal were members of his command team, First Sergeant David Silva and Major Aaron Workman.

United States Army Sergeant Kevin W. White.

Sergeant White was 22. He was from Westfield, New York and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was family friend, Kyle Foster.

United States Army Specialist William S. Blevins.

Specialist Blevins was 21. He was from Sardinia, Ohio and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was family friend, Amanda Blair.

United States Army Private First Class Andrew M. Krippner.

Private First Class Krippner was 20. He was from Garland, Texas and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was family friend, Private First Class Cody Snee, who just a few days ago returned from Afghanistan.

United States Marine Corps Private First Class Josue Ibarra.

Private First Class Ibarra was 21. He was from Midland, Texas and served with the 1st Battalion, 12th Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal was his Battery Commander, Captain Matthew Ritchie.

United States Army Private First Class Joshua L. Jetton.

Private First Class Jetton was 21. He was from Sebring, Florida and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was family friend, Specialist Jeremy Canterbury.

United States Army Specialist Levi E. Nuncio. Specialist Nuncio was 25. He was from Harrisonburg, Virginia and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal were his parents, Raul and Berta Nuncio, his brother, Dan Nuncio, and his nephew, Daniel Rivera.

United States Army First Lieutenant Dimitri A. Del Castillo. First Lieutenant Del Castillo was 24. He was from Tampa, Florida and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was his wife, Katie Del Castillo.

United States Army Staff Sergeant Nigel D. Kelly. Staff Sergeant Kelly was 26. He was from Menifee, California and served with the 3rd Brigade Special Troops Battalion, 3rd Heavy Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal were his wife, Catia Kelly and his goddaughter, Mea Hillard.

United States Army Specialist Kevin J. Hilaman. Specialist Hilaman was 28. He was from Albany, California and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was his former commander, Major Christopher Bluhm.

United States Marine Corps Lance Corporal Christopher L. Camero. Lance Corporal Camero was 19. He was from Kailua-Kona, Hawaii and a 2010 graduate of Honokaa High School on the island of Hawaii. He served with the 3rd Battalion, 4th Marines, 1st Marine Division, 1st Marine Expeditionary Force from Twentynine Palms, California. Here to receive his medal were his parents, Carlos and Norma Camero and his sister, Sarrah Camero.

United States Army Staff Sergeant James M. Christen. Staff Sergeant Christen was 29. He was from Loomis, California and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was his wife, Lauren Christen.

United States Army Sergeant William B. Gross Paniagua. Sergeant Gross Paniagua was 28. He was from Daly City, California and served with the 3rd Brigade Special Troops Battalion, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was his sister, Felicia Gross.

United States Navy Senior Chief Petty Officer Kraig M. Vickers. Senior Chief Petty Officer Vickers was 36. He was from Kokomo, Hawaii and a graduate of Maui High School. He was a Navy explosive ordnance disposal specialist and served with an East Coast-based Navy SEAL Team. Here to receive his medal were his wife Nani Vickers and their children Kala'i, Mali'e and Kalei. Also here were his parents, Bob and Mary Vickers.

United States Army Sergeant First Class Houston M. Taylor. Sergeant First Class Taylor was 25. He was from Hurst, Texas and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was family friend, Staff Sergeant Cipriano Castenada.

United States Army Specialist Ronald Wildrick. Specialist Wildrick was 30. He was from Blairstown, New Jersey and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was a member of his platoon, Specialist Joshua Beach.

United States Army Staff Sergeant Joseph J. Altmann. Staff Sergeant Altmann was 27. He was from Marshfield, Wisconsin and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks, Hawaii. Here to receive his medal was his wife, Nikki Altmann.

The Clerk of the Senate proceeded to read the names of the other Hawaii Medal of Honor recipients whose friends and family could not be at the ceremony today:

United States Army Private First Class Thomas C. Allers

United States Army Staff Sergeant Kristofferson B. Lorenzo

United States Army Sergeant Jacob Molina

United States Marine Corps Corporal Nicholas S. Ott

United States Army Staff Sergeant Christopher R. Newman

United States Army Sergeant Christopher L. Muniz

President Tsutsui then gave his closing remarks as follows:

"To all who have gathered here today, thank you for being part of this very important ceremony. Today's ceremony reminds us of the bravery, the dedication, and the commitment that these soldiers demonstrated throughout their lives. To the family and friends of our honorees, thank you for sharing America's heroes with the rest of us. We are truly humbled by their courage and commitment in the service of others, even in the face of great adversity and physical danger.

"The loss of loved ones leaves an emptiness that is not easily filled, however, it is our hope that you may find some comfort in the deep appreciation and gratitude that the people of Hawaii and the people of this nation have, for the sacrifices that have been endured, yours is a debt that cannot be repaid, but through our collective efforts to remain truly appreciative of the rights and freedoms that we cherish most in our country, we can and must continue to honor the memories of our fallen soldiers.

"Members of the House and Senate, and special guests, please rise and turn your attention to the Rotunda level for the 3-Volley Salute and the playing of *Taps*. Following this will be a moment of silence. Members of the Hickam Base Honor Guard, please proceed."

At this time, Members of the Hickam Base Honor Guard proceeded with a 3-Volley Salute and the playing of *Taps* outside the House Chamber in the Capitol Rotunda, which was then followed by a moment of silence.

The President of the Senate then called on the Joint Service Color Guard and the Hawaii Air National Guard Royal Guard for the retiring of the Colors, and at 3:00 o'clock p.m., declared the Joint Session of the House of Representatives and the Senate adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Friday, March 30, 2012.

HOUSE COMMUNICATIONS

House Communication dated March 28, 2012, from CJ Leong, 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 House Bills:

H.B. No. 2429, HD 1, SD 1

H.B. No. 2584, HD 1, SD 1



Symbolism of the Hawaii Medal of Honor

The Hawaii Medal of Honor was designed by Sergeant First Class Aaron Pollick from the Hawaii Army National Guard. This medal consists of the following six components, superimposed on each other:

Circle of Kalo Leaves: The kalo leaves represent the family or Ohana. The leaves are designed in an encircled fashion and represents the concept of Ohana, which we strive to embrace.

Coat of Arms: The Great Shield is the keystone of the design. The eight bars represent the eight major islands of the State of Hawaii. The kapu sticks, or Pulo'ulo'u, symbolize authority and protection. The star in the center of the medallion is the Star of Hawaii, the 50th star on the flag of the United States. This star also represents the honorees of this prestigious award.

Maltese Cross: The Maltese Cross represents the four directional axes of the globe, denoting Hawaii as the Crossroads of the Pacific.

Sun Rays: The irradiant sun is symbolic of the new era. Its position in the center of the Maltese Cross represents our sunny shores and warm hearts ever shining on all the corners of the world.

The Neck Drape: The neck drape is red and golden yellow in color. These colors symbolize the royal monarchy that once ruled these islands. The red represents courage and strength. The golden yellow depicts the honor that the recipients have brought to our islands.

Service Ribbon & Attachment: The service ribbon represents distinguished service. Its colors are identical to the colors of the neck drape. The attachment device at the middle of the ribbon is an ancient flag or puela of Hawaiian Chiefs. In olden times, the puela was raised above the sail of the ancient Hawaiians' canoes while at sea. Our puela signifies that the person receiving this medal is of high rank or honor.

Hawaii Medal of Honor Program

JOINT SESSION OF THE HAWAII STATE LEGISLATURE HOUSE CHAMBERS MARCH 28, 2012 - 2:00 PM

Call to Order	House Speaker Calvin K.Y. Say
Pu Kani	Mr. Jordan Kamea'i'omakamae Vargas
Posting of the Colors	United States Pacific Command Joint Service Color Guard Hawaii Air National Guard Royal Guard
National Anthem & Hawaii Pono'i	Ms. Megann Sala
Hawaiian Blessing	Ms. Puakeala Mann Halau Hula O Maiki
Welcome & Introduction of Guests	House Speaker Calvin K.Y. Say
Governor's Message	Governor Neil Abercrombie
Military Address	Major General Darryll D.M. Wong
Hawaii Medal of Honor Presentation	House Speaker Calvin K.Y. Say Senate President Shan S. Tsutsui Governor Neil Abercrombie Major General Darryll D.M. Wong
Presentation of Certificates	Representative Henry J.C. Aquino Senator Will Espero Lieutenant Governor Brian Schatz
Rendering of Honors	JBPHH Navy Detachment Honor Guard
3-Volley Salute	Hickam Base Honor Guard
Taps	Marine Forces Pacific Band
Closing Remarks	Senate President Shan S. Tsutsui
Retiring of the Colors	

2012 Hawaii Medal of Honor Recipients

United States Army Corporal Andrew C. Wilfahrt
 United States Army Staff Sergeant Mark C. Wells
 United States Army Sergeant Kevin W. White
 United States Army Private First Class Thomas C. Allers
 United States Army Specialist William S. Blevins
 United States Army Private First Class Andrew M. Krippner
 United States Army Staff Sergeant Kristofferson B. Lorenzo
 United States Marine Corps Private First Class Josue Ibarra
 United States Army Private First Class Joshua L. Jetton
 United States Army Specialist Levi E. Nuncio
 United States Army First Lieutenant Dimitri A. Del Castillo
 United States Army Staff Sergeant Nigel D. Kelly
 United States Army Specialist Kevin J. Hilaman
 United States Marine Corps Lance Corporal Christopher L. Camero
 United States Army Staff Sergeant James M. Christen
 United States Army Sergeant Jacob Molina
 United States Army Sergeant William B. Gross Paniagua
 United States Navy Senior Chief Petty Officer Kraig M. Vickers
 United States Marine Corps Corporal Nicholas S. Ott
 United States Army Sergeant First Class Houston M. Taylor
 United States Army Staff Sergeant Christopher R. Newman
 United States Army Sergeant Christopher L. Muniz
 United States Army Specialist Ronald Wildrick
 United States Army Staff Sergeant Joseph J. Altmann

From House Bill 8, designated as Act 21, Session Laws of Hawaii 2005:

"The purpose of this Act is to provide for a Hawaii Medal of Honor that would help express the deep appreciation and gratitude of the People of Hawaii to the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedoms."

Acknowledgements

CJ Leong, House Chief Clerk & her staff
Carol Taniguchi, Senate Chief Clerk & her staff
Kevin R. Kuroda, House Sergeant-at-Arms & his staff
Ben Villaflor, Senate Sergeant-at-Arms & his staff
Joan Yamaguchi, House Majority Staff Office & her staff
Kole M. Miller, Chief of Protocol, 25th Infantry Division
Ms. Ernestine Pratt, Chief, Hawaii Casualty Assistance Center
Ms. Agnes Tauyan, Navy Region Hawaii
Mr. Peter Swainson, Marine Corps Base Hawaii
CWO4 Darrin M. Duffy, Marine Corps Base Hawaii
Mr. Leighton Siu
Sergeant First Class Aaron R. Pollick
Kent Untermann & Valerie Wang, Pictures Plus
Rose Lee, Rose Lee's Alterations
Ty & Cindy Tamanaha, Awardline
Elisia Lukasik, United States Pacific Command
Colonel David Molinaro, Hawaii Air National Guard
Colonel Timothy Fujino, Hawaii Air National Guard
Pearl Harbor Historic Sites:
- Paul DePrey, USS Arizona Memorial & World War II Valor in the Pacific National Monument
- Gerald Hofwolt, USS Bowfin Submarine Museum & Park
- Michael Carr, Battleship Missouri Memorial
- Kenneth DeHoff, Pacific Aviation Museum Pearl Harbor
Lucy Lau, Hale Koa Hotel
Shaun Singh, Polynesian Cultural Center
Mufi Hannemann & Tina Yamaki, Hawaii Hotel & Lodging Association
Sidney Louie, Morris Visitor Publication
Mark Pokraka, Aloha Diners Club
Reyna Kaneko, Girl Scouts of Hawaii
Glenn Booth, Capitol TV

Planning Committee

House Speaker Calvin K.Y. Say
Senate President Shan S. Tsutsui
Representative Henry J.C. Aquino
Senator Will Espero
Representative K. Mark Takai
Major General Darryll D.M. Wong
CJ Leong, House Chief Clerk
Carol Taniguchi, Senate Chief Clerk
Kevin R. Kuroda, House Sergeant-at-Arms
Ben Villaflor, Senate Sergeant-at-Arms
Calvin Azama
Ross Tsukenjo
Maureen Andrade
Marlene Uesugi
Lisa Vargas Omo

Special Acknowledgement

Representative K. Mark Takai and Ms. Lisa Vargas Omo for their unwavering commitment over the past eight years to honor these families and for their tireless efforts to ensure that each designated medal is received by the intended family.

FORTY-FIRST DAY

Friday, March 30, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:09 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Speaker Calvin K.Y. Say, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Herkes, Manahan and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fortieth Day was deferred.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 190) was announced by the Clerk and the following action taken:

H.R. No. 190, entitled: "HOUSE RESOLUTION HONORING THE MEMBERS OF WORLD WINGS INTERNATIONAL – HAWAII CHAPTER FOR THEIR DEDICATION TO PRESERVING PAN AMERICAN WORLD AIRWAYS' EXCEPTIONAL HISTORY, FOR PROMOTING HAWAII, AND FOR THEIR PHILANTHROPIC CONTRIBUTIONS TO HAWAII," was jointly offered by Representatives Ito, Aquino, Chang, Chong, Evans, Fontaine, Hanohano, Hashem, Ichiyama, Johanson, Jordan, Manahan, Takai, Tokioka, Tsuji, Ward and Yamashita.

Representative Ito moved that H.R. No. 190, be adopted, seconded by Representative Souki.

Representative Ito commended the World Wings International – Hawaii Chapter, comprised of former Pan American World Airways flight attendants, for their over 40 years of philanthropic contributions to the people of Hawaii.

Representative Souki then introduced the honorees seated on the Floor of the House representing the Hawaii Chapter and thanked them for their caring acts of service as former flight attendants, and as members of our community:

Ms. Leilani McGire, Co-President;
Ms. Susyn Miller-Fritz, Co-President; and
Ms. Betty Santoki, Past Vice President and Fundraising Chair.

Representative Souki also recognized other World Wings International members who seated in the Gallery: Ms. Susan Izumi, Ms. Marsha Lewis, Ms. Merle Miyamoto, Ms. Geraldine Nakamitsu and Ms. Kuniko Ono.

Representative Ching also thanked the flight attendants for the work they do in caring for passengers, as well as our community.

The motion was put to vote by the Chair and carried, and H.R. No. 190, was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

The following resolution (H.R. No. 191) was announced by the Clerk and the following action taken:

H.R. No. 191, entitled: "HOUSE RESOLUTION COMMENDING STREET BIKERS UNITED HAWAII, INC., 40TH ANNIVERSARY," was offered by Representative Chang.

Representative Chang moved that H.R. No. 191, be adopted, seconded by Representative Jordan.

Representative Chang congratulated Street Bikers United Hawaii, Inc. on 40 years of promoting aloha to fellow riders, respect for other motorists, commitment to safe, lawful and courteous riding, and for their many charitable efforts, including the annual Toys for Tots drive.

Representative Chang then introduced the honorees representing Street Bikers United, Inc. who were seated on the Floor of the House:

Mr. Ray Pagan, State Treasurer;
Mr. Rick Davis, Oahu Chapter President; and
Mr. Bruce Paige, Legislative Advisor.

Representative Jordan, as a fellow biker, thanked Street Bikers United for the efforts to promote safety and safe biking.

Representative McKelvey applauded the Street Bikers for their charitable work on Maui, as well as their educational efforts toward safety awareness.

Representative Souki offered his appreciation and aloha in working with the Street Bikers on safety and education efforts.

Representative Evans applauded Street Bikers United for being a strong voice at the Legislature, and for being a part of the discussion on complete streets.

Representative Awana thanked the Street Bikers for their efforts to promote safety and congratulated them on their 40th anniversary.

Representative Marumoto thanked the Street Bikers for their programs to support safety and encouraged them to wear helmets.

The motion was put to vote by the Chair and carried, and H.R. No. 191, was adopted, with Representatives Carroll, Herkes, Manahan, Saiki and Wooley being excused.

The following resolution (H.R. No. 192) was announced by the Clerk and the following action taken:

H.R. No. 192, entitled: "HOUSE RESOLUTION CONGRATULATING HANNIE ANDERSON, DOUGLAS POOLOA TOLENTINO, AND EDITH VAN GIESON FOR BEING SELECTED AS HAWAIIAN CAUCUS 2012 HONOREES," was offered by Representative Hanohano.

Representative Hanohano moved that H.R. No. 192, be adopted, seconded by Representative C. Lee.

Representative Hanohano congratulated the Hawaiian Caucus 2012 Honorees who were seated on the Floor of the House, and commended them for their dedication to ancestry, cultural origin and heritage, and service to the broader community, particularly in the art of *Hui Wa'a* or canoe paddling.

Representative Hanohano introduced Mr. Douglas Pooloa Tolentino, Hawaiian Artist at the Aulani Resort, who was being honored for his preservation and sharing of Hawaiian culture and traditions. He was accompanied by his wife, Mrs. Kelly Tolentino, who was seated on the Floor of the House; and their daughter, Ms. Namahana Tolentino, who was seated in the Gallery.

Representative C. Lee then recognized Ms. Hannie Anderson who was not in attendance, Co-founder of Na Wahine O Ke Kai for her promotion of and contributions to the paddling community.

Representative Awana then introduced Ms. Edith Van Gieson, Co-founder of the Leeward Kai Canoe Club who was being honored for fostering cultural pride and promoting sportsmanship on the Wai'anae Coast. She was accompanied by her family who were seated in the Gallery:

Son, Ryan Van Gieson and his wife, Mrs. Shannon Van Gieson; Grandson, Alfred Van Gieson; Daughter, Mrs. Reena Zonka and her husband, Mr. John Zonka; and Grandson, Rustin Zonka.

Representative Awana also recognized Senator Maile Shimabukuro who was accompanying the Van Gieson family in the Gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 192, was adopted, with Representatives Carroll, Herkes, Manahan, Saiki and Wooley being excused.

At 12:45 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:03 o'clock p.m.

REPORTS OF STANDING COMMITTEES

At this time, the Chair announced:

"Members, I believe at this point in time, all of you have been invited to a lovely luncheon. I thought we could get out by 1:00. So, I think we're going to probably get out by 1:30 or a quarter to 2:00.

"I did share with the Minority Leader that I would like to go by page for pages 2 through 16. And if there's anyone that would like to insert written comments at this time, I would be more than happy to accommodate the Members of the House on any of these particular Resolutions that are before us.

"For pages 2 to 14, these are not for Adoption, but are being referred to another Committee for further discussion on these Resolutions and House Concurrent Resolutions. The balance of the Resolutions are for Adoption that I will as the Chair, allow you to insert written comments. Or if you do want to speak, you may. I will not deny you the right to speak. So at this point, the Chair recognizes Representative Pono Chong for the motion."

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1354-12), recommending that H.R. No. 59, be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1355-12), recommending that H.C.R. No. 85, be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1356-12), recommending that H.R. No. 67, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 67, entitled: "HOUSE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Legislative Management, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1357-12), recommending that H.C.R. No. 95, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," was referred to the Committee on Legislative Management, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented two reports

(Stand. Com. Rep. No. 1358-12), recommending that H.R. No. 60, be referred to the Committee on Water, Land, & Ocean Resources; and

(Stand. Com. Rep. No. 1359-12), recommending that H.C.R. No. 86, be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 60; and H.C.R. No. 86, be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

"Just in strong support of Stand. Com. Rep. Nos. 1358 and 1359."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 60, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES," was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Carroll, Herkes, Manahan and Wooley being excused; and

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES," was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1360-12), recommending that H.R. No. 89, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 89, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO CONTINUE RECOGNIZING KULEANA LANDS AS HISTORICAL LANDS AND TO NOT TERMINATE OR WEAKEN THE PROPERTY-TAX EXEMPTIONS FOR KULEANA LANDS," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1361-12), recommending that H.C.R. No. 117, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO CONTINUE RECOGNIZING KULEANA LANDS AS HISTORICAL LANDS AND TO NOT TERMINATE OR WEAKEN THE PROPERTY-TAX EXEMPTIONS FOR KULEANA LANDS," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1362-12), recommending that H.R. No. 62, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT," was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1363-12), recommending that H.C.R. No. 88, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT," was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 1364-12), recommending that H.R. No. 68, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1365-12), recommending that H.C.R. No. 96, be referred to the Committee on Judiciary.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 68; and H.C.R. No. 96, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose to speak in opposition to both measures, stating:

"Mr. Speaker, I regretfully rise to speak in opposition, however briefly, on HR No. 68 and HCR 96. After 15 years as an understudy with George Kanalehe, writing my PhD on Hawaiians and business at the University, I know there's a future for the Hawaiian community. I know there's a destiny for the Hawaiian community. But Mr. Speaker, these Resos will hurt and injure the case of the Hawaiian community, particularly as the Congress reads this. It's going to turn them in another direction, and I don't think it's the direction that the Hawaiian people want to go. For those reasons, I am in opposition."

Representative McKelvey rose in opposition to both measures and asked that the remarks of Representative Ward be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in opposition to both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition to H.R. 68 and H.C.R. 96, relating to entitlements for "Hawaiian nationals." These Resolutions loosely define "Hawaiian nationals" to include: a) lineal descendants of Hawaiian Kingdom subjects; b) those born within the physical boundaries of the Hawaiian Islands; or c) anyone who successfully completes a "formal process of naturalization." Any one of these three criteria, according to H.R. 68 and H.C.R. 96, qualifies a person as authentic heir, beneficiary, and member of the body politic of the continuing Hawaiian Kingdom. H.R. 68 and H.C.R. 96 continue, granting "Hawaiian nationals" the right to restore "their" national government in the Hawaiian Islands. It also commits State law enforcement "to cease all ... prosecution" of these newly-defined Hawaiian nationals.

"These Resolutions grossly overstep itself, making broad proclamations of immense potential repercussion, without precisely defining key terms and qualifications. The Office of Hawaiian Affairs raises concerns that the community has not yet reached consensus regarding very basic matters of protocol. For one, no consensus yet exists as to whether formal acknowledgment of inherent sovereignty should arrive through state, federal, and/or international legal mechanisms. Furthermore, OHA sites Act 195's passing last year, which designated Native Hawaiians as Hawaii's "only indigenous, aboriginal, maoli people," and established a Native Hawaiian Roll Commission to confirm those eligible for self-governance. H.R. 68 and H.C.R. 96 render Act 195 redundant, vastly and imprecisely broadening qualifications. Before we expound on rights, we must answer fundamental questions as to who properly holds those rights, and whether their immediate exercise is "most conducive to a thriving lahui" or not.

"Clearly, H.R. 68 and H.C.R. 96 has already caused ample confusion through its imprecise delineations. One concerned citizen testified in support of H.R. 68 and H.C.R. 96, staking claim before anything else to a 50% Hawaiian blood quantum, and ancestral residence on every island of Hawaii. If anyone who completes a nationalization process - or was born in Hawaii - qualifies as a Hawaiian national, then such points of pride in one's unique heritage become irrelevant. In other testimony, a self-described Hawaiian, waxes on one's right to "nationality" as distinguished from "race, culture or ethnic background." Pragmatically, one's race, culture and ethnicity do not distill from - but in fact define - one's "nationality." We must not discuss a vague concept of "nationality" while eschewing its components. If "nationality" transcends heritage, customs and allegiances, where are its boundaries? Under H.R. 68 and H.C.R. 96, any individual could appoint himself or herself a "Hawaiian national" to obtain benefits and exemptions, without genuine foresight to preserve the legacy of Old Hawaii.

"H.R. 68 and H.C.R. 96 suggest that Hawaiian nationals "are not citizens of the United States," and as OHA revisits, the resolution commits state law enforcers "to cease prosecution of Hawaiian nationals." When one is not subject to a law, that person has not earned the protections said law achieves. How can a people exempt from state law coexist within a society which thrives on those laws?

"H.R. 68 H.C.R. 96 site international law's prohibition against altering a person's nationality and citizenship "without explicit free, prior and informed consent." To whom does this clause refer? The Resolutions open by airing grievances against the Provisional Government's 1893 usurpation. If, as H.R. 68 and H.C.R. 96 proffers, a person's own birthplace determines their nationality - rather than the birthplace of their ancestors - then the only technical victims of such "altered nationality" were those alive during the overthrow, not the living beneficiaries of proposed reorganization. Leon Siu, a cabinet member of Ke Aupuni o Hawaii, defends H.R. 68 and H.C.R. 96 by citing the 1897 Ku'e Petition in which his ancestors "asserted, in no uncertain terms, their loyalty to the

land of their birth." Indeed, those ancestors were born in a different Hawaii. The land of *our* birth, for any local resident alive today, is one illuminated by affiliation with the United States. We have enjoyed its boons and bounties, and also paid our dues. Let us remain accountable to circumstances defining our *own* lives and times, just as our ancestors remained accountable to theirs.

"Miscellaneous questions and doubts overwhelm H.R. 68 and H.C.R. 96; let us step back and examine the details before proceeding with sweeping, poorly-defined, and unenforceable reforms. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 68, entitled: "HOUSE RESOLUTION RECOGNIZING HAWAIIAN NATIONALS AS A POPULATION RESIDING LAWFULLY IN THE HAWAIIAN ISLANDS," was referred to the Committee on Judiciary, with Representatives Ching, McKelvey and Ward voting no, and with Representatives Carroll, Herkes, Manahan and Wooley being excused; and

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING HAWAIIAN NATIONALS AS A POPULATION RESIDING LAWFULLY IN THE HAWAIIAN ISLANDS," was referred to the Committee on Judiciary, with Representatives Ching, McKelvey and Ward voting no, and with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1366-12), recommending that H.R. No. 129, be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 129, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1367-12), recommending that H.C.R. No. 167, be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1368-12), recommending that H.C.R. No. 64, be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CONCEPT OF INFRASTRUCTURE INVESTMENT FUNDS," was referred to the Committee on Labor & Public Employment, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1369-12), recommending that H.C.R. No. 77, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT AND ESTABLISH A NATIONAL BROADBAND NETWORK," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1370-12), recommending that H.C.R. No. 141, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO CONVENE A TASK FORCE ON DOG BREEDING," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1371-12), recommending that H.C.R. No. 221, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION AND LICENSURE OF MUSIC THERAPISTS," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representatives Yamane and Tsuji, for the Committee on Health and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1372-12), recommending that H.C.R. No. 94, be referred to the Committee on Education.

Representative Chong moved that the report of the Committees be adopted, and that H.C.R. No. 94, be referred to the Committee on Education, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of HCR 94 - Requesting the Department of Health to convene a task force to expand a school garden program statewide.

"The health of our children in the State of Hawaii is a priority. A School Garden Taskforce led by the DOH is crucial to prevent chronic disease, including diabetes, cholesterol, obesity, and high blood pressure. Raising awareness of students' knowledge, attitudes and behaviors regarding healthy eating will deter future costs associated with medical issues that arise caused by unhealthy eating habits. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXPAND A SCHOOL GARDEN PROGRAM STATEWIDE," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1373-12), recommending that H.C.R. No. 68, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 68,

entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO DETERMINE STATE COMPLIANCE WITH THE FEDERAL PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008 AND ENHANCE EXISTING STATE PARITY LAWS," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1374-12), recommending that H.R. No. 118, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1375-12), recommending that H.C.R. No. 154, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 118; and H.C.R. No. 154, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker I rise in strong support of these Resolutions. These Resolutions were brought to the forefront by Ms. Valerie Chang, the Executive Director of the COPD Coalition. She has worked tirelessly to lobby this Body to take up this critical issue, spending hours visiting various Legislators. You can also find her at health fairs, informing the public about COPD. She has helped give free COPD tests and directed people where they can get help.

"COPD is one of the most common adult respiratory diseases and the third leading cause of death in the United States, and the second leading cause of disability. COPD has received increasing attention from the medical community in recent years, and despite the enormous costs and high prevalence of this disease, it is still relatively unknown by the public. It is imperative for Hawaii to create a State action plan to combat COPD, emphasizing on prevention, diagnosis, and treatment."

Representative Ching rose to speak in support of both measures, stating:

"Mr. Speaker, thank you. Also, in strong support of Stand. Com. Nos. 1374 and 1375, Requesting the Department of Health to develop a State action plan to combat chronic obstructive pulmonary disease. Just hoping we can also start to focus on diabetes which is killing our people. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused; and

H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1376-12), recommending that H.C.R. No. 163, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE COUNTY OF HAWAII, TO CONDUCT A STUDY ON THE ESTABLISHMENT OF A PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AND IMPROVE THE EAST HAWAII AREA OF HAWAII COUNTY," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1377-12), recommending that H.C.R. No. 84, be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 84, 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 Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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 H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS AND TO DEFINE PLACES OF FORMAL HUNTING," was referred to the Committee on Judiciary, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1378-12), recommending that H.R. No. 94, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 94, entitled: "HOUSE RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENTS," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1379-12), recommending that H.C.R. No. 123, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENT," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1380-12), recommending that H.R. No. 116, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU TO INSPECT, CLEAN, AND FIX THE DRAINAGE SYSTEM IN EAST HONOLULU," was referred to the Committee on

Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1381-12), recommending that H.R. No. 163, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1382-12), recommending that H.C.R. No. 212, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 163; and H.C.R. No. 212, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, in strong support for the driverless car, with the notion that they're celebrating 200,000 miles with the Google car on the West Coast. A blind man has driven to Taco Bell, ordered, and got in and out of it without any difficulty. And I hope the next Committee will read what I'm going to send to each of them. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 163, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND REPORT ON POLICIES RELATING TO THE USE OF DRIVERLESS VEHICLES IN HAWAII," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused; and

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND REPORT ON POLICIES RELATING TO THE USE OF DRIVERLESS VEHICLES IN HAWAII," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1383-12), recommending that H.C.R. No. 224, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 224, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CARRY OUT OBJECTIVES AND ACTIONS TO ENCOURAGE AND SUPPORT ELECTRIC UTILITIES IN MAXIMIZING RENEWABLE ENERGY GENERATION," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representatives Coffman and Souki, for the Committee on Energy & Environmental Protection and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1384-12), recommending that H.R. No. 155, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representatives Coffman and Souki, for the Committee on Energy & Environmental Protection and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1385-12), recommending that H.C.R. No. 201, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1386-12), recommending that H.R. No. 57, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 57, entitled: "HOUSE RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1387-12), recommending that H.C.R. No. 82, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1388-12), recommending that H.R. No. 77, be referred to the Committee on Health.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 77, entitled: "HOUSE RESOLUTION URGING HAWAII PUBLIC HOUSING AUTHORITY TO ADOPT RULES TO PROHIBIT SMOKING IN ALL FEDERAL AND STATE PUBLIC HOUSING PROJECTS IN THE STATE," was referred to the Committee on Health, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1389-12), recommending that H.C.R. No. 106, be referred to the Committee on Health.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII PUBLIC HOUSING AUTHORITY TO ADOPT RULES TO PROHIBIT SMOKING IN ALL FEDERAL AND STATE PUBLIC HOUSING PROJECTS IN THE STATE," was referred to the Committee on Health, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1390-12), recommending that H.R. No. 102, be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 102, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROHIBIT SMOKING IN ALL PUBLIC HOUSING PROJECTS AND STATE LOW-INCOME

HOUSING PROJECTS," was referred to the Committee on Judiciary, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1391-12), recommending that H.C.R. No. 135, be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE HAWAII PUBLIC HOUSING AUTHORITY TO PROHIBIT SMOKING IN ALL PUBLIC HOUSING PROJECTS AND STATE LOW-INCOME HOUSING PROJECTS," was referred to the Committee on Judiciary, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1392-12), recommending that H.R. No. 108, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 108, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, HAWAII CHAPTER, TO DEVELOP CONTINUING EDUCATION REQUIREMENTS FOR LICENSED SOCIAL WORKERS," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1393-12), recommending that H.C.R. No. 146, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, HAWAII CHAPTER, TO DEVELOP CONTINUING EDUCATION REQUIREMENTS FOR LICENSED SOCIAL WORKERS," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 1394-12), recommending that H.R. No. 128, as amended in HD 1, be referred to the Committee on Education; and

(Stand. Com. Rep. No. 1395-12), recommending that H.C.R. No. 166, as amended in HD 1, be referred to the Committee on Education.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 128, HD 1; and H.C.R. No. 166, HD 1, be referred to the Committee on Education, seconded by Representative Evans.

Representative McKelvey rose to speak in support of both measures, stating:

"Mr. Speaker, just in strong support of both Stand. Com. Nos. 1394 and 1395, and I would like permission to enter written comments in the Journal. Thank you."

Representative McKelvey's written remarks are as follows:

"Hawai'i's people of all ethnicities have a special respect for Native Hawaiians and reverence for Hawaiian culture. As we reconnect with our past both individually and collectively we can marvel at the rediscovery of the long-forgotten elements that Hawaiians have unearthed from their

proud heritage. Some of the most widely recognized elements Hawaiian culture have been hula, music and chanting, voyaging canoes, and the Hawaiian language. Although hula, music and voyaging canoes are spectacular and capture the lion share of media attention, I view the Hawaiian language as the most essential part of the culture. Originally, Hawaiian was a spoken language and did not exist in written form. Therefore, the Hawaiian language contains the culture within it and they are inseparable.

"A century ago, English was recognized by everyone in Hawai'i as the language needed for social and economic advancement. Fewer and fewer people spoke Hawaiian and the language declined to the point where it was nearly extinct as a daily-use language by the time of Statehood. Fortunately, today it is experiencing a rebirth through several historic initiatives and teachers strongly committed to Hawaiian culture and language. As learning is a collaborative process, I support the Department of Education and the Board of Education and their continued support and implementation of the recommendations by 'Aha Kauleo Kaiapuni Hawai'i on matters relating to the Hawaiian Language Immersion Program.

"By restoring the Hawaiian language perhaps we can assure the continuity of the Hawaiian people's identity and bolster the academic achievement and college and career readiness of native Hawaiian students. Hawaiian was a dying language. The request for the Department of Education and Board of Education to formally acknowledge the establishment of 'Aha Kauleo Kaiapuni Hawai'i and to continue to support and implement the recommendations is an appropriate step in the process to nurture the root of the Hawaiian culture, the Hawaiian language. The Hawaiian language is a great treasure to the people of Hawai'i and it is yet another example of how we are unique to the world at large."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted, and H.R. No. 128, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO FORMALLY ACKNOWLEDGE THE ESTABLISHMENT OF 'AHA KAULEO KAIAPUNI HAWAI'I AND TO CONTINUE TO SUPPORT AND IMPLEMENT THE RECOMMENDATIONS OF 'AHA KAULEO KAIAPUNI HAWAI'I ON MATTERS RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused; and

H.C.R. No. 166, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO FORMALLY ACKNOWLEDGE THE ESTABLISHMENT OF 'AHA KAULEO KAIAPUNI HAWAI'I AND TO CONTINUE TO SUPPORT AND IMPLEMENT THE RECOMMENDATIONS OF 'AHA KAULEO KAIAPUNI HAWAI'I ON MATTERS RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Education, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1396-12), recommending that H.C.R. No. 152, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 152, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONVEY A TASK FORCE TO EXAMINE MANAGEMENT POLICIES REGARDING THE USE OF OVERTIME BY STATE AND COUNTY EMPLOYEES," was referred to the Committee on Finance, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1397-12) recommending that H.R. No. 112, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 112, entitled: "HOUSE RESOLUTION CONGRATULATING MALAMA KOLOA FOR RECEIVING A DESIGNATION OF HOLO HOLO KOLOA AS A STATE SCENIC BYWAY AND SUPPORTING THE SCENIC BYWAY CORRIDOR MANAGEMENT PLAN FOR HOLO HOLO KOLOA," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representatives Souki and Aquino, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1398-12) recommending that H.C.R. No. 39, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE LEGISLATURE'S SUPPORT OF THE FEDERAL AVIATION ADMINISTRATION'S CURRENT RULES AND SAFETY GUIDELINES RELATING TO UNMANNED AIRCRAFT," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1399-12) recommending that H.C.R. No. 37, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 37, be adopted, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of H.C.R. 37. This Resolution intends to request the United States Congress to pass legislation that requires internet retailers to offer shipping fees for postage to Alaska and Hawaii that are comparable to shipping fees for postage to the forty-eight contiguous States.

"I need only to echo the testimony submitted by Mr. Miles Tanabe, a small business owner in rural Kauai, as his statement coincides with words I have expressed upon this matter for years. "As a resident and small business owner in the rural county of Kauai I rely on out of state catalog retailers and businesses that use the internet to promote their products, to supply much of my uniforms, specialized equipment, and supplies."

"May I please have permission to submit into the journal his entire testimony. Thank you."

Representative Ching also submitted the following testimony:

LATE TESTIMONY

Dear Representative James Tokioka:

As a resident and small business owner in the rural county of Kauai I rely on out of state catalog retailers and businesses that use the internet to promote their products, to supply much of my uniforms, specialized equipment, and supplies. This type of interstate commerce allows companies like mine to be able to obtain items that cannot be found in the county of Kauai or within the state of Hawaii. As such, we have no other choice than to shop through mail order catalogs or on the internet.

The problem that I along with everyone else who lives in the states of Hawaii and Alaska face is that we as U.S. citizens are subjected to excessively high shipping fees by these mail order and internet retailers when at the same time the rest of the 48 states are often offered free or very low shipping fees. In other cases some companies who send catalogs to Hawaii and Alaska residents and businesses often refuse to sell some merchandise to residents of the two states simply because we are not a part of the 48 contiguous states.

The U.S. Postal Service offers flat rate shipping nationwide, including Alaska and Hawaii, but despite this fact, these retailers continue to discriminate against the citizens and businesses of the states of Alaska and Hawaii. It is understood that Alaska and Hawaii are remotely located states, however when a retailer based on the west coast of the United States can offer residents along the east coast low or free shipping, it seems quite unreasonable to charge excessively high rates to ship items nearly the same distance to Hawaii or Alaska. For these reasons I respectfully ask for the support of the legislation HCR37 introduced by Rep. James Tokioka.

Testimony for ERB 3/22/2012 9:15:00 AM HCR37

Conference room: 312
 Testifier position: Support
 Testifier will be present: No
 Submitted by: Miles Tanabe
 Organization: Individual
 E-mail: NTANABEM@aol.com
 Submitted on: 3/22/2012

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT REQUIRES INTERNET RETAILERS TO OFFER SHIPPING FEES FOR POSTAGE TO ALASKA AND HAWAII THAT ARE COMPARABLE TO SHIPPING FEES FOR POSTAGE TO THE FORTY-EIGHT CONTIGUOUS STATES," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented two reports:

(Stand. Com. Rep. No. 1400-12) recommending that H.R. No. 27, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1401-12) recommending that H.C.R. No. 48, as amended in HD 1, be adopted.

Representative Chong moved that the reports of the Committees be adopted, and that H.R. No. 27, HD 1; and H.C.R. No. 48, HD 1, be adopted, seconded by Representative Evans.

Representative Awana rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I stand in strong support for Stand. Com. Rep. Nos. 1400 and 1401."

Representative Ching rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.R. 27 and H.C.R. 48. These Resolutions intend to declare Saturdays and Sundays to be "Eat Local, Buy Local" Day in Hawaii and encourage families, restaurants, and grocers to buy Hawaii-Grown foods, flowers, and produce.

"H.R. 27 and H.C.R. 48 will promote local agriculture and therefore our local economy. I have always been an advocate for the "Buy Local It

Matters" campaign and feel that this will further their efforts in creating a local economy initiative. Additionally, these Resolutions would follow my sustainability objectives: green and open spaces, crop security, jobs, and health.

"Lastly, the State government should be a valuable asset to our local agriculture. As stated by the Hawaii Farm Bureau, "The State government is a significant consumer and can play an important role in setting a policy example of consumer behavior by purchasing local." Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 27, HD 1, entitled: "HOUSE RESOLUTION DECLARING SATURDAYS AND SUNDAYS TO BE "EAT LOCAL, BUY LOCAL" DAY IN HAWAII AND ENCOURAGING FAMILIES, RESTAURANTS, AND GROCERS TO BUY HAWAII-GROWN FOODS, FLOWERS, AND PRODUCE," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused; and

H.C.R. No. 48, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING SATURDAYS AND SUNDAYS TO BE "EAT LOCAL, BUY LOCAL" DAY IN HAWAII AND ENCOURAGING FAMILIES, RESTAURANTS, AND GROCERS TO BUY HAWAII-GROWN FOODS, FLOWERS, AND PRODUCE," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representatives Tsuji and McKelvey, for the Committee on Agriculture and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1402-12) recommending that H.R. No. 105, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 105, HD 1, entitled: "HOUSE RESOLUTION URGING THE NATIONAL AGRICULTURAL STATISTICS SERVICE TO USE GREEN COFFEE, INSTEAD OF PARCHMENT EQUIVALENT, AS THE BASIS FOR VALUING HAWAII'S COFFEE CROPS," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1403-12) recommending that H.R. No. 113, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 113, entitled: "HOUSE RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1404-12) recommending that H.C.R. No. 150, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1405-12) recommending that H.R. No. 106, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 106, entitled: "HOUSE RESOLUTION REQUESTING THAT DEVELOPERS AND COUNTY PLANNING DEPARTMENTS ENCOURAGE SMALLER AND CHEAPER HOUSING," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1406-12) recommending that H.C.R. No. 144, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT DEVELOPERS AND COUNTY PLANNING DEPARTMENTS ENCOURAGE SMALLER AND CHEAPER HOUSING," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1407-12) recommending that H.R. No. 144, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 144, entitled: "HOUSE RESOLUTION REQUESTING THE WEEK OF OCTOBER 1 THROUGH 7, 2012, TO BE RECOGNIZED AS "HAWAII FISHING AND SEAFOOD WEEK"," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1408-12) recommending that H.C.R. No. 186, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WEEK OF OCTOBER 1 THROUGH 7, 2012, TO BE RECOGNIZED AS "HAWAII FISHING AND SEAFOOD WEEK"," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1409-12) recommending that H.C.R. No. 142, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1410-12) recommending that H.C.R. No. 143, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," was adopted, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1411-12) recommending that S.B. No. 2247, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2247, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

At this time, the Chair addressed Representative Riviere stating:

"Representative Riviere, what is the motion before this Body."

Representative Riviere responded, stating:

"Thank you, Mr. Speaker. The motion is to suspend the rules to pass this bill on Second Reading and put it on the calendar for Third Reading."

Speaker Say: "So you'll have the time to go over this particular measure, for Third Reading."

Representative Riviere: "Yes, we'll study everything that goes through."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2247, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1412-12) recommending that S.B. No. 2222, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1412-12 on S.B. No. 2222, SD 2, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2222, SD 2, HD 1, were made available to the Members of the House.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Herkes, Manahan and Wooley were excused.)

At 1:15 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:15 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1413-12) recommending that S.B. No. 2783, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2783, pass Third Reading, seconded by Representative Evans.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"The Hawaii State Legislature and the Office of Hawaiian Affairs (OHA) have had ongoing discussions regarding claims to income and proceeds from the public trust lands dating as far back as 1978. This past year, these discussions have resulted in an agreement in principal that is embodied in Senate Bill 2783.

"In summary, the agreement would convey approximately \$200 million worth of land in Kaka'ako Makai to OHA. In exchange for the land and all claims regarding OHA's share of ceded land receipts from November 7, 1978 through June 30, 2012, would be resolved.

"My review of the bill indicates that it does not waive any broader claims of the Native Hawaiian people; it relates solely to claims for the income and proceeds due OHA from the public land trust under Sections 4 and 6 of Article XII of the State Constitution. While one may dispute the

exact amount due OHA, OHA's efforts to settle the revenue issue through the courts have failed. The Hawai'i Supreme Court, while acknowledging the State's trust responsibility and duty to fulfill the terms of the State Constitution, has consistently held that is an issue for the Legislature to resolve. Given all the relevant factors, the \$200 million amount appears fair to both OHA and the State. I understand that OHA is now doing 'due diligence' in reviewing the specific parcels of land in Kaka'ako proposed for the settlement. Finally, SB 2783 has no negative impact on the waiver of State sovereign immunity under Chapter 673 or similar laws it basically confirms the current state of the law.

"I believe this agreement is *pono* and benefits both Native Hawaiians and the entire State of Hawaii. It will ensure that the Legislature is fully implementing its *kuleana* under the State Constitution related to the public land trust revenue due OHA. It will bring closure to a contentious issue that has often divided our community. Finally, it will immediately provide OHA with additional funding to support its beneficiary initiatives and with the potential to provide a robust revenue stream in the future."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Let me extend wholehearted congratulations to my colleagues and those who worked hard to arrive at compromise, on the progress we have made this Session in resolving a longstanding dispute which has plagued Hawaii for over three decades. SB 2783 will convey Kaka'ako Makai lands to the Office of Hawaiian Affairs, resolving all disputes and controversies, barring all claims, extinguishing all suits and discharging all actions relating to OHA's portion of income and proceeds from those public trust lands. When enacted, S.B. 2783 will account for the period from November 7, 1978 through June 30, 2012.

"After decades of discord, this settlement comes as a welcome relief to all sides. The Office of Hawaiian Affairs, the Department of Hawaiian Homelands and the Association of Hawaiian Civic Clubs all agree that this issues has rested overwhelmingly on the legislature's shoulders, so through our own due diligence we must at last take the opportunity to put it to rest. These organizations justly note that settlement will improve life not only for Native Hawaiians as direct beneficiaries, but for all residents of Hawaii who may now enjoy more harmonious organization and long-term planning of a critical region at the core of Honolulu's livelihood. The Attorney General also emphasizes the urgency of settlement, most notably regarding questions on whether OHA should have received receipts from hospitals situated on ceded lands; rental and affordable housing development programs; and a larger portion of airport duty free concession leases. Mr. Louie clarifies that this legislation does not involve claims to self-government or sovereignty, but only deals with amounts Act 178 has already designated as OHA's share today. OHA has agreed that conveyances will not include the State's interest in mines, geothermal energy, surface or groundwater, aviation artifacts, historic properties, burial sites and prehistoric remains. With caution and specificity, collaborators have reached a beneficial compromise for all.

"We must, however, monitor implementation to ensure that our initial intentions for S.B. 2783 ultimately align with its forms of application. We must not allow shortsighted special interests to subsume the welfare of Hawaii's people in our regard. Specifically, let us guard against the conversion of any settlement parcel into facilities such as gambling casinos – which will compromise the dignity, independence and sustainability of our Native Hawaiian community. As Prince Jonah Kuhio famously advocated, the health of Hawaii's people intimately entwines with the life of the land. Self-sustainable relationship between ceded lands and their future inhabitants will carry Native Hawaiians into a future of unforeseen bounty. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"In strong support, Mr. Speaker. SB 2783 marks a milestone. This bill ratifies an agreement reached between the Administration of Neil Abercrombie and the Office of Hawaiian Affairs over income and proceeds from the Public Lands Trust that spans November 7, 1978 through this coming June 30th. The lands proposed for deeding to OHA symbolize the estimated value of unresolved claims regarding proceeds from State hospitals built and operated on ceded lands, income from rental housing and affordable housing development programs constructed on ceded lands, and duty free concession leases at State airports using ceded lands and various other claims.

"I would never presume to be well versed in Hawaiian culture. And my understanding of Hawaiian words is colored largely by my plantation roots. But when both OHA and the State Administration testifies that the Hawaii Supreme Court has indicated that resolving the amounts due to OHA under the Constitution is in the Legislature's *kuleana*, then I interpret that to mean we as a legislative body hold responsibility – along with the parties in dispute – to take action. Today, we as a body have an opportunity to take action and I urge my colleagues to fulfill their responsibility and vote in favor of this bill.

"A passage in my religious tradition that I meditate on reads: *"Justice and only justice, you shall pursue, so that you may live and occupy the land that the LORD your God is giving you."*—Deuteronomy 16:20 NRSV.

"We no doubt all have differing ideas about the meaning of justice. In my own religious tradition, we are taught that the concept of justice is not limited to notions of "retribution" or "punishment" or "distribution" or "fair shares for all". Instead, justice embodies how we as people should live. That is why one of the words for *justice in our holy scriptures* is not only translated into English as justice, but also as "righteousness", which means personally living a just life.

"I would say this measure is not a bill about justice. It is a bill, however, about righteousness. It is a settlement that no doubt leaves both the State Administration and the Office of Hawaiian Affairs unhappy. It is in the nature of settlements to leave both sides dissatisfied. But what this bill does is righteous in the sense of laying to rest a divisive dispute over OHA's share of ceded lands revenues. 1978 through 2012 is a period spanning five Hawaii Governors, at least seven State Attorney Generals, quite a number of OHA Trustees, and seventeen and a half Legislatures. During a portion of that period, I worked at the Department of Land and Natural Resources and observed how this dispute tore apart friends and colleagues – for the most part all people of good faith who believed strongly in Hawaii and who viewed these islands as their home.

"I can only hope that this bill helps bring some closure and clarity – not to the pursuit of justice for our native people – but to the dispute between the State Administration and OHA.

"As I wrote above, as this bill has moved through the Legislature, the Administration and OHA have noted that the Hawaii Supreme Court has suggested that resolving these back payment disputes is within the purview of the Legislature – within our *kuleana*, to quote OHA's testimony:

The proposal is presented in the form of this bill because under Article XII, Section 6 of the State Constitution and the Hawaii Supreme Court's decisions in *Trustees of the Office of Hawaiian Affairs v. Yamasaki*, 69 Haw. 154, 737 P.2d 446 (1987) (Yamasaki), *Office of Hawaiian Affairs v. State*, 96 Hawaii 388, 31 P.3d 901 (2001) (OHA I), and *Office of Hawaiian Affairs v. State*, 110 Hawaii 338, 133 P.3d 767 (2006) (OHA II), only the Legislature can specify what OHA's portion of the income and proceeds from the public land trust lands is, and resolving all of OHA's remaining claims for that period is contingent upon the Legislature specifying what the State's obligation under the State Constitution is for that period.

"Today, as we vote on this measure, we as a Legislature take on our solemn duty, our *kuleana*, and bring closure to this longstanding dispute, and perhaps mark the beginning of some healing that must still be reached in reconciling the debt we as residents and children of these islands owe to the people who first populated these isles and who share with us and ours a

common future. We approve this agreement and we take a step towards justice."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support SB 2783, which will settle longstanding claims of the Office of Hawaiian Affairs. This is an historic day for the Hawaiian community. After waiting far too long, they are entitled to this recognition. I stand today proud to be a member of the Hawaii House of Representatives and the Committee that moved this measure."

Representative Jordan rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, strong support, please."

Representative C. Lee rose to speak in support of the measure, stating:

"Thank you, strong support, please."

Representative Riviere rose to speak in support of the measure, stating:

"In support. Mr. Speaker this has been a long time coming. There's been an understanding that a debt is due and the negotiations have been long and ongoing. I think it's proper that we are now settling these claims and moving forward. I think that this is a well-negotiated plan by the Administration and OHA. I'm happy that we're moving this forward. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. With very strong support. However, I wish to add a comment that there was funding that the Legislature provided, \$115 million in 1993 to OHA. So I just want that to go in the record that, that was also for claims that were made. Thank you very much, Mr. Speaker."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, and very briefly, Mr. Speaker. I think that this is truly a historical moment for this Body. The Office of Hawaiian Affairs and the Hawaiian community has been fighting for over three decades now in trying to come up with a settlement. So this is something as the Vice Chair of Water, Land, and on behalf of the Chair of Water, Land, we are very proud to have participated in this settlement. We think that this is truly a momentous occasion and we thank this Body for their support. Additional written comments, Mr. Speaker."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support on Standing Committee Report 1413-12, Senate Bill 2783, which conveys Kakaako Makai lands to the Office of Hawaiian Affairs, and resolves all disputes and controversies relating to OHA's portion of income and proceeds from the public trust lands for the period November 7, 1978 through June 30, 2012.

"For a bill to settle a three-decade old land dispute, receive support from both OHA and the Governor, and pass the legislature unamended is unprecedented. I commend all those involved with the bill for their hard work. This is an historic day for Hawaii, and I was honored to have participated in shepherding this bill forward as the Vice Chair of your House Committee on Water, Land, & Ocean Resources."

Representative Saiki rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I submit written comments in support of S.B. 2783 to emphasize that this measure brings to a conclusion the litigation that began over 25 years ago. In *Trustees of the Office of Hawaiian Affairs v. Yamasaki*, 69 Haw. 154, 737 P.2d 446 (1987), the Hawaii Supreme Court

held that the issue of what constitutes the pro rata share of "funds" derived from the public land trust to which OHA was statutorily entitled, was a political question for the Legislature to determine. This holding was reaffirmed in Office of Hawaiian Affairs v. State, 110 Hawaii 338, 133 P.3d 767 (Hawaii 2006).

"The Yamasaki decision was seminal with respect to its clarification and application of the political question doctrine. This doctrine is critical because it maintains the balance of power between our three branches of government. The Legislature should heed the teachings of Yamasaki in asserting its role as a separate and independent branch of government."

Representative Kawakami rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Kawakami's written remarks are as follows:

"Mr. Speaker It is a privilege and an honor to be a part of such a historic day for our people and I offer my strong support to SB2783. As I look into the gallery and see the faces of the many *kupuna* who have paved the path for my generation and future generations, I find myself reflecting about the struggles and adversity that many have pushed through to bring us here today.

"I think about how some of my own family members who are no longer here with us in Body, but are with us in spirit would be smiling down on us today. People like my great-grandmother Komololei Kapaka, my grandmother Dora Kashima, and my aunt Lafrance Kapaka-Arboleda who was the Kauai Resource Coordinator for the Office of Hawaiian Affairs. They would be smiling, Mr. Speaker because today's settlement is so much more than just a settlement. It is what we as Hawaiians have been struggling for. It is another door of opportunity. A door of opportunity that will provide revenue, economic development, and a balance of commercial and open space for all people to enjoy.

"Today marks a day that I will remember for the rest of my life. It marks the day that for some, tears of what once was sorrow, will be now, tears of joy."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this. Let me not let this historic moment pass without publicly acknowledging and thanking the Administration of Governor Abercrombie and his team of administrators. I think it's been a long time coming, in fact about 34 years since the Office of Hawaiian Affairs was created through a constitutional amendment ratified by the voters, and the citizens of Hawaii. This takes us through a long period of time of struggle and debate and discussion, of inspiration and heartache to get us to this point. I just wanted to make sure that we all recognize that Governor Abercrombie has already established a legacy in so many ways by his enactment of Act 1 last year. But I think he's also taking us another step forward to resolve long-standing issues amongst our community in the area of the public trust lands.

"So, I wanted to make sure that we took pause to recognize the importance of this moment today at hand. Although there are few times where the opportunity to really celebrate Mr. Speaker, these kinds of enactments of law, by where we can work together across the aisle in a bipartisan fashion across the Chambers, to do something that's truly important for the people of *Hawaii nei*. I think it will be remiss of us if we didn't recognize that this day and this achievement comes through us, and to us through the work of so many people.

"Mr. Speaker, I don't know if it's proper decorum or procedure, but I think we should bear our eyes to look up to the Gallery and see some of those figures there. Of course they're not all here today. Many of them are at work or doing what they do best in making this place a better place. But for those who had the opportunity to be in attendance and witness this event, I think they came here because they wanted to be part of this, since they've been through it all these years. I notice that Governor Waihee is up there, and it's through his work and his inspiration and his insight and foresight that we even have the Office of Hawaiian Affairs. And that came

through the Constitutional Convention back in 1978. So I'm glad that he's there today, to rejoice and celebrate.

"Similar to that, I think I see Trustee Apo up there, also an activist in the creation of the Office of Hawaiian Affairs, and now a current Trustee, and a former Member of the Hawaii State Legislature, the State House, I believe Mr. Speaker, along with several other colleagues. I think also there, is our current Chairperson, Colette Machado, Mr. Speaker. Again, as you know, she brought on the deal, and sealed the deal. And again, she is here to witness this historic event.

"I would be remiss if I didn't point out, also, former Chairwoman Haunani Apoliona. Mr. Speaker as you may recall, several years ago we did have an opportunity, this House, to offer a settlement, back in, I think, 2008. It was at that time that Chair Apoliona led the Office of Hawaiian Affairs.

"I wasn't planning on saying much, only because there's so much to be said about this point, but I thought it was conspicuously remiss of us to not publicly acknowledge, and let the people of Hawaii know, how important a milestone and achievement this is.

"I want to also thank, Trustees Lindsey and Akana, also for their supporting role and important vote on this.

"I want to thank Deputy Attorney General Charlene Aina. Charlene is one of those whose diligence, thoroughness, insightfulness, scholarship, political and legal history on all the issues going back to Yamasaki that bore out and advised all these leaders to get us to this point today. Bill Meheula is not here today, but I think he also helped us get here. And I also want to thank Attorney General Louie, for again, in the final strokes, of getting us to this point.

"So, Mr. Speaker, I just wanted to make sure that we knew, and that our constituents understood the tremendous importance of today's passage. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. First, if I could have the words of the Finance Chair entered into the Journal as my own? This is my eighth year here, Mr. Speaker, and that's a short time compared to some others like yourself, and the Representative from Kahului and others, who have been here much longer and have seen this issue much longer than I. But I remember as the Finance Chair mentioned, this issue was before us a few years ago, and both as a legislator and as a Native Hawaiian, it was a learning experience of the, not just the legislative history, but the difficulty of pain, emotion, grief, happiness, all the ranges that drive us in that issue. It was interesting to see it unfold, and now we are here today with a solution and a closure.

"It is not the final step, but it is a step in the right direction. I'd like to thank all those who the Finance Chair talked about, both here, and our predecessors who helped us get here. I'd also like to thank our Chairs and Committees who moved this forward, to bring us to where we are today. And lastly I would like to thank you, Mr. Speaker for your leadership in working with the Senate, as well as with the leadership of the Governor.

"In 2008 it was an interesting experience, and I didn't think we would be here doing this now. I think it's a testament to everyone's passion, collaboration and remembering those who came before us who got us here. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in strong support, and I'd like to ask if the words from the Finance Chair, the Vice Chair of Water, Land and the Majority Leader are inserted into the Journal as if they were my own. I'd also like to say that yesterday, as a Hawaiian and as member of this Body, it was a very proud moment, a very 'chicken skin' moment in Finance, to see the support from the Hawaiian community. To see and to show everyone in this State, that together we can do what we did yesterday. It's a very proud moment for all of us, Mr. Speaker. Thank you, very much."

Representative Morikawa rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in very strong support. And as a first-time legislator, and a native Hawaiian, I am so honored and proud to be part of this historical moment. Thank you."

Representative Souki rose, stating:

"Yes, Mr. Speaker, for the second time. I just want to make an announcement for someone who years back was the Governor of the State of Hawaii. Governor Waihee was the initiator of the \$115 million to OHA. Thank you very much, John. And to the Finance Chair at that time. Thank you, very much."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 2783. In addition to the many words of thanks and congratulations to all those who have worked in bringing the parties and our State to this historic day, I would add my thanks and acknowledgement to the late Professor Jon Van Dyke, not only a constituent, but a mentor, teacher, and friend who is greatly missed. Professor Van Dyke is rightfully recognized as the architect for the legal framework for the creation of the Office of Hawaiian Affairs. It is his work, dedication, and passion for fixing injustices that has led us, in part, to this important day where some of those injustices have been finally addressed."

Representative Pine rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. On behalf of the Minority, we want to express how thrilled we are today. As many of you know, the Minority worked very hard with Governor Lingle, who was so proud to promote Hawaiian issues, and wanted so much in her heart to do this during her term. She is thrilled today I'm sure, that we have all come together and put all of our differences aside to really, for the first time, make Hawaiians our priority, and to recognize the sacrifices that they've made for all of us who are here today. Mahalo."

Representative Hanohano rose to speak in support of the measure, stating:

"Mahalo Ho'omalū 'ōlelo.

"*Ke kū nei au me ke kako'o. Mahalo nō, kēia Hale Maka'āinana no kō 'oukou kako'o ana. Mahalo piha nō nā po'e e kokua ana no kēia pila maika'i. Aloha pumehana pau'ole kako'o.*

"So I just want to say, Thank you, Mr. Speaker. And I rise in support and would like to also thank all of my colleagues in the House of Representatives in supporting this great bill. Today is a great day. Best wishes and lots of love to all of us. Aloha."

Representative Giugni rose to speak in support of the measure, stating:

"In strong support. I'd like to rise in strong support, and I'd like to insert the words of the Majority Leader, the Finance Chair and the Vice Chair of Water, Land, into the Journal as if they were my own.

"And as the newest Member of the House of Representative, I am extremely proud to be here, to be part of this historic moment and to have voted for this. Thank you, very much."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm still in strong support, and I ask that the words from the Chair of Finance, as well as the Chair of Hawaiian Affairs be entered into the Journal as if they were my own. Thank you," and the Chair "so ordered. (By reference only.)

The Chair addressed Representative Jordan, stating:

"The Chair would like to recognize Representative Jordan, if you would say a few words for Aunty Frenchy."

Representative Jordan rose, stating:

"Thank you, Mr. Speaker. One of my great mentors, is Aunty Frenchy Desoto who is no longer with us. But I know she is spiritually with us all. And she would probably be so proud today, that we are here at this moment. I too am a freshman, and witnessed a great step last year, and am very honored to be here for this next great step for our legislative process in our community, as well as our Native Hawaiian family.

"Frenchy was such a great guiding force in my community, as well as our islands and was known as the 'mother of OHA.' I believe we are all very proud of her and her strong stance for the Native Hawaiians. Everything I talk about, and everything I do, is from her. And I think she has helped guide me, and every other Committee that has heard this, and every other Member that has heard this, and given us all strength to be here on this Floor. I truly appreciate that you've asked me. Thank you, Mr. Speaker."

The Chair then addressed Representative Ward, stating:

"Thank you, very much. Representative Ward, on behalf of the Minority Caucus, I think you should share some *mana'o* about a woman who was a part of this House who led the charge also, and that is former Representative Kina'u Boyd Kamali'i."

Representative Ward rose, stating:

"Kina'u Boyd Kamali'i, Thank you, Mr. Speaker. She lives in our Caucus because some of the flags that are flying within the Caucus Room are the banners of hers from University Avenue. Kina'u Kamali'i. These *kupuna*, those who we bring to life again today are going to be so proud of what is going to come out of the future, because this is not just righting the past, but it's really a projection and a vision to the future.

"And the way that the Hawaiian Community has vetted this, this is why it didn't go in the past. Because it didn't seek the *mana'o* of everyone in the Hawaiian Community. This one, we have the approval. There's a few people who didn't approve, and did they show up today? I don't think so. But there is the future and the vision, as I said earlier. A destiny for the Hawaiian people, Mr. Speaker. And these heroes on whose shoulders we all stand is going to mark this day. A day in the sand, a day in the sky, a day in the annals of this Journal that will say, Hawaii is no longer going to be the same. Hawaii is a different place after today.

"Mr. Speaker, let us always remember that this is only a small debt of gratitude to the people of Hawaii. There are many more debts to be repaid in different ways, at different times, and different places. This is just simply something from 1978 to the present. So we have much to go. It's an honor to be there. And on behalf of the Minority, thank all of you for being a part of this, and including us, and going forward with us. Aloha."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

At 1:34 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2783

At 1:34 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

THIRD READING**S.B. No. 3029, SD 1, HD 1:**

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 3029, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Herkes, Manahan and Wooley being excused.

At 1:35 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 3029, SD 1, HD 1

ANNOUNCEMENTS

At 1:35 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:36 o'clock p.m.

Representative Jordan: "It is with a heavy heart that I ask for a moment of silence at an appropriate time, for the young family that was involved in a tragic accident this past Wednesday. With that tragic accident, a four year old lost his life, Ashton Brown. So at the appropriate time, Mr. Speaker, I would appreciate it. Thank you, very much."

Representative Hanohano: "Mahalo. It's been a long week, doing Hawaiian Caucus. Thank you for all of your contributions that have helped us with our successful week. On your desk is a small token of aloha from the Hawaiian Caucus. It is a pin. Mahalo."

Representative Ching: "Thank you, Mr. Speaker. I thought it was so wonderful that we had Historic Preservation Awareness Day on such a historic occasion. I think that all the activities here today were especially imbued with the spirit that we can all be proud of. I wanted to just thank all those that put it together. And also especially the Hawaiian Caucus and OHA and everyone who helped with this day. Thank you."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R.**No.****Re-referred to:**

156 Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection

H.C.R.**Nos.****Re-referred to:**

104 Committee on Agriculture, then to the Committee on Finance

107 Committee on Transportation, then to the Committee on Finance

141 Committee on Economic Revitalization & Business, then to the Committee on Legislative Management

202 Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection

S.B.**Nos.****Re-referred to:**

2228, Committee on Health, then to the Committee on Judiciary
SD2,
HD1

2893, Committee on Finance
SD1

ADJOURNMENT

At 1:38 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, April 02, 2012. (Representatives Belatti, Carroll, Herkes, Kawakami, Manahan, Morikawa, Tokioka and Wooley were excused.)

FORTY-SECOND DAY

Monday, April 02, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Speaker Emeritus Joseph M. Souki, after which the Roll was called showing all Members present with the exception of Representatives Awana, Carroll, Hashem, Oshiro and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 430 through 434) were received and announced by the Clerk:

Sen. Com. No. 430, transmitting H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION," which passed Third Reading in the Senate on March 30, 2012.

Sen. Com. No. 431, transmitting H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," which passed Third Reading in the Senate on March 30, 2012.

Sen. Com. No. 432, transmitting S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," which was adopted by the Senate on March 30, 2012.

Sen. Com. No. 433, transmitting S.C.R. No. 5, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS AND WOMEN ON ACTIVE DUTY," which was adopted by the Senate on March 30, 2012.

Sen. Com. No. 434, dated March 30, 2012, informing the House that the Senate has on March 28, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Ward introduced and welcomed the Honorable Hadi Martono, Consul General of the Republic of Indonesia in Los Angeles. He was accompanied by:

Mr. Edi Suharto, Consul for Economic and Tourism Affairs for the consulate General of Indonesia in Los Angeles;

Dr. Reed Dasenbrock, Vice Chancellor of Academic Affairs at the University of Hawaii at Manoa;

Mr. Amin Leiman, President, Hawaii-Indonesian Chamber of Commerce;

Mr. Dick Baker, Director of the Hawaii-Indonesian Chamber of Commerce;

Mr. Erenst Anip, Vice President of the Indonesian Students Association at the University of Hawaii at Manoa;

Mr. Sidney Higa, Director of the Hawaii-Indonesian Chamber;

Mr. Eugene Hamamoto, Member of the Hawaii-Indonesian Chamber;

Mr. Freedom Kapon Dennis, Hawaii Indonesian entrepreneur;

Ms. Emy Williams, supporter of the Bali-Hawaii Sister-State agreement;

Ms. Annie and Mr. Made Widana, traditional Balinese dancers from the East-West Center performing today; and

Ms. Sara Fukumoto, Representative Ward's Office Manager.

Representative Kawakami introduced Kauai County Councilmember, Mr. Mel Rapozo, President of the Hawaii State Association of Counties.

Representative Manahan introduced members of the Filipino Jr. Chamber of Commerce:

Mr. Randy Cortez, Executive Vice President;
Mr. Niccolo Gruta, Membership Vice President;
Mr. Jay Raymundo, Chairman; and
Mr. Garrett Hiranaka.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 193) was announced by the Clerk and the following action taken:

H.R. No. 193, entitled: "HOUSE RESOLUTION CONGRATULATING CHERYL AGCAOILI, DESIREA AGUINALDO-HELISHAM, RIA BALDEVIA, RADIANT CORDERO, KRISTIAN LEI, ZHOYDELL MAGAOAY, YVONNE MIDKIFF, MARGARET PASCUAL, GABRIEL TORNIO, AND ROUEL VELASCO FOR BEING RECOGNIZED AS THE TEN OUTSTANDING YOUNG FILIPINOS OF 2011," was jointly offered by Representatives Cullen and Aquino.

Representative Cullen moved that H.R. No. 193, be adopted, seconded by Representative Aquino.

Representative Cullen introduced the honorees seated on the Floor of the House:

Ms. Cheryl Agcoaili, a teacher at Fil4Kids, for teaching and perpetuating the Filipino language and culture, as well as instilling high moral and ethical standards in her students;

Ms. Desirea Aguinaldo-Halsham, Co-founder and Chief Executive Officer of One-Source, Inc., and the Outstanding Young Entrepreneur of the Year 2011-2012 by the Filipino Chamber of Commerce; and

Ms. Radiant Cordero, an intern with Vice Speaker Manahan, for her service to community and nurturing young leaders, instilling in them positive character development and leadership skills.

Representative Aquino introduced additional honorees seated on the Floor of the House:

Ms. Kristian Lei, international performing artist, educator and founder of Honolulu Broadway Babies, who has held leading roles in theatrical performances around the world;

Mr. Zhoydell Magaoay, a Student Services Coordinator and teacher at Farrington High School, for his dedicated service as a social worker;

Ms. Yvone Midkiff, a field engineer with Charles Pankow Builders and recipient of the Hawaii Business News '20 for the Next 20' Award in 2010;

Mr. Gabriel Torno, founder and director of Tekniqlingz, and publisher of *Diary of a Jolliebee Kid*, and active member of the Honolulu Filipino Junior Chamber of Commerce; and

Mr. Rouel Velasco, Operations Coordinator of the Associated Students of the University of Hawaii at Manoa, for encouraging student leaders to serve their peers and inspiring young people to make a difference in their communities.

Representative Pine, on behalf of the Minority Caucus, congratulated the honorees for their community service and cultural pride.

Representative Cabanilla, on behalf of the Filipino Caucus, thanked the honorees for inspiring others and making the Filipino community proud.

The motion was put to vote by the Chair and carried, and H.R. No. 193, was adopted, with Representatives Carroll, Oshiro, Saiki and Wooley being excused.

The following resolution (H.R. No. 194) was announced by the Clerk and the following action taken:

H.R. No. 194, entitled: "HOUSE RESOLUTION CONGRATULATING AND RECOGNIZING THE JAMES CAMPBELL HIGH SCHOOL 2011 GATOR BOWL NATIONAL CHEERLEADING CHAMPIONS," was jointly offered by Representatives Pine and Cullen.

Representative Pine moved that H.R. No. 194, be adopted, seconded by Representative Cullen.

Representative Pine praised the James Campbell High School Varsity Cheerleaders for their dedication and team spirit which led them to be named the 2011 Gator Bowl National Cheerleading Champions.

Representative Cullen then introduced the honorees representing the Saber Cheerleaders who were seated on the Floor of the House:

Ms. Naomi Takamori, Principal at James Campbell High School;
Mr. Samuel Delos Reyes, Athletic Director;
Ms. Wendy Kahoaka-Wright, Head Coach;
Ms. Violetta Wright, Assistant JV Coach; and
Ms. Rustean Cullen-Utu, Team Captain and niece of Representative Cullen.

Representative Cabanilla then recognized additional team members and the many family and friends seated in the Gallery:

Ms. Tristan Cullen, Assistant Coach; and
Varsity Team Captains – Ms. Rheyann Quisano, Ms. Juviee Dela Cruz and Ms. Raven Parado.

The motion was put to vote by the Chair and carried, and H.R. No. 194, was adopted, with Representatives Carroll, Saiki and Wooley being excused.

At 12:35 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Saiki and Wooley were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1412-12) recommending that S.B. No. 2222, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2222, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations, and just a brief comment. I understand the serious problem that this bill is trying to address, but I fear that this might be overly broad and criminalize such innocent behavior as taking a picture of a baby in a bubble bath and sending it to interested grandparents. So, because of that, I just want to register my reservations on this measure."

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Belatti be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine written remarks are as follows:

"I strongly support SB 2222, which would make it illegal for minors to electronically transmit nude pictures of themselves or other minors. The internet and other information technologies have added to our lives in a variety of ways; however, they have also created lurking dangers due to the nature of information technologies to rapidly transfer and disseminate materials. Our young people may find themselves in compromising situations if we don't send the message to them that the act of transferring nude images of minors is dangerous. We must take this opportunity to protect our youth from lurking dangers."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. My reservation is that obviously not about the sections with adults dealing with minors and these graphic images. My concern is for minors to minors. We all know kids do what kids do. And we may not like that kind of behavior, but I just find it kind of ironic that we can have two 17 year olds engage in sex with each other, and yet we're going to criminalize them sending pictures to each other. It just seems very odd to me. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I rise with strong, strong reservations and have similar comments. I wish to have the remarks from the Chair of Education as my own," and the Chair "so ordered." (By reference only.)

Representative Giugni rose in support of the measure with reservations 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 Awana rose in support of the measure with reservations and asked that the remarks of Representatives Belatti and Takumi be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Hanohano 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. 2222, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED

BY MINORS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

At 12:59 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2222, SD 2, HD 1

REPORTS OF STANDING COMMITTEES

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1414-12), recommending that H.R. No. 147, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1415-12), recommending that H.C.R. No. 190, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 147, HD 1; and H.C.R. No. 190, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, Stand. Com. Nos. 1414 and 1415 are job creators, not job killers. It's exciting that in the beginning of industry in Hawaii it was whaling and sandalwood. And what I understand is taking place on the Big Island with millions of trees being planted. This can be a revival of agriculture, growing vertically. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented two reports:

(Stand. Com. Rep. No. 1416-12), recommending that H.R. No. 7, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1417-12), recommending that H.C.R. No. 9, be referred to the Committee on Legislative Management.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 7; and H.C.R. No. 9, be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative M. Lee rose to speak in support of both measures, stating:

"Mr. Speaker, on Stand. Com. Rep. Nos. 1416 and 1417, HR No. 7 and HCR No. 9. I'd like to insert written comments in support, and just mention that these Resos are the continuation of a bill that was requested by students at the University of Hawaii School of Nursing. They felt it was a very important issue to explore. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HCR 9 and HR 7, which requests the Auditor to conduct an impact assessment report pursuant to sections 23—51 10 and 23-52, Hawaii Revised Statutes, of the social and financial effects of mandating coverage for fertility preservation procedures for persons who are of reproductive age and have been diagnosed with cancer, and will undergo treatment that may adversely affect the person's fertility as further described by HB 2105 (Regular Session of 2012.)

"Each year approximately 140,000 people under the age for 45 are diagnosed with cancer and many are at risk for permanent infertility because of harsh cancer treatment. Most insurance companies do not consider assisted reproductive procedures prior to cancer treatment as a covered benefit resulting in high out-of-cost expenses. We need to do all we can to give cancer survivors an opportunity to build a family; an opportunity that might be unattainable due to the high costs of fertility preservations. The passage of these Resolutions is necessary to continue the discussion on how to best provide fertility preservation coverage. Therefore, I urge your support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was referred to the Committee on Legislative Management, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was referred to the Committee on Legislative Management, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1418-12), recommending that H.C.R. No. 183, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND PERFORMANCE AUDIT OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1419-12), recommending that H.R. No. 146, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 146, entitled: "HOUSE RESOLUTION URGING UNIVERSITY OF HAWAII WEST OAHU TO ESTABLISH A GRADUATE-LEVEL INFORMATION ASSURANCE PROGRAM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1420-12), recommending that H.C.R. No. 189, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 189, entitled: "HOUSE CONCURRENT RESOLUTION URGING UNIVERSITY OF HAWAII WEST OAHU TO ESTABLISH A

GRADUATE-LEVEL INFORMATION ASSURANCE PROGRAM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representatives Aquino and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1421-12), recommending that H.R. No. 171, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 171, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE HOURS OF OPERATION OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ENROLLMENT CENTER ON OAHU AND TO OPEN A SECOND CENTER LOCATED AROUND THE PORT AREA OR WEST OF THE PORT AREA ON OAHU," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representatives Aquino and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1422-12), recommending that H.C.R. No. 222, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE HOURS OF OPERATION OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ENROLLMENT CENTER ON OAHU AND TO OPEN A SECOND CENTER LOCATED AROUND THE PORT AREA OR WEST OF THE PORT AREA ON OAHU," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1423-12), recommending that H.R. No. 168, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 168, entitled: "HOUSE RESOLUTION URGING THE PRESERVATION OF RESEARCH AND DEVELOPMENT FUNDING IN THE PENTAGON BUDGET," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1424-12), recommending that H.C.R. No. 217, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESERVATION OF RESEARCH AND DEVELOPMENT FUNDING IN THE PENTAGON BUDGET," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1425-12), recommending that H.R. No. 169, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 169, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, CHAIRPERSON OF THE JOINT CHIEFS OF STAFF, SECRETARY OF DEFENSE, HAWAII CONGRESSIONAL DELEGATION, GOVERNOR, AND CHAMBER OF COMMERCE OF

HAWAII – MILITARY AFFAIRS COUNCIL, TO DO EVERYTHING WITHIN THEIR POWER AND INFLUENCE TO RETAIN MILITARY AND DEFENSE-RELATED CIVILIAN JOBS IN HAWAII," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1426-12), recommending that H.C.R. No. 218, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, CHAIRPERSON OF THE JOINT CHIEFS OF STAFF, SECRETARY OF DEFENSE, HAWAII CONGRESSIONAL DELEGATION, GOVERNOR, AND CHAMBER OF COMMERCE OF HAWAII – MILITARY AFFAIRS COUNCIL, TO DO EVERYTHING WITHIN THEIR POWER AND INFLUENCE TO RETAIN MILITARY AND DEFENSE-RELATED CIVILIAN JOBS IN HAWAII," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1427-12), recommending that H.R. No. 172, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 172, entitled: "HOUSE RESOLUTION ENCOURAGING THE UNITED STATES DEPARTMENT OF DEFENSE TO PROCURE GOODS AND SERVICES THAT ARE USED TO SUPPORT HAWAII-BASED UNITED STATES MILITARY PERSONNEL AND FACILITIES FROM HAWAII BUSINESSES AND TO COOPERATE WITH THE CHAMBER OF COMMERCE OF HAWAII TO HOST TRADE SHOWS THAT FEATURE LOCAL BUSINESSES," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1428-12), recommending that H.C.R. No. 223, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES DEPARTMENT OF DEFENSE TO PROCURE GOODS AND SERVICES THAT ARE USED TO SUPPORT HAWAII-BASED UNITED STATES MILITARY PERSONNEL AND FACILITIES FROM HAWAII BUSINESSES AND TO COOPERATE WITH THE CHAMBER OF COMMERCE OF HAWAII TO HOST TRADE SHOWS THAT FEATURE LOCAL BUSINESSES," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1429-12), recommending that H.R. No. 167, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 167, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1430-12), recommending that H.C.R. No. 216, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1431-12), recommending that H.R. No. 87, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1432-12), recommending that H.C.R. No. 115, be referred to the Committee on Judiciary.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 87; and H.C.R. No. 115, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Johanson rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I wish to speak with reservations on Stand. Com. Rep. Nos. 1431 and 1432. Thank you, and just brief comments. I think the Resolutions introduced had a very worthy intent here which is why I'm still voting in support with reservations. I don't think anyone in the Body would like to have indefinite detention of American citizens and their respective abridgement of constitutional rights or their civil liberties.

"What I am unclear about, and I think because it is unclear on the national level, is the nexus with the protection of national security. That's still a dialogue that's ongoing at the federal level. And because of that, and because of the Resolutions are calling for the repeal of sections 1021 and 1022, I'm just unsure of the potential adverse consequence, should that ultimately be the case at the federal level. So with that, I do want to honor the intent of the Resolutions and support it. I do want to support it, but I did want to express some reservations. Thank you."

Representative Fontaine rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in opposition to both measures, stating:

"Yes, Mr. Speaker. I'm a veteran also, and I would want to declare a no vote for these measures here. Because the world situation as it is now, I think it's impossible to determine a time and date when hostilities will end. Thank you, very much."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was referred to the Committee on Judiciary, with Representative Souki voting no, and with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was referred to the Committee on Judiciary, with Representative Souki voting no, and with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1433-12), recommending that H.R. No. 13, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1434-12), recommending that H.C.R. No. 19, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 13; and H.C.R. No. 19, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HR 13 and HCR 19, which urges the United States Department of Veterans Affairs and the Hawaii Office of Veteran Services to focus on developing programs to address the needs of women returning from war. I am proud to stand up for our service women because they have been incredibly brave risking their lives to protect our country and values. It is essential that these women are welcomed home from the trials of war with programs that address their specific needs. With fifteen percent of veterans being women and an absence of programs which support their specific challenges, the need to create a support network for them has never been stronger.

"This is why I strongly support HR 13 and HCR 19, which urges the United States Department of Veterans Affairs and the Hawaii Office of Veteran Services to make developing programs to address the needs of women returning from war a priority."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"May I have a ruling on a potential conflict, Mr. Speaker? I'm a woman and I'm a veteran," and the Chair ruled, "no conflict."

Representative Cabanilla continued to speak in support of both measures, stating:

"I also would like to say that, woman veterans do have special needs. Yes, in strong support. Thank you."

Representative Marumoto rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker I rise in strong support of these Resolutions. Women, as well as men have served our country faithfully since the Revolutionary War. Women are currently the fastest growing population within the veteran's community, making up nearly 10% of the veteran population. In Hawaii, we have over 11,000 women veterans.

"These women veterans have fought side by side with their brothers in arms and experienced the same struggles and problems that many veterans face upon returning home from service. However, our women soldiers have different needs and they are currently not being addressed. A person familiar with women vets sees a huge need for dental services. And though not an expert in problems faced by women veterans, I have communicated with one military psychiatrist. Apparently there are many unmet needs of women vets, but there is apparently a gulf in knowledge on how women differ from men in dealing with many issues such as PTSD. Men may be more prone to acting out while women tend to react internally exhibiting fear, irritability, depression and other symptoms that adversely affect spouses and children.

"And while there are many residential facilities for men, I understand there may be only one for women, and that one may pertain only to issues arising from sexual assault and child molestation. If research studies were conducted it would show a lack of hospital and residential programs, as well as community programs.

"Let's show our appreciation to all those who have served in uniform and need our help!"

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1435-12), recommending that H.R. No. 56, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF VETERANS SERVICES TO CONVENE A VETERANS' SUMMIT IN EACH OF THE VARIOUS COUNTIES AND A STATEWIDE SUMMIT TO DEVELOP AND PROMOTE COLLABORATION AMONG THE PUBLIC AND PRIVATE ENTITIES THAT PROVIDE SERVICES TO VETERANS," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1436-12), recommending that H.R. No. 157, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1437-12), recommending that H.C.R. No. 203, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 157; and H.C.R. No. 203, be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose to speak in support of both measures, stating:

"Mr. Speaker, I just would like to speak in strong support for Stand. Com. Nos. 1436 and 1437, and would like permission to enter written comments into the Journal. And just a brief verbal comment. This is very long overdue. And considering what has happened in the past, which our former colleague from Kahului has reminded us in the past, this is really important. So again, thank you, Mr. Speaker."

Representative McKelvey's written remarks are as follows:

"The Pu'unene region, a former sugar plantation area, includes large tracts of public lands, lands owned by the Department of Hawaiian Home Lands and lands set-aside to the Maui County. Several State agencies (including the Department of Public Safety, Department of Land and Natural Resources, Department of Hawaiian Home Lands, and the Department of Accounting and General Services) along with Maui County have been actively working together to coordinate the planning and future development of these public lands, including the proposed Maui Regional Public Safety Complex at Pu'unene, Maui. I strongly support HR 157/HCR203 that requests the Department of Public Safety to enter into a public-private partnership agreement for the planning, design, construction, turnkey, and financing of a new Maui Regional Public Safety Complex at Puunene, Maui.

"The Department of Public Safety holds as part of their mission the assurance of the safety of Hawaii's communities through the provision of correctional services with professionalism, integrity and fairness. I also acknowledge that many of the State's inmates are Native Hawaiian and I support their need for family support as a means of rehabilitation and integration back into society. Returning incarcerated persons from the mainland benefits the economic and societal concerns of Hawaii's citizens.

"The addition of the Maui Regional Public Safety Complex at Pu'unene would replace the aging Maui Community Correctional Center and provide care and custody of both jail and prison inmates while expanding on its present capabilities. The complex will bring much needed infrastructure to this region. With the road and water infrastructure, the development of agricultural lots, as well as commercial and industrial parcels become possible which can create much needed jobs to the area.

"Alternative financing methods should be encouraged especially during a time when the State must exercise economic prudence. These efforts will directly benefit the public, provide an economic stimulus to the local economy, and enable an expedited construction of the project. It should be noted that such financing agreements have been used by the State for other projects as an alternative mechanism through which much needed public facilities may be constructed without having to provide the funding upfront. Looking to the future, the new Maui Regional Public Safety Complex will not only alleviate the overcrowding and need for modernization at the Maui Community Correctional Center it will also meet the future growth of the inmate population."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY

COMPLEX AT PUUNENE, MAUI," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Ay 1:08 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:10 o'clock p.m.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1438-12), recommending that H.R. No. 170, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1439-12), recommending that H.C.R. No. 219, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 170; and H.C.R. No. 219, be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"The Narcotics Enforcement Division of the Department of Public Safety serves and protects the public by enforcing State laws pertaining to controlled substances and protects the public by enforcing State laws pertaining to controlled substances and regulated chemicals. They are responsible for the registration and control of the manufacture, distribution, prescription, and dispensing of controlled substances and precursor or essential chemicals within the State.

"The Narcotics Enforcement Division has recently provided written notification to veterinarians that compulsory reporting to them would commence on January 31, 2012. This Division oversees the Electronic Prescription Accountability System that was established by the Uniform Controlled Substances Act (Chapter 329, Hawaii Revised Statutes). Having never been required to comply with the Electronic Prescription Accountability System the veterinarians have voiced concern about the impact that this process would have on their practices fiscally and otherwise. I find that it would be reasonable to allow veterinarians to use a simplified reporting system for drugs prescribed, given the different nature of their practice as compared to that of the pharmacies.

"By having the Department of Public Safety develop a simplified version of the Electronic Prescription Accountability System for veterinarians perhaps these small businesses will be able to better transition into the new procedures without damaging their business. This measure also provides a reasonable period of time after the Department has developed the simplified version before the veterinarians are compelled to commence their reporting under the system.

"The prescribed drugs used in a veterinary practice and the dosages used are in many cases different from those used by humans. In the creation of a simplified version of the reporting system the Department of Public Safety may also benefit as they will be able to track these drugs under this system with an acumen of the amounts used in the typical veterinary practice. Finally, this measure informs the Governor, Senate President, House Speaker, Director of Commerce and Consumer Affairs, and the President of the Executive Board of the Hawaii Veterinary Medical Association prior to the 2013 Regular Session by the Department of Public Safety on the status of the progress made in developing and implementing the simplified version of the electronic prescription accountability system."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 170, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A SIMPLIFIED REPORTING SYSTEM FOR

VETERINARIANS TO COMPLY WITH PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A SIMPLIFIED REPORTING SYSTEM FOR VETERINARIANS TO COMPLY WITH PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1440-12) recommending that H.R. No. 64, be adopted; and

(Stand. Com. Rep. No. 1441-12) recommending that H.C.R. No. 92, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 64; and H.C.R. No. 92, be adopted, seconded by Representative Evans.

At this time, the Chair addressed Representative Fontaine, stating:

"Representative Fontaine, what is the motion before this Body? It is a motion for ... Got it. For Adoption, now. This is not being referred to a Committee, but for it is for Adoption."

Representative Souki rose to speak in opposition to both measures, stating:

"Yes, Mr. Speaker. I wish to vote nay on these measures. That's Stand. Com. Report Nos. 1440 and 1441. I make one mistake and I have to be reminded now all the time. I'm only kidding.

"Mr. Speaker, I wish to vote nay because I believe that the veterans don't need a flag of their own. Most of the veterans served under the different flags of their regiments, and that is the flag that they should remember. The flag that they served and fought under. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 64, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was adopted, with Representative Souki voting no, and with Representatives Carroll, Saiki and Wooley being excused; and

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was adopted, with Representative Souki voting no, and with Representatives Carroll, Saiki and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1442-12) recommending that H.R. No. 80, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 80, entitled: "HOUSE RESOLUTION URGING CONGRESS TO CREATE A SEPARATE BRANCH OF THE UNITED STATES ARMED FORCES TO COMBAT CYBER CRIMES, CYBER WARFARE, AND CYBER TERRORISM," was adopted, with Representatives Carroll, Saiki and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1443-12) recommending that H.C.R. No. 109, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO CREATE A SEPARATE BRANCH OF THE UNITED STATES ARMED FORCES TO COMBAT CYBER CRIMES, CYBER WARFARE, AND CYBER TERRORISM," was adopted, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1444-12) recommending that S.B. No. 2698, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1445-12) recommending that S.B. No. 2419, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1445-12 on S.B. No. 2419, SD 2, HD 3, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2419, SD 2, HD 3, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1446-12) recommending that S.B. No. 2221, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1446-12 on S.B. No. 2221, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2221, SD 1, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1447-12) recommending that S.B. No. 2871, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1447-12 on S.B. No. 2871, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2871, SD 1, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1448-12) recommending that S.B. No. 2518, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1449-12) recommending that S.B. No. 2971, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2971,

entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1450-12) recommending that S.B. No. 3039, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3039, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Jordan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, please. And as this measure moves forward, hopefully we can tighten up the verbiage on this measure to be more descriptive."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you Mr. Speaker. In support on Stand. Com. Report No. 1450-12. Mr. Speaker, it was somewhat troubling to hear the testimony from some of the advocates, who clearly indicated that there has not been one transplant, organ transplant, to a person who was HIV positive. We found it quite troubling. The Department of Health could not confirm that. Nevertheless, in the State of Hawaii, to date, we do not have one known case of an HIV person getting an organ transplant.

"Also concerning was that on the mainland, this has been occurring for 16 years. I think it might be illegal discrimination based on one's handicap status. So for those reasons, I support this measure. Thank you, Mr. Speaker."

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just had slight reservations and the reason why is that I completely support the bill, but I was concerned about the defective date that was placed on it. And that's why I voted with reservations in the Committee. It has a defective date of July 1, 2050."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3039, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

At 1:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2518, SD 1
S.B. No. 2971
S.B. No. 3039, SD 1, HD 1

THIRD READING

S.B. No. 2247, SD 2, HD 1:

Representative Chong moved that S.B. No. 2247, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. On S.B. 2247, I wish to speak with strong reservations. Even though I realize the need of an emergency coming about, and there could be a need for looking into personal communication, and electronic communication. But I'm afraid as this moves along, that it will broaden what constitutes an emergency. It will have kind of the shadow of Big Brother, which is similarly, within the bill overtaking us every day. Thank you, very much."

The motion was put to vote by the Chair and carried, and S.B. No. 2247, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

At 1:20 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2247, SD 2, HD 1

ANNOUNCEMENTS

Representative Awana: "Thank you, Mr. Speaker. Last year, the Members of this Body had the foresight to pass H.R. 212, and H.C.R. 249 to establish a sister relationship with Morocco. I'm pleased to announce that this afternoon, Governor Abercrombie along with Mr. M. Bouamor Taghouan, President of the Rabat-Sale-Zemmour-Zaer Region Council, Kingdom of Morocco, signed into a sister relationship with each other.

"So I just wanted to congratulate you, Mr. Speaker, as well as the Members of this Body in hopes that we can bridge friendships, relationships, as well as understandings in the area of economic development, education, and other areas to another part of the country. Thank you."

Representative Takai: "Thank you, Mr. Speaker. A few days ago, we had a very unique and special ceremony in this Chamber. We recognized the families of fallen service members. And I recall, Mr. Speaker, the time that you and I met in 2005 in your office, and we talked a little bit about this concept. I can remember two things about that very first meeting. The first one is, that I don't think you and I thought that we would still be here doing this. And the second one is, I don't think that we would have anticipated how much of a profound impact that we've had on these families. We hear it almost daily, how much they appreciate our efforts from the State of Hawaii.

"So, Mr. Speaker, I wanted to thank you for not only giving me the opportunity to introduce and shepherd that bill through the Legislature, but for giving me the opportunity to, once again, coordinate this year's Hawaii Medal of Honor Ceremony, as well as the preparation prior. But it took many, many people, and I'd like to, at this time, with your indulgence, acknowledge some of them. Thank you, Mr. Speaker.

"I'd first like to thank all of our staff here and in the Senate: House Chief Clerk CJ Leong and her staff, Senate Chief Clerk Carol Taniguchi and her staff, House Sergeant-at-Arms Kevin Kuroda and his staff, Senate Sergeant-at-Arms Ben Villaflor and his staff, and Joan, House Majority Office and her staff.

"I wanted to recognize the Planning Committee, namely Senate President Shan Tsutsui and Ross Tsukenjo; you Mr. Speaker, and Calvin Azama; Senator Will Espero, and Marlene Uesugi; Representative Henry Aquino, and Maureen Andrade. In addition, we got support from Major General Darryll Wong, Brigadier General Joseph Kim, and Eleanor Thommes.

"We also had a beautiful reception following the ceremony, and I wanted to thank Maureen Andrade and Representative Aquino for coordinating this effort. A big *mahalo* also goes to Denise Liu from the House Clerk's staff that coordinated the check-in table. In addition, Reyna Kaneko and the Girl Scouts Council of Hawaii for their gifts of Girl Scout cookies distributed to each family member being honored. I also wanted to thank our Members who were hosts of these families. The pairing of legislators with families enhanced and really helped them.

"Special thanks also to Tammy Tengan from the House Print Shop for the beautiful programs and certificates signed by every Member of this Legislature. This certificate accompanies every single medal and is appreciated by the families that received them.

"We did get a lot of support and assistance from the military, and I wanted to recognize Elisia Lukasik from the U.S. Pacific Command who

helped us coordinate the Ceremony's participants, and Leighton Siu who helped with protocol.

"I also want to mention some of the individuals who helped throughout the year in identifying those that we recognize. From the Army, we had Kole Miller, Chief of Protocol and Ernestine Pratt, Chief of the Army Casualty Affairs Office. From the Marines we had Peter Swainson, and from the Navy, we had Agnes Tauyan from the Navy Public Affairs Office.

"In addition, Mr. Speaker, as all of you noticed, the Medal itself is beautiful and I wanted to once again thank Sergeant First Class Aaron Pollock from the Hawaii National Guard who came up with the initial design, which has come to symbolize much more than the medal itself.

"But with that, a lot of other people participated, namely Point Emblems, who minted the medal this year. We had Kent Untermann and Valerie Wang from Pictures Plus who did the assembling and framing. Rose Lee from Rose Lee's Alteration, who helped sew the ribbons. And Ty and Cindy Tamanaha from Awardline who helped with the personalized plaques.

"In addition, I'd like to acknowledge those who helped us enrich the experiences of the family who traveled here to attend the event. We worked very closely with the Pearl Harbor Historic Sites, the USS Bowfin Submarine Museum, the Battleship Missouri Memorial, The Pacific Aviation Museum, Pearl Harbor, and the World War II Valor in the Pacific National Monument, and they came through with support for the families. The Hale Koa Hotel, the Polynesian Cultural Center, Aloha Diners Club, and Morris Visitor Publications came through as well. We worked specifically with the Hawaii Hotel and Lodging Association to provide discounted hotel rates at participating hotels for the families. All of these organizations and entities help us, as we help the families, and made this a very special visit to Hawaii.

"Many people have asked about the 'Ōlelo broadcast and I want to make mention again, Mr. Speaker, that Capitol TV will be graciously providing all of us, as well as each family with a DVD, both present and not present, and they will be providing this to others as well.

"As we know as Representatives, Mr. Speaker, it takes much work to bring success not only to us, but also to these Chambers and the districts that we represent. I wanted to, as I have done in the past, recognize my staff, Lisa Vargas Omo, Jennifer Higa, April Pope and Robert Wojcik from my staff.

"You know, Mr. Speaker, we started this in 2005. And I just wanted to make mention that just a few days ago, we found out that Ohio became the fourth state to create a Medal of Honor. So for now, there are four of us, Hawaii, Alaska, New Hampshire and Ohio, who have honored the sons and daughters of their states and recognized them as we do in Hawaii.

"This medal went and continues to go to families with Hawaii ties. And so far, as of December 31st, 2011, a total of 308 medals have been awarded. Unfortunately, however, the list continues to grow and we will be having another ceremony next year. So, Mr. Speaker, at this time, I'd like to ask you and the Members of this House to recognize those that I mentioned before, and if we could give them a round of applause. Thank you, Mr. Speaker."

Speaker Say: "Madame Clerk, on the Medal of Honor program that the Members of the House received, can you include the acknowledgements of those individuals that are on the program, including the Planning Committee. Also a special acknowledgement to Representative Takai and his Office Manager, Lisa Vargas Omo. And also her son who did the conch shell."

[Note: A copy of the Medal of Honor Program has been included in the Journal for the 40th Day.]

Representative Ching: "Mr. Speaker, I just didn't know if this could be done, but a request to acknowledge, that I think that the Representative from Pearl City, who's idea this was. He's done so much work on this, and

I think it just really reflects so well on this Chamber. This Medal of Honor. It's been one of the greatest memories that I have of this Chamber. I was wondering if we could give that Representative a round of applause, please."

Representative C. Lee: "Thank you, Mr. Speaker. I just wanted to announce today, and actually I thank one of our colleagues for reminding me, that this particular month is Sexual Assault Awareness Month. 1 in 7 women, and 1 in 71 men here in Hawaii will find themselves the victim of rape at some point in our lifetime. And putting it in the context of the Legislature, out of the 76 of us, that would mean that 4 women and 1 male legislator would find themselves in the same situation. So just to keep that in mind. Thank you."

Representative Jordan: "Yes, Mr. Speaker. As requested last week, may we have a moment of silence for Ashton Brown who passed away last week Wednesday due to a tragic accident in Makaha. Thank you."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of 3-year-old Ashton Brown and the members of the Brown family who were involved in a hit-and-run car accident last Wednesday.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R.

Nos. Referred to:

- | | |
|-----------|--|
| 5,
SD1 | Committee on Public Safety & Military Affairs, then to the
Committee on Finance |
| 59 | Committee on Transportation |

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R.

Nos. Re-referred to:

- | | |
|-----|--|
| 95 | Committee on Transportation, then to the Committee on
Finance |
| 108 | Committee on Human Services, then to the Committee on
Finance |
| 115 | Committee on Finance |

H.C.R.

Nos. Re-referred to:

- | | |
|-----|--|
| 68 | Committee on Health, then to the Committee on Finance |
| 124 | Committee on Transportation, then to the Committee on
Finance |
| 146 | Committee on Human Services, then to the Committee on
Finance |
| 153 | Committee on Finance |

S.B.

No. Re-referred to:

- | | |
|--------------|--|
| 2798,
SD1 | Committee on Human Services, then to the Committee on
Finance |
|--------------|--|

ADJOURNMENT

At 1:30 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 03, 2012. (Representatives Carroll, Saiki, Ward and Wooley were excused.)

FORTY-THIRD DAY

Tuesday, April 03, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:08 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by former Representative Lynn Finnegan, Executive Director of the Hawaii Charter Schools Network, after which the Roll was called showing all Members present with the exception of Representative Carroll, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Second Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 235) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 235, dated March 19, 2012, transmitting the 2010-2011 Annual Report of the Hawaii State Foundation on Culture and the Arts pursuant to Section 9-3, HRS.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 435 through 458) were received and announced by the Clerk:

Sen. Com. No. 435, transmitting S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE HEALTH PLAN INITIATIVE TO REDUCE THE OCCURRENCES OF CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN HAWAII," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 436, transmitting S.C.R. No. 15, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO AIRPORT SECURITY," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 437, transmitting S.C.R. No. 49, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO IN MAUI COUNTY," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 438, transmitting S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION DECLARING SUNDAYS TO BE "EAT LOCAL, BUY LOCAL" DAY IN HAWAII AND ENCOURAGING FAMILIES, RESTAURANTS, AND GROCERS TO BUY HAWAII-GROWN FOODS, FLOWERS, AND PRODUCE," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 439, transmitting S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REQUIRE EACH SCHOOL COMMUNITY COUNCIL TO REVIEW ITS SCHOOL'S ATTENDANCE POLICY, CREATE BENCHMARKS TO IMPROVE ATTENDANCE, AND DEVELOP AN IMPLEMENTATION PLAN TO MEET THOSE BENCHMARKS," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 440, transmitting S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COLLABORATE WITH PARENT ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY ENGAGEMENT IN HAWAII'S PUBLIC SCHOOLS," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 441, transmitting S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 442, transmitting S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO MAINTAIN, MONITOR, AND ENFORCE ANTI-BULLYING, ANTI-CYBERBULLYING, AND ANTI-HARASSMENT POLICIES AND PROCEDURES TO PROTECT PUBLIC AND CHARTER SCHOOL STUDENTS," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 443, transmitting S.C.R. No. 106, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO VOTE IN FAVOR OF H.R. 2148, 112TH CONGRESS, FIRST SESSION, TO EXTEND MILITARY COMMISSARY AND EXCHANGE STORE PRIVILEGES TO VETERANS WITH A COMPENSABLE SERVICE-CONNECTED DISABILITY AND THEIR FAMILY MEMBERS," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 444, transmitting S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 445, transmitting S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 446, transmitting S.C.R. No. 142, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, HAWAII CHAPTER, TO DEVELOP CONTINUING EDUCATION REQUIREMENTS FOR LICENSED SOCIAL WORKERS," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 447, transmitting H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EFFORTS OF THE NATIONAL WOMEN'S HISTORY MUSEUM TO SECURE A PERMANENT HOME IN THE NATION'S CAPITAL," which was adopted by the Senate on April 2, 2012.

Sen. Com. No. 448, transmitting H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 449, transmitting H.B. No. 2143, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 450, transmitting H.B. No. 2600, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 451, transmitting H.B. No. 1695, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 452, transmitting H.B. No. 1980, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 453, transmitting H.B. No. 1984, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 454, transmitting H.B. No. 2169, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 455, transmitting H.B. No. 2436, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 456, transmitting H.B. No. 2497, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 457, transmitting H.B. No. 2568, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," which passed Third Reading in the Senate on April 2, 2012.

Sen. Com. No. 458, transmitting H.B. No. 2605, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on April 2, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Carroll and Nishimoto were excused.)

H.B. No. 1695, (SD 1)
H.B. No. 1980, HD 1, (SD 1)
H.B. No. 1984, (SD 1)
H.B. No. 2169, HD 2, (SD 1)
H.B. No. 2436, HD 1, (SD 1)
H.B. No. 2497, (SD 1)
H.B. No. 2568, HD 2, (SD 1)
H.B. No. 2605, HD 1, (SD 1)

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Rhoads introduced students from the McKinley Community School for Adults and their teachers, Ms. Charlotte Dias and Ms. Blossom Hoffman.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 195) was announced by the Clerk and the following action taken:

H.R. No. 195, entitled: "HOUSE RESOLUTION RECOGNIZING THE UNITED STATES SMALL BUSINESS ADMINISTRATION'S STATE OF HAWAII 2012 AWARDEES," was jointly offered by Representatives McKelvey, Awana, Choy, Cullen, Evans, Hashem, Ito, Kawakami, Mizuno, Riviere, Tokioka, Tsuji, Ward, Yamashita and Chang.

Representative McKelvey moved that H.R. No. 195, be adopted, seconded by Representative Ward.

Representative McKelvey congratulated the United States Small Business Administration's State of Hawaii 2012 Awardees and introduced the honorees who were seated on the Floor of the House:

Mr. Michael Tokunaga of S. Tokunaga Store, the 2012 Small Business Person of the Year. He was accompanied by his wife, Mrs. Peggy

Tokunaga, and daughter, Ms. Makayla Tokunaga, who were seated in the Gallery.

Mr. Jerry Guyo of Pacific Ice Services, Inc., the 2012 Young Entrepreneur of the Year. He was accompanied by his wife, Mrs. Minnette Guyo, who was seated in the Gallery.

Representative Choy then introduced the following honorees:

Ms. Kathleen Davenport of Kathleen Davenport Photography and co-founder of the West Oahu Women's Network, the 2012 Women in Business Champion. She was accompanied by her husband, Mr. Tony Davenport, who was seated in the Gallery.

Ms. Dana Hauanio, Project Director of the Minority Business Center at the University of Hawaii, the 2012 Minority Small Business Champion of the Year. She was accompanied by her husband, Mr. Alan Hauanio, who was seated in the Gallery.

Representative Ward then introduced the following honorees:

Mr. John and Mrs. Daisy Carpenter of Island Slipper Factory, Ltd., the 2012 Small Business Exporter Champions. They were accompanied by their son, Mr. Matt Carpenter, who was seated in the Gallery.

Mr. Vince Dydasco, Mentor and Chapter Leader of SCORE (Service Corps of Retired Executives) Hawaii, the 2012 Veteran Small Business Champion. He was accompanied by his mother and step-father, Mrs. Rosa Dydasco and Mr. Roger Rembold, who were seated in the Gallery.

Representative McKelvey congratulated all the awardees, and introduced the staff of the Small Business Administration in Hawaii who were seated in the Gallery:

Ms. Jane Sawyer, District Director; and
Mr. Mark Spain, Deputy District Director.

The motion was put to vote by the Chair and carried, and H.R. No. 195, was adopted, with Representative Carroll being excused.

The following resolution (H.R. No. 196) was announced by the Clerk and the following action taken:

H.R. No. 196, entitled: "HOUSE RESOLUTION CONGRATULATES SENATOR DANIEL KAHIKINA AKAKA FOR BEING THE 2011 RECIPIENT OF THE HARRY S. TRUMAN AWARD FOR DISTINGUISHED SERVICE IN SUPPORT OF NATIONAL DEFENSE," was jointly offered by Representatives Takai, Aquino, Awana, Belatti, Brower, Cabanilla, Chang, Ching, Chong, Choy, Coffman, Cullen, Evans, Fontaine, Giugni, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Johanson, Jordan, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Oshiro, Pine, Rhoads, Riviere, Saiki, Say, Souki, Takumi, Thielen, Tokioka, Tsuji, Ward, Wooley, Yamane, Yamashita and Marumoto.

Representative Takai moved that H.R. No. 196, be adopted, seconded by Representative Hanohano.

Representative Takai congratulated the honoree on receiving the 2011 Harry S. Truman Award for Distinguished Service from the National Guard Association of the United States.

Representative Takai also expressed deepest gratitude for his many years of dedicated service to our country and for representing the people of Hawaii for nearly 40 years with grace, dignity and aloha.

Representative Takai then presented to the Body, United States Senator Daniel Kahikina Akaka, and his wife Mrs. Millie Akaka, who were seated on the Floor of the House.

Representative Hanohano offered her thanks for this celebrated day honoring Senator Akaka for his everlasting love to all the people; and to always remember the three greatest things in life: faith, hope and love.

Representative Takai then recognized the family members who were seated in the Gallery, and thanked them for their contributions and sacrifices so that their father and grandfather was able to serve and represent the people of Hawaii:

Daughter, Ms. Millannie Mattson; granddaughters, Ms. Erin and Ms. Courtney Mattson; and great-grandson, Kea;

Son, Mr. Danny Akaka Jr. and his wife, Mrs. Anna Akaka; and granddaughter, Ms. Kalei Akaka; and

Sons, Mr. Gerard Akaka, Mr. Alan Akaka, and Mr. Nick Akaka.

Representative Takai also recognized Senator Akaka's staff from the Honolulu Office and the Washington D.C. Office, who were seated in the Gallery:

Senator Akaka's Honolulu Office

Ms. Joan Ohashi, Chief of Staff;
Mr. Mike Kitamura, State Director;
Ms. Daphne Tong-Pave Legislative Assistant;
Ms. Shari Carter, Legislative Correspondent/Assistant to the Chief of Staff;
Mr. Milton Hee, IT Specialist;
Ms. Carlene Flores, Scheduler/Caseworker;
Ms. Gladys Karr, Staff Assistant; and
Ms. Lola Williams, Staff Assistant.

Senator Akaka's Washington, D.C. Office

Mr. Jesse Broder Van Dyke, Communications Director;
Mr. Lopaka Baptiste, Legislative Assistant;
Mr. Keone Nakoa, Speechwriter/Press Assistant; and
Ms. Laurel Sakai, Legislative Assistant.

Mr. Jon Yoshimura, former Director of Communications.

Representative Takai also recognized Brigadier General Joseph Kim, State Deputy Adjutant General representing the Hawaii National Guard; and Retired United States Army Colonel Raymond Jardine, Jr., who submitted the application to nominate Senator Akaka for this award.

Representative Ching honored Senator Akaka for embodying all that is great about old Hawaii.

Representative Giugni shared that Senator Akaka was a gift, not just to Hawaii, but to the world, and that his aloha was a true expression of who we are as a people; and offered her personal gratitude to Auntie Millie and the Akaka family for allowing him to serve the people of Hawaii.

Representative Souki told of how, many years ago, the Senator and Mrs. Akaka were so gracious as they welcomed and hosted him and many friends at the 'Akaka Hilton' in Washington D.C.

Representative Belatti thanked the Senator for his mentorship and leadership in the early years of her political career as she served as an intern in his Washington D.C. Office.

Representative Ward offered his personal thanks to the Senator for his kindness and care shown toward his family, and especially his daughter.

Representative Kawakami honored Senator and Mrs. Akaka for their unconditional love and aloha, and to the staff who went out of their way to offer their hospitality, care and aloha.

Representative Tokioka shared that when you think of honor and aloha, two names come to mind: Senator Akaka and former Representative Ezra Kanoho – both Native Hawaiians who shared their gift of aloha with all.

Representative Johanson told of how as a Senate Youth Scholar in 1998, he was honored that his Senator took the time to talk to him and the many other delegates in that program, and was touched by his willingness to care for and nurture the next generation of leaders.

Representative Marumoto shared how Senator Akaka was so gracious in meeting with her and was generous with his time; and wished him much health and happiness in his retirement.

Representative C. Lee, on behalf of his friend, Mr. John McCarthy who worked on the Senator's first campaign, thanked the Senator for his legacy and wished him and Mrs. Akaka the best.

Representative McKelvey offered his gratitude to the Senator for his care and knowledge of the people of Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 196, was adopted, with Representative Carroll being excused.

At 12:52 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:23 o'clock p.m.

REPORTS OF STANDING COMMITTEES

At this time, the Chair announced:

"Members, we have 17 pages of Resolutions and Senate Bills on our Order of the Day. All of you realize that there is a luncheon after our session is out, after we conclude our 17 pages. The luncheon will be in Room 329. I've already shared this with the Minority Caucus. For the Majority Caucus, for all measures, we will be taking them by page. If there is anyone who wants to submit written comments, for or against, you may do so if you request it."

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1451-12), recommending that H.C.R. No. 41, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF THE PROFESSION OF MUSIC THERAPY," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1452-12), recommending that H.R. No. 139, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 139, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1453-12), recommending that H.C.R. No. 178, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 178, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF ALL STATE DEPARTMENT

EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1454-12), recommending that H.C.R. No. 119, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROPERLY SUPPORT THE SMALL BUSINESS REGULATORY REVIEW BOARD OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM IN ASSISTING HAWAII'S SMALL BUSINESSES," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1455-12), recommending that H.C.R. No. 140, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 140, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE OFFICE OF AEROSPACE DEVELOPMENT TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR HAWAII TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1456-12), recommending that H.C.R. No. 118, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 118, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," was referred to the Committee on Legislative Management, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1457-12), recommending that H.C.R. No. 45, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 45, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF PLUMBER AIR CONDITIONING AND REFRIGERATION PIPEFITTERS, PLUMBER FIRE SPRINKLER PIPEFITTERS, AND PLUMBER SOLAR-THERMAL TECHNICIANS," was referred to the Committee on Legislative Management, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1458-12), recommending that H.R. No. 121, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 121, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION

AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1459-12), recommending that H.C.R. No. 157, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1460-12), recommending that H.R. No. 124, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON ASSET LIMITS TO QUALIFY FOR PUBLIC ASSISTANCE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1461-12), recommending that H.C.R. No. 160, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON ASSET LIMITS TO QUALIFY FOR PUBLIC ASSISTANCE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1462-12), recommending that H.R. No. 122, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 122, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A DEMONSTRATION PROJECT TO INTEGRATE HEALTHCARE FOR INDIVIDUALS ENROLLED IN BOTH MEDICAID AND MEDICARE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1463-12), recommending that H.C.R. No. 158, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 158, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A DEMONSTRATION PROJECT TO INTEGRATE HEALTHCARE FOR INDIVIDUALS ENROLLED IN BOTH MEDICAID AND MEDICARE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com.

Rep. No. 1464-12), recommending that H.R. No. 123, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 1465-12), recommending that H.C.R. No. 159, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Mizuno and Rhoads, for the Committee on Human Services and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1466-12), recommending that H.C.R. No. 211, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 211, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF SOCIAL SCIENCES PUBLIC POLICY CENTER AND SPARK M. MATSUNAGA INSTITUTE FOR PEACE AND CONFLICT RESOLUTION TO COLLABORATE WITH STATE AGENCIES AND ADVOCACY ORGANIZATIONS TO DEVELOP A COMPREHENSIVE PLAN THAT COORDINATES STATEWIDE POLICIES AND SERVICES FOR VICTIMS AND SURVIVORS OF HUMAN TRAFFICKING IN HAWAII," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1467-12), recommending that H.R. No. 60, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 60, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES NATIONAL REGISTER OF HISTORIC PLACES TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE NATIONAL REGISTER OF HISTORIC PLACES," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1468-12), recommending that H.C.R. No. 86, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 86, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES NATIONAL REGISTER OF HISTORIC PLACES TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND

ON THE NATIONAL REGISTER OF HISTORIC PLACES," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1469-12), recommending that H.R. No. 59, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1470-12), recommending that H.C.R. No. 85, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1471-12), recommending that H.R. No. 129, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 129, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1472-12), recommending that H.C.R. No. 167, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ESL PROGRAMS AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1473-12), recommending that H.C.R. No. 94, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXPAND A SCHOOL GARDEN PROGRAM STATEWIDE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1474-12), recommending that H.R. No. 128, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 128, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO FORMALLY ACKNOWLEDGE THE ESTABLISHMENT OF 'AHA KAULEO KAIAPUNI HAWAI'I AND TO CONTINUE TO SUPPORT AND IMPLEMENT THE RECOMMENDATIONS OF 'AHA KAULEO KAIAPUNI HAWAI'I ON MATTERS RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1475-12), recommending that H.C.R. No. 166, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 166, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO FORMALLY ACKNOWLEDGE THE ESTABLISHMENT OF 'AHA KAULEO KAIAPUNI HAWAI'I AND TO CONTINUE TO SUPPORT AND IMPLEMENT THE RECOMMENDATIONS OF 'AHA KAULEO KAIAPUNI HAWAI'I ON MATTERS RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Yamane and Aquino, for the Committee on Health and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1476-12), recommending that H.R. No. 36, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 36, entitled: "HOUSE RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Yamane and Aquino, for the Committee on Health and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1477-12), recommending that H.C.R. No. 56, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representatives Yamane and Aquino, for the Committee on Health and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1478-12), recommending that H.C.R. No. 192, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF PUBLIC SAFETY TO CONVENE A TASK FORCE TO DEVELOP A PLAN FOR

THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF A SECURE FORENSIC FACILITY," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1479-12), recommending that H.R. No. 137, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 137, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was referred to the Committee on Legislative Management, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1480-12), recommending that H.C.R. No. 177, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 177, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was referred to the Committee on Legislative Management, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1481-12), recommending that H.C.R. No. 184, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 184, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUBMIT A FIVE-YEAR ORGANIZATIONAL AND STRATEGIC PLAN," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1482-12), recommending that H.C.R. No. 165, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALCOHOL RETAILERS AND LICENSED PREMISES UNDER CHAPTER 281, HAWAII REVISED STATUTES, TO POST A SIGN IN OR ABOUT THE PREMISES WARNING WOMEN NOT TO DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY AND THE DEPARTMENT OF HEALTH TO CONTINUE ITS EFFORTS TO PROVIDE STATEWIDE TRAINING ON FETAL ALCOHOL SPECTRUM DISORDER PREVENTION, IDENTIFICATION, AND INTERVENTIONS," was referred to the Committee on Consumer Protection & Commerce, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1483-12), recommending that H.C.R. No. 168, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 168, be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"A trip to Hana is said to revitalize many local residents from the city life on the other side of the Island. The natural beauty of the Hana District takes you back in time and gives you an idea of what the rest of Maui was like 30 years ago. Isolated and unspoiled: Hana is often referred to as Maui's "Last Hawaiian Place."

"Untouched by the major developments of the other side of the Island, the Hana community has managed to perpetuate the small town atmosphere, Hawaiian culture and most of all, its natural scenic beauty to such a degree that it makes the entire State of Hawaii a worldwide destination. However, its isolation comes with some obstacles. The Hana District has one of the poorest health profiles in Hawaii and is federally designated as a medically underserved community.

"Hana Health is a federally qualified health center that provides health care services to the people of the Hana District, regardless of their ability to pay. They operate on leased land from the State. The Department of Land and Natural Resources has interpreted the use provision in Hana Health's land lease to prohibit income generating activities and certain ancillary programs offered by Hana Health. The Department of Land and Natural Resources' restrictive interpretation of Hana Health's land Lease is not supported by the language, Hana Health's articles of incorporation, or State or federal law.

"The mission of Hana Health is to improve the health and wellness of the Moku (district) of Hana, Maui, particularly among Native Hawaiians and those who are underserved due to financial, cultural and geographic barriers. The Department of Land and Natural Resources' interpretation of the land lease inhibits Hana Health's efforts to become self-sustaining and less reliant on public funds. I find that it is in the best interest of the State that the Department of Land and Natural Resources is requested to expand its interpretation of the use provision in Hana Health's land lease to include income generating activities and ancillary programs as permissible uses."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPAND ITS INTERPRETATION OF THE USE PROVISION IN HANA HEALTH'S LAND LEASE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1484-12), recommending that H.R. No. 91, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 91, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1485-12), recommending that H.C.R. No. 120, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 120, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE

WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1486-12), recommending that H.C.R. No. 99, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 99, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'd like to speak in favor of Stand. Com. Rep. 1486 and H.C.R. No. 99, HD 1, regarding the DNA rape kits. I always stand in favor of utilizing technology to solve crimes. When, and if, we enact legislation to collect DNA of arrestees of certain felonies, we will then be able to match these samples with those from these rape kits, much sooner. Then we'll be able to catch more perpetrators, and do that much sooner, and thus prevent more rapes and sexual abuse. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 99, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO WORK WITH STAKEHOLDERS AND APPROPRIATE AGENCIES TO CREATE AN EFFICIENT TRACKING METHOD FOR DEOXYRIBONUCLEIC ACID (DNA) RAPE KITS," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1487-12), recommending that H.R. No. 125, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHIEF ELECTIONS OFFICER TO CONVENE A VOTER PARTICIPATION TASK FORCE ON VOTER REGISTRATION AND VOTER TURNOUT IN HAWAII," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1488-12), recommending that H.C.R. No. 161, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 161, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHIEF ELECTIONS OFFICER TO CONVENE A VOTER PARTICIPATION TASK FORCE ON VOTER REGISTRATION AND VOTER TURNOUT IN HAWAII," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Awana, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1489-12), recommending that H.R. No. 107, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1490-12), recommending that H.C.R. No. 145, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 107, HD 1; and H.C.R. No. 145, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker, on Stand. Com. Nos. 1489-12 and 1490-12, I would like a ruling on a potential conflict. Our family has done business with Bali, Indonesia for forty years," and the Chair ruled, "no conflict."

Representative McKelvey continued to speak in support of both measures, stating:

"Thank you, very much. In strong support. Thank you, Mr. Speaker."

Representative Ward rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, also a potential conflict. I'm a member of the Hawaii-Indonesian Chamber of Commerce," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 107, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI, INDONESIA," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused; and

H.C.R. No. 145, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI, INDONESIA," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Awana, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1491-12), recommending that H.C.R. No. 50, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 50, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"On Stand. Com. Rep. Nos. 1491 and 1492, in strong support, and written comments, please. The legacy of the Koreans is very strong in my District. Particularly through the St. Luke's Episcopal Church, and the Korean Christian Church. They were very important to Dr. Syngman Rhee, a great leader. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.C.R. 50 which appropriately signifies the legacy of Dr. Syngman Rhee, the Harvard graduate is known for being a staunch advocate of free and open elections and led early Korean movements for freedom from foreign occupying forces. His political manifesto "The Spirit of the Manifesto" was well regarded as the Korean bible of independence. Rhee's work and steadfast political movements saw his imminent exile to Hawaii as his talk of independence that betrothed Koreans put his life in danger. It is largely because of Rhee and his activism in Hawaii that Korea eventually staved off communism and drudgery and became one the most prosperous nations in all of Asia. Similarly, it is largely because of President Abraham Lincoln, a founding father of the Republican Party that all Americans enjoy freedom.

"However, for years now I have conveyed his importance to Korean history, as well as that of the Korean Christian Church numerous times on my Heritage Tours. It has been my belief that the Korean Christian

Church equally deserves such recognition. In fact, our office drafted a comparable resolution for the Korean Christian Church this session. Unfortunately due to the newly-imposed five resolutions limit, we were unable to submit the measure. Both the Korean Christian Institute and the Korean Christian Church, founded by Rhee, are exemplary of the foundation left by Rhee and the Koreans. It is my hope that the Korean Christian Church will be honored as well when the time comes. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN CHRISTIAN INSTITUTE," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Awana, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1492-12), recommending that H.C.R. No. 51, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 51, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"On Stand. Com. Rep. Nos. 1491 and 1492, in strong support, and written comments, please. The legacy of the Koreans is very strong in my District. Particularly through the St. Luke's Episcopal Church, and the Korean Christian Church. They were very important to Dr. Syngman Rhee, a great leader. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.C.R. 51 which appropriately signifies the legacy of Dr. Syngman Rhee, the Harvard graduate is known for being a staunch advocate of free and open elections and led early Korean movements for freedom from foreign occupying forces. His political manifesto "The Spirit of the Manifesto" was well regarded as the Korean bible of independence. Rhee's work and steadfast political movements saw his imminent exile to Hawaii as his talk of independence that betrothed Koreans put his life in danger. It is largely because of Rhee and his activism in Hawaii that Korea eventually staved off communism and drudgery and became one the most prosperous nations in all of Asia. Similarly, it is largely because of President Abraham Lincoln, a founding father of the Republican Party that all Americans enjoy freedom.

"However, for years now I have conveyed his importance to Korean history, as well as that of the Korean Christian Church numerous times on my Heritage Tours. It has been my belief that the Korean Christian Church equally deserves such recognition. In fact, our office drafted a comparable resolution for the Korean Christian Church this Session. Unfortunately due to the newly-imposed five Resolutions limit, we were unable to submit the measure. Both the Korean Christian Institute and the Korean Christian Church, founded by Rhee, are exemplary of the foundation left by Rhee and the Koreans. It is my hope that the Korean Christian Church will be honored as well when the time comes. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 51, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," was referred to the Committee on Finance, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1493-12) recommending that S.B. No. 2759, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2759, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1494-12) recommending that S.B. No. 2486, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2486, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1495-12) recommending that S.B. No. 2640, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2640, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Mizuno and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1496-12) recommending that S.B. No. 2167, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1496-12 on S.B. No. 2167, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2167, SD 1, HD 2, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1497-12) recommending that S.B. No. 2009, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1497-12 on S.B. No. 2009, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2009, SD 1, HD 2, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1498-12) recommending that S.B. No. 2256, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1498-12 on S.B. No. 2256, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2256, HD 2, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1499-12) recommending that S.B. No. 3031, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1499-12 on S.B. No. 3031, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3031, SD 1, HD 1, were made available to the Members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1500-12) recommending that S.B. No. 2013, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1500-12 on S.B. No. 2013, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2013, SD 1, HD 2, were made available to the Members of the House.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1501-12) recommending that S.B. No. 2646, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1501-12 on S.B. No. 2646, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2646, SD 1, HD 2, were made available to the Members of the House.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1502-12) recommending that S.B. No. 2375, SD 3, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1502-12 on S.B. No. 2375, SD 3, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2375, SD 3, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1503-12) recommending that S.B. No. 223, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1503-12 on S.B. No. 223, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 223, SD 1, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1504-12) recommending that S.B. No. 1168, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1504-12 on S.B. No. 1168, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1168, SD 1, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1505-12) recommending that S.B. No. 2703, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1505-12 on S.B. No. 2703, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2703, SD 1, HD 1, were made available to the Members of the House.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Cabanilla, Carroll, Mizuno and Thielen were excused.)

REPORTS OF STANDING COMMITTEES

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1506-12) recommending that S.B. No. 1500, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Mizuno and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1507-12) recommending that S.B. No. 2650, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2650, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Mizuno and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1508-12) recommending that S.B. No. 2229, SD 2, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Mizuno and Thielen being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1509-12) recommending that S.B. No. 2398, SD 2, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2398, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations on Stand. Com. Rep. No. 1509, regarding tattooing. Mr. Speaker, this measure started out as a very simple thing regarding exhibitions, and events, and things like at the NBC. And then it morphed into something that, we're trying to make doctors out of tattoo artists. They have to learn how to check for blood pathogens and take educational credits, which goes above and beyond what the intention was. And then it became a task force.

"My own sense is the task force is probably where this thing should begin and not be so overly regulatory of what otherwise is, according to those who give testimony, are very articulate, very responsible, very professional tattoo individuals, contrary to the stereotype.

"So I think this bill needs to go to Committee and kind of boil itself down and get away from so many things that it's trying to do, particularly in trying to make doctors out of these guys. Thank you."

Representative M. Lee rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have some reservations on this particular measure and would like to relay them. The bill will restrict the sale of tattoo supplies and require a blood-borne pathogen test as a prerequisite for tattoo licensure. It would also prohibit tattoo trade shows until the adoption of rules by the Department of Health. It would prohibit body piercing or body modifications as product or educational demonstration.

"The bill will delete a \$500 non-refundable permit fee for an event featuring not more than 40 participating tattoo artists, apparently since tradeshow will be prohibited. And then establish the tattoo artist task force. I fear that this will be a real imposition on small business, since it will apply to all tattoo artists in the State, and out of the State.

"It places burdensome requirements on small business. Although the good part about it is, they may catch some hepatitis C issues. But on the other hand, the Department of Health said this bill would require resources and expertise currently unavailable to the Department. The Department of Health said it currently deals with over 100 tattoo shops in the State and many of these shops have standards even stricter than what's currently required.

"The industry does not need further regulation. In fact, the Department of Health said that it considered doing away with all regulation of the tattoo industry. They said they have had no incidences of hepatitis C. The Department of Health is opposed to this measure due to fiscal and resource constraints. So I think whoever the Conferees of this particular bill may be, they should consider, and take a close look at all these provisions. Thank you."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support with brief comments. Mr. Speaker, this measure before us has been a work in progress. Those people who have been involved in the process as it has moved forward need to also note the fact that there are tattoo artists who have currently provided testimony requesting that this Legislature look at instituting new regulations, to ensure the health and safety for themselves, their customers, and the public at large.

"Mr. Speaker, there has been testimony, and we've met with many of them, who've talked about the need to have the Department of Health provide appropriate regulations to enhance and protect the tattoo artists, as well as their profession.

"Mr. Speaker, no one can deny that an ongoing issue of blood-borne pathogen disease spreading, like hepatitis B, hepatitis C, and HIV is an ongoing issue, especially in professions like tattoo artists in which you are dealing with potential blood exposure. Mr. Speaker, this measure was designed to try to work with tattoo artists to make sure that their profession is not only regulated appropriately, but supported so that it can continue its advancement.

"Mr. Speaker, this House, this Chamber has included in its many discussions, sensitivity to the Hawaiian culture-based tattoo artists, as well as those from other cultures, maybe from the Samoan culture. So, Mr. Speaker, this measure is intended to help make sure that not only the tattoo artists, but the customers are not only safe, but we can continue to promote and enhance this art. 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. 2398, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Mizuno and Thielen being excused.

At 1:36 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1500, HD 1
S.B. No. 2650, SD 1
S.B. No. 2229, SD 2, HD 1
S.B. No. 2398, SD 2, HD 1

of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House Bills:

H.B. No. 1695, SD 1
H.B. No. 1980, HD 1, SD 1
H.B. No. 1984, SD 1
H.B. No. 2169, HD 2, SD 1
H.B. No. 2436, HD 1, SD 1
H.B. No. 2497, SD 1
H.B. No. 2568, HD 2, SD 1
H.B. No. 2605, HD 1, SD 1

ANNOUNCEMENTS

Representative Brower: "Mr. Speaker, it is my semi-honor to announce the birthday of a gentle ... rather a person, in this Chamber. Someone who thinks he is for the ladies. I have three clues on his identity. Number one, this poster boy for reapportionment has a legacy bill about green cleaning supplies in schools. Number two, his wardrobe has more pink than Hello Kitty's. And number three, his eyebrows are equally proportioned because he gives them a Brazilian wax. Although we really should be honoring his girlfriend Debbie, for what she must go through. Members, let's recognize a dear friend. It's the birthday of Representative Nishimoto."

Representative Jordan: "Thank you, Mr. Speaker. I hate to come before you again, Mr. Speaker. But this morning, or late, late last evening, we lost a great *kumu hula*. O'Brian Eselu passed away, and at the appropriate time, can we have a moment of silence. I've known this gentleman for most of my adult life. He was a great treasure to our Waianae Coast, not only for being an award winner at the Na Hoku Hanohano and at the Merrie Monarch. I really appreciate the moment of silence. Thank you."

Representative M. Lee: "Mr. Speaker, if I could just remind the Members that on Thursday, the IHS will be picking up the Easter baskets at 2:00 p.m. You can deliver them to my office, or they can be taken directly downstairs before 2:00 on Thursday. Thank you."

Representative Ching: "Thank you, Mr. Speaker. I just wanted to remind everyone that today we'll be having a special fundraiser for the Hawaii Foodbank. The Chocolate Café, starts in about 20 minutes until 4:00. It'll be serving North Shore chocolate fondue with a lot of our local fruit, organic fruit, and we hope that you'll come and support the Foodbank. Thank you."

Representative Tokioka: "Thank you, Mr. Speaker. On behalf of the Bizarre Representative ... I'm sorry. I mean, the Bizarre Bazaar, and the Representative from Upcountry Maui, we want to thank everyone who participated in the Bizarre Bazaar yesterday. We know that the Maui Food Bank and the Kauai Independent Food Bank will be very thankful. Thank you, Mr. Speaker."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late cultural treasure and *kumu hula* Mr. O'Brian Eselu.

ADJOURNMENT

At 1:40 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 04, 2012. (Representatives Carroll, Ito, Mizuno and Thielen were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 3, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members

FORTY-FOURTH DAY

Wednesday, April 04, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Mr. John Foster of Representative Roy Takumi's office, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Hanohano, Mizuno, Thielen and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 459) was received and announced by the Clerk:

Sen. Com. No. 459, transmitting S.C.R. No. 157, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," which was adopted by the Senate on April 3, 2012.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representatives Kawakami, Morikawa and Tokioka introduced the Science Fair Middle School and High School award winners from Kauai, accompanied by their teachers and chaperones.

Middle School Division Award Winners:

- 1st Place Julia Hirano, Waimea Canyon M.S., Hydrogen Energy
- 2nd Place Mallorie Aiwohi, Kapaa M.S., Hear Less, Save More
- 3rd Place Emily Carlson and Cheyenne Natividad-Parraga, Waimea Canyon M.S., Eye Witness Report with Time
- 4th Place BreeAnn Cayaban and Sharay Rapozo, Waimea Canyon M.S., Solar Energy Purifier
- 5th Place Jacky Lin, Waimea Canyon M.S., Eggplants
- Honorable Mention - Braden Kobayashi, Waimea Canyon M.S., How Do Different Types of Planting Media Affect the Growth of a Plant?

High School Division Award Winners:

- 1st Place Savannah Frisk, Kapaa High, Who Do You Listen To?
- 2nd Place Kayla Ishida, Waimea High, Solar Tsunami
- 3rd Place Noelani Murray, Kauai High, The Effects of Various Nitrogen Sources of the Growth and Lipid Production of *Chlorella sp.*
- 4th Place Casey Nakamura and Taylor McGinnis, Kapaa High, The Color of Success
- 5th Place Kalani Murakami and Marissa Goo, Kapaa High, How Does The Way We Memorize Color Affect The Memory Of Smell

Teacher chaperones, Mr. Jim Cox, Mr. Justin Yamagata, Ms. Lisa Yamagata, Ms. Kimberlee Stuart, Mr. Kevin Johnson and Ms. Monique Chow. Parent chaperones, Ms. Leah Aiwohi and Ms. Shasta Rapozo.

Representative Souki introduced California State Senator, and former Speaker pro Tempore of the California Assembly, Mr. Leland Yee of San Francisco.

Representative Yamane introduced his friend, Mr. Christopher Casupang of Maryknoll School.

Representative Takumi introduced Representative Belatti's sister, brother and father:

Ms. Darcie Kawamura, Vice Principal of Maryknoll High School;
Mr. Lenny Au and his son, Brayden Au; and
Mr. Donald Au.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 197) was announced by the Clerk and the following action taken:

H.R. No. 197, entitled: "HOUSE RESOLUTION CONGRATULATING THE RADFORD HIGH SCHOOL CHEERLEADING TEAM FOR ITS OUTSTANDING ACHIEVEMENT IN BECOMING THE 2012 NATIONAL CHEERLEADING ASSOCIATION GRAND NATIONAL CHAMPION," was offered by Representative Johanson.

Representative Johanson moved that H.R. No. 197, be adopted, seconded by Representative M. Lee.

Representative Johanson commended the Radford High School Cheerleading Team on their impressive accomplishments being named the Hawaii State Champion for seven consecutive years; National Champions in their division in seven out of twelve years; and the two-time and current National Cheerleading Association Grand National Champion.

Representative Johanson then introduced the honorees representing the team who were seated on the Floor of the House:

Coaches, Mr. Lawrence 'Bo' Frank, and Mr. Thomas Luna; and
Team Captains, Ms. Kyla Antonio, Mr. Ridge Frank, and Ms. Amber Bookhard.

Representative M. Lee expressed appreciation for the cheerleaders who are not only athletes, they also participate in community service, strive for academic excellence, and are leaders among their peers and in the community.

Representative M. Lee then recognized the Radford High School Cheerleaders who were seated in the Gallery, accompanied by their parents and supporters:

Cheerleaders: Ms. Tashea Murakami, Ms. Makeala Cachola, Ms. Malia Moore, Ms. Alyssa Antonio, Ms. Kysa Fong, Ms. Jasmin Padeken-Pasigan, Ms. Jazlyn Paling, Ms. Jaclyn Ponce, Ms. Heather Shim, Ms. Victoria Deandrea, Ms. Carlee Lefor and Ms. Khadejah Weathersby.

Parents: Ms. Darnell Paling, Mr. Stephen Paling, Ms. Vernelle Antonio and Ms. Luwana Kim.

Representative Ching also congratulated the cheerleading team and noted the value in supporting others.

Representative Awana offered her congratulations to the Ram Cheerleaders and commended them on their dedication and successful efforts as a team, including the support of their coaches, families and the community.

The motion was put to vote by the Chair and carried, and H.R. No. 197, was adopted, with Representatives Carroll, Hanohano, Keith-Agaran, Thielen and Wooley being excused.

The following resolution (H.R. No. 198) was announced by the Clerk and the following action taken:

H.R. No. 198, entitled: "HOUSE RESOLUTION CONGRATULATING THE MARYKNOLL SISTERS FOR 100 YEARS OF DEDICATED SERVICE AND OUTREACH TO HELP THOSE IN NEED AROUND THE WORLD AND TO BETTER THE LIVES OF INDIVIDUALS AND THE COMMUNITY," was jointly offered by Representatives Belatti, Aquino, Awana, Brower, Chang, Chong, Choy, Coffman, Cullen, Evans, Fontaine, Giugni, Hanohano, Har, Hashem, Ito, Johanson, Jordan, Kawakami, Keith-Agaran, Luke, Manahan, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Oshiro, Pine, Rhoads, Say, Takumi, Thielen, Tokioka, Wooley, Yamashita, Cabanilla and Herkes.

Representative Belatti moved that H.R. No. 198, be adopted, seconded by Representative Yamane.

Representative Belatti commended the Maryknoll Sisters for 100 years of relieving suffering throughout the world, and thanked them for their 85 years of serving Hawaii through their work in education, health care, social services, human and civil rights, and advocacy for women and children.

Representative Belatti then introduced the honorees representing Maryknoll School who were seated on the Floor of the House:

Mr. Perry Martin, President of Maryknoll School; and
Ms. Lisa Gomes, Catholic Diocese of Honolulu.

Representative Belatti also recognized the many teachers and faculty members seated in the Gallery:

Ms. Betsey Gunderson, Ms. Shana Tong, Ms. Darcie Kawamura, Mr. Elliott Chamizo, Mr. Brad Koki, Ms. Margot Adair, Mr. Glenn Medeiros, Mr. Chris Casupang, Mr. Josh Dela Luna, and many others.

Representative Yamane introduced additional honorees seated on the Floor of the House, who were representing major programs of the Maryknoll Sisters:

Ms. Stella Wong of Catholic Charities, representing Mr. Jerry Rauckhorst who was seated in the Gallery; and

Bishop Yoshiaki Fujitani, a founding member of Project DANA, an interfaith volunteer caregivers program.

Representative Yamane then introduced the final honoree seated on the Floor of the House representing the 398 Maryknoll Sisters who have served the people of the State of Hawaii:

Sister Joane Chatfield, M.M., Regional Contact Person for the Maryknoll Sisters in the Central Pacific Region.

Representative Yamane also recognized Maryknoll Sisters seated in the Gallery, as well as students and alumni including Representative Della Au Belatti:

Sisters Rosalinda Barrozo, Isabel Rabbon, Eleanor Killion, Rosario Daley, Paulette Yeung, Yoo Soo Kim and Ardis Kremer.

Representative Takumi noted the good work of the Maryknoll sisters both in Hawaii and in many countries around the world.

Representative Ching expressed her gratitude for the work of the Maryknoll Sisters in service to our community.

Representative Pine thanked the sisters of Maryknoll School for instilling values in her family which help guide her today.

The motion was put to vote by the Chair and carried, and H.R. No. 198, was adopted, with Representatives Carroll, Hanohano, Keith-Agaran, Thielen and Wooley being excused.

At 12:36 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m., with Vice Speaker Manahan presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Hanohano, Keith-Agaran and Thielen were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1445-12) recommending that S.B. No. 2419, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2419, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1446-12) recommending that S.B. No. 2221, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2221, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1447-12) recommending that S.B. No. 2871, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2871, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

At 12:45 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2419, SD 2, HD 3
S.B. No. 2221, SD 1, HD 1
S.B. No. 2871, SD 1, HD 2

REPORTS OF STANDING COMMITTEES

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1510-12) recommending that S.B. No. 2909, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was placed on the calendar for

Third Reading, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1511-12) recommending that S.B. No. 3002, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 3002, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Pine 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. 3002, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1512-12) recommending that H.R. No. 138, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.R. No. 138, be adopted, seconded by Representative Evans.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Tesoro oil refinery recently announced its sale during a time of positive, yet fragile, economic growth within the State. This announcement has caused a great deal of concern regarding the economic impact on consumers and the State. The sale, or inability to sell, has also raised the concern of Tesoro's employees and their job security.

"While this complex sales transaction unfolds, it is imperative that the Legislature understand the economic effects of the sale on the financial well being of consumers and the State. The Legislature should be prepared to take all necessary steps to ensure that consumers are protected from skyrocketing oil prices that would threaten to cripple our slowly recovering local economy. Therefore, I support House Resolution 138 requesting that the Speaker of the House of Representatives convene a legislative task force to assess the impact of the potential sale of the Tesoro oil refinery on consumers and the State.

"The *kuleana* of the appointed task force will be to develop economic models that illustrate the potential economic effect that having a single refinery operating in the State would have as compared to having at least two refineries operating in the State. Furthermore, the task force will develop an economic model that considers the financial impact to Hawaii consumers and the State if a natural or man-made event causes an oil refinery in the State to temporarily cease production; how petroleum products could be supplied under such a scenario; and the projected impact of such a scenario. The creation of this task force will provide a venue where Tesoro can possibly share their *mana'o* of the marketplace and describe hurdles that the local petroleum industry faces in doing business in Hawaii.

"As energy challenges have become increasingly likely due to shrinking oil reserves and increasing energy use the insights gained by the task force will prove to be a valuable resource in the States response to oil shortages. Only by developing a greater understanding of our oil industry can we create the tools necessary to facilitate the creation of a coherent and integrated energy plan."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 138, entitled: "HOUSE RESOLUTION REQUESTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CONVENE A LEGISLATIVE TASK FORCE TO ASSESS THE IMPACT OF THE POTENTIAL SALE OF THE TESORO OIL REFINERY ON CONSUMERS AND THE STATE," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1513-12) recommending that H.R. No. 41, be adopted; and

(Stand. Com. Rep. No. 1514-12) recommending that H.C.R. No. 61, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 41; and H.C.R. No. 61, be adopted, seconded by Representative Evans.

Representative Riviere rose to speak in support of both measures with reservations, stating:

"Mr. Speaker. Can we go back to the measures on the cowry shell, if I may? That was Stand. Com. Rep. Nos. 1513 and 1514. I just wanted to note some reservations there. It's good that we're doing this, but I think we might have been better off choosing a seashell unique to Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 41, entitled: "HOUSE RESOLUTION IN SUPPORT OF DECLARING THE SERPENT'S HEAD COWRY SHELL AS THE HAWAII STATE SEA SHELL," was adopted, with Representatives Carroll, Hanohano and Thielen being excused; and

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF DECLARING THE SERPENT'S HEAD COWRY SHELL AS THE HAWAII STATE SEA SHELL," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1515-12) recommending that H.R. No. 126, be adopted; and

(Stand. Com. Rep. No. 1516-12) recommending that H.C.R. No. 162, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 126; and H.C.R. No. 162, be adopted, seconded by Representative Evans.

Representative Har rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support of these very important Resolutions on behalf of Spreckelsville Beach Lots."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," was adopted, with Representatives Carroll, Hanohano and Thielen being excused; and

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A

NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1517-12) recommending that H.C.R. No. 84, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 84, HD 1, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just rise with very slight reservations on Stand. Com. Rep. 1517. I know that it says here that they will be able to, the hunters, I'm speaking of, work with the farm owners to be able to control the pigs and to be able to get permission. But it's my understanding from speaking with just some hunters that sometimes there's a reluctance of the landowners to *per se*, get in. You know, it's a little bit time consuming or what have you, to go get the paper. And so it might actually result in less hunting of pigs.

"As an environmental concern, I think people should. I'm sure this Chamber is well aware of the damaging effects of pigs. And in my valley, Nuuanu Valley that I share with the Representative from Nuuanu, we have a pig problem. And you know we want to make sure we're doing everything we can to win-win. Make sure that the landowners are not put in any kind of liability, but that pig hunters can hunt pig.

"We've actually, just as an amusing fact, have had a pig come all the way down to Bachelot Street. Thank you."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"I also want to speak with reservations on this measure. I think this Stand. Com. or HCR No. 84 will be very difficult to enforce. Because when you're hunting out there in the open, and you're chasing a wild animal, you may not know where the boundaries are. Or you're just so engulfed in your activity, that the boundaries may not be your priority. I would hate for people to get caught with this enforcement of law, should a law be written as a result of this Resolution. Thank you, Mr. Speaker."

Representative Pine 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 H.C.R. No. 84, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1518-12) recommending that H.R. No. 119, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 119, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING HAWAII AS A HUMAN RIGHTS STATE," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1519-12) recommending that H.C.R. No. 155, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 155,

HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING HAWAII AS A HUMAN RIGHTS STATE," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

THIRD READING

S.B. No. 2698, SD 1, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Hanohano and Thielen being excused.

S.B. No. 2759, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2759, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Hanohano and Thielen being excused.

At 12:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2698, SD 1, HD 1
S.B. No. 2759, SD 1

ANNOUNCEMENTS

Representative M. Lee, for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures this afternoon at 2:30 p.m. in Room 308, with decision making to follow, and the Chair "so ordered."

S.B. 2383, SD1, HD1, Relating to the Issuance of Special Purpose Revenue Bonds to Assist Not-For-Profit Corporations that Provide Healthcare Facilities to the General Public;
S.B. 2506, SD2, HD1, Relating to Civil Identification;
S.B. 2939, SD1, HD1, Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii;
S.B. 490, SD3, Relating to the Hawaii Tourism Authority;
S.B. 2001, SD1, HD1, Relating to the Public Land Trust;
S.B. 2424, SD2, HD2, Relating to Professional Employer Organizations;
S.B. 2671, SD1, Relating to Collective Bargaining;
S.B. 2798, SD1, Relating to Insurer Requirements;
S.B. 745, SD2, HD1, Relating to Seawater Air Conditioning;
S.B. 2056, HD1, Relating to the Penal Code;
S.B. 2568, HD1, Relating to the Homeless;
S.B. 2655, SD2, HD2, Relating to Portable Electronics Insurance; and
S.B. 2933, SD2, HD1.

In addition, decision making would be held on the following measures previously heard on Monday, April 2nd and Tuesday, April 3rd:

S.B. 2030, SD2, HD1, Relating to Procurement; and
S.B. 2335, HD1, Relating to Special Management Areas.

Representative Ward: "Mr. Speaker, today's floor presentation was very revealing. We learned about Marilyn the Majorette, Karen Awana the Cheerleader, and at the recess, I learned that Cindy Evans was also a cheerleader. She asked a question which I would ask as an announcement. How many other cheerleaders have we in this group? Representative Choy? No.

"Okay, that was inspiring, because the question that also arose was, how many played football, such as myself who was the co-captain, who benefitted from the *esprit de corps*? Because the Finance Committee, until 2:00 a.m. last night, the *esprit de corps* is very, very important.

"So how many did organized sports, either in high school, or college? So today was very inspiring, Mr. Speaker, and hopefully the *esprit de corps* will continue until the end of this Session when *sine die* is coming. Thank you.

"And lastly, there's a fellowship luncheon. And in fact this is supposed to be Ty and Derrick's day because they're providing lunch in Room 437. The fellowship luncheon, as we dismiss. Thank you, Mr. Speaker."

Representative Belatti: "Mr. Speaker, I know there's a lot going on this afternoon, but if Members want to stop by, the Maryknoll delegation is going to be in Room 329 with a light lunch. If you want to stop by and take pictures, please join us. Thank you."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R.

<u>Nos.</u>	<u>Referred to:</u>
4	Committee on Health, then to the Committee on Finance
15	Committee on Transportation, then to the Committee on Finance
49, SD1	Committee on Transportation, then to the Committee on Finance
50	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business
78	Committee on Education, then to the Committee on Finance
79	Committee on Education, then to the Committee on Finance
101	Committee on Health
104	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
106, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
130	Committee on Housing, then to the Committee on Finance
135	Committee on Agriculture, then to the Committee on Finance
142	Committee on Human Services, then to the Committee on Finance

ADJOURNMENT

At 12:58 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 05, 2012. (Representatives Carroll, Hanohano and Thielen were excused.)

FORTY-FIFTH DAY

Thursday, April 05, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Reverend Dr. John R. Heidel, President of the Interfaith Alliance Hawaii, after which the Roll was called showing all Members present with the exception of Representatives Ito, Oshiro and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fourth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1109 and 1110) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1109, informing the House that on April 04, 2012, the following bill was signed into law:

H.B. No. 2769, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES." (ACT 009)

Gov. Msg. No. 1110, informing the House that on April 04, 2012, the following bill was signed into law:

H.B. No. 1743, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING." (ACT 010)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 460 through 474) were received and announced by the Clerk:

Sen. Com. No. 460, transmitting S.C.R. No. 34, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AUDITS OF STATE DEPARTMENT OPERATIONS THAT RESULT IN HIGH NON-BASE COMPENSATION OF STATE AND COUNTY EMPLOYEES, PAY FOR NOT WORKING, AND SALARY OVERPAYMENTS," which was adopted by the Senate on April 4, 2012.

Sen. Com. No. 461, transmitting S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES MEETINGS," which was adopted by the Senate on April 4, 2012.

Sen. Com. No. 462, transmitting S.C.R. No. 97, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO EXPLORE THE CREATION OF A WEB SERVICES-BASED DATABASE PROGRAM TO TRACK UNINSURED MOTORISTS," which was adopted by the Senate on April 4, 2012.

Sen. Com. No. 463, transmitting S.C.R. No. 162, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO REQUEST THAT THE DIRECTOR OF THE OFFICE OF GLOBAL CHANGE OF THE UNITED STATES DEPARTMENT OF STATE PROPOSE TO THE CONFERENCE OF PARTIES FOR THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE THAT THE UNITED STATES HOST THE 2015 UNITED NATIONS CLIMATE CHANGE CONFERENCE IN HONOLULU, HAWAII," which was adopted by the Senate on April 4, 2012.

Sen. Com. No. 464, dated April 4, 2012, informing the House that the Senate has on April 3, 2012, agreed to the amendments proposed by the House to the following Senate Bills and that said bills have this day passed Final Reading:

S.B. No. 2503, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

S.B. No. 3029, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE."

Sen. Com. No. 465, dated April 4, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 2222, SD 2, HD 1

S.B. No. 2247, SD 2, HD 1

S.B. No. 3039, SD 1, HD 1

Sen. Com. No. 466, transmitting H.B. No. 1964, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 467, transmitting H.B. No. 1965, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR PHARMACISTS," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 468, transmitting H.B. No. 2162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 469, transmitting H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 470, transmitting H.B. No. 2533, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF AGGRAVATED CIRCUMSTANCES IN THE CHILD PROTECTIVE ACT," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 471, transmitting H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 472, transmitting H.B. No. 2628, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 473, transmitting H.B. No. 1543, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING LAW," which passed Third Reading in the Senate on April 4, 2012.

Sen. Com. No. 474, transmitting H.B. No. 1925, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on April 4, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Oshiro and Thielen were excused.)

H.B. No. 1543, (SD 1)

H.B. No. 1925, HD 1, (SD 1)

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Awana congratulated and introduced the Boys & Girls Club of Hawaii's Youth of the Year for their respective clubs:

Ms. Leah Kinores, Makawao;
Ms. Raquel Zane, Kula;
Ms. Courtney Galarita, Lahaina;
Ms. Tiera Conely, Haiku;
Ms. Kaliko Kauai, Waianae;
Ms. Nicole Nartates, Ewa Beach;
Ms. Kristie Kodama, Kapolei;
Mr. Benjamin Fernandez, III, Honolulu;
Mr. Tosha Taylor, Anahola; and
Mr. Joseph Camelo, Lihue.

Representative Awana also congratulated the Youth of the Year State Finalists:

Mr. Lopaka Mattos of Wailuku; and
Mr. David Teixeira of Waianae.

Representative Pine introduced entertainers and ambassadors of aloha who worked at the Hawaiian Room in the Lexington Hotel in New York City which opened on June 21, 1937 and is celebrating its 75th anniversary.

Ms. Koko Amoy;
Ms. Leialoha Kaleikini;
Ms. Leonani Akau;
Ms. Mona Joy;
Ms. TeMoana Makolo;
Ms. Manu Gloria Kanemaru Bentley; and
Ms. Nani Camacho.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representative Thielen was excused.)

UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1496-12) recommending that S.B. No. 2167, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2167, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1497-12) recommending that S.B. No. 2009, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2009, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1498-12) recommending that S.B. No. 2256, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2256, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure. Placing personal financial responsibility on the user will guaranty that the resources will be placed to its best use. Individual metering will achieve that.

"In this era where the price of oil is a major concern to everyone, and conservation is one of the major goals we advocate through legislation, this is a measure that I am proud that we as a Body are able to pass. 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. 2256, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1499-12) recommending that S.B. No. 3031, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3031, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1500-12) recommending that S.B. No. 2013, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2013, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1501-12) recommending that S.B. No. 2646, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2646, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1502-12) recommending that S.B. No. 2375, SD 3, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2375, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1503-12) recommending that S.B. No. 223, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1504-12) recommending that S.B. No. 1168, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1168, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1505-12) recommending that S.B. No. 2703, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2703, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

At 12:17 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2167, SD 1, HD 2
S.B. No. 2009, SD 1, HD 2
S.B. No. 2256, HD 2
S.B. No. 3031, SD 1, HD 1
S.B. No. 2013, SD 1, HD 2
S.B. No. 2646, SD 1, HD 2
S.B. No. 2375, SD 3, HD 2
S.B. No. 223, SD 1, HD 1
S.B. No. 1168, SD 1, HD 1
S.B. No. 2703, SD 1, HD 1

REPORTS OF STANDING COMMITTEES

Representative Awana, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1520-12) recommending that H.R. No. 132, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 132, entitled: "HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE OF BUILDING A LASTING RELATIONSHIP AND FRIENDSHIP BETWEEN THE PEOPLE OF HAWAII AND YEREVAN, ARMENIA," was adopted, with Representative Thielen being excused.

Representative Awana, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1521-12) recommending that H.C.R. No. 172, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF BUILDING A LASTING RELATIONSHIP AND FRIENDSHIP BETWEEN THE PEOPLE OF HAWAII AND YEREVAN, ARMENIA," was adopted, with Representative Thielen being excused.

Representatives Awana and Brower, for the Committee on International Affairs and the Committee on Tourism presented two reports:

(Stand. Com. Rep. No. 1522-12) recommending that H.R. No. 97, be adopted; and

(Stand. Com. Rep. No. 1523-12) recommending that H.C.R. No. 129, be adopted.

Representative Chong moved that the reports of the Committees be adopted, and that H.R. No. 97; and H.C.R. No. 129, be adopted, seconded by Representative Evans.

Representative Yamane rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1522 and 1523, urging the inclusion of the People Republic of China in the visa waiver program. I would like to just express my reservations on the measure. From past discussions regarding national security issues, the visa waiver program was set up to allow those countries to have an expedited process for getting visas to visit the United States. With the past history of some tensions regarding the downed B-22 bomber and some other issues regarding China's encroachment on some friendly nations like the Philippines, I do have some reservations. Thank you."

Representative Cullen rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative M. Lee rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations. I am not certain we are ready for the volume of tourists we might receive from this waiver. We will need to do a lot more evaluation of the industry regarding language and customs before we are able to service a large number of these tourists. For the future it is a good idea, but premature."

Representative Cabanilla rose to speak in support of both measures, stating:

"In strong support, Mr. Speaker. And I just would like to say that they are very good allies with Hawaii, and they will bring commerce to our islands should that waiver be granted. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of both measures, stating:

"Mr. Speaker, in support. Just briefly. I would say that I understand how the waiver system works, but I think in this case we're protected to a large degree by the fact that it costs a lot of money to get here. And if we're concerned about just everyone coming to Hawaii, I don't think we have to worry just for financial reasons."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 97, entitled: "HOUSE RESOLUTION URGING THE INCLUSION OF THE PEOPLE'S REPUBLIC OF CHINA IN THE VISA WAIVER PROGRAM," was adopted, with Representative Thielen being excused; and

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE INCLUSION OF THE PEOPLE'S REPUBLIC OF CHINA IN THE VISA WAIVER PROGRAM," was adopted, with Representative Thielen being excused.

Representatives Awana and Brower, for the Committee on International Affairs and the Committee on Tourism presented a report (Stand. Com. Rep. No. 1524-12) recommending that H.R. No. 55, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 55, entitled: "HOUSE RESOLUTION URGING THE FEDERAL GOVERNMENT TO INCLUDE HONG KONG IN THE UNITED

STATES VISA WAIVER PROGRAM AND EASE VISA RESTRICTIONS AND THE VISA APPLICATION AND APPROVAL PROCESS FOR BUSINESS AND TOURIST TRAVELERS WITH HONG KONG SPECIAL ADMINISTRATIVE REGION PASSPORTS," was adopted, with Representative Thielen being excused.

Representatives Awana and Coffman, for the Committee on International Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1525-12) recommending that H.R. No. 38, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES," was adopted, with Representative Thielen being excused.

Representatives Awana and Coffman, for the Committee on International Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1526-12) recommending that H.C.R. No. 59, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 59, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES," was adopted, with Representative Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1527-12) recommending that H.C.R. No. 114, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 114, HD 1, be adopted, seconded by Representative Evans.

Representative Johanson rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. My main point of opposition hinges on section 4 of this particular Resolution. Having worked for two years in Presidential Personnel tasked solely with facilitating, vetting and recommending candidates for presidential appointment that required Senate confirmation, what I just thought I would share with the Members is, as frustrating as it was at times not to be able to have a simple majority up or down vote. And I think the intent of the Resolution is certainly a good one.

"What I found in practice was that it actually forced the White House to come up with some more consensus candidates that had broad bipartisan support. And because many of these people have billions of dollars, and thousands of people under their direction, and they have vast, broad powers under the federal government, I found as difficult as it was, often for me, that it actually created a system where we found better candidates that probably served all of America's interests. So for those reasons, I wish to express my opposition. Thank you."

Representative Fontaine rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, and some comments. I'm a proud descendant of one of our founding fathers, Alexander Hamilton, who's on the \$10 bill, and so I have a very interesting family and we have a tremendous reverence for the Constitution. I'm in opposition because of section 3, which urges the abolishment of the Electoral College.

"I am continually looking at the Constitution and reading the histories of our Founding Fathers and I am, every time, amazed at the complexity of the Constitution and how they really thought through every little part of government. They really wanted to make sure that every American, in a sense, was properly represented, both through the Senate and the House, as well as the Presidential elections. Certainly it has created a Republic that has made it very difficult, sometimes, to pass things, because everyone's views are certainly represented. But what's so special here is no one view is worth more than the other.

"So what is the Electoral College, Mr. Speaker? Basically, the Electoral College is, for every House Member, each state is given one vote, per House Member. And for every Senate Member, every state is given two votes. The House of Representatives is really supposed to represent the will of the people. The Senate, however is supposed to represent the will of the states. Our Founding Fathers wanted to do this because they wanted to make sure that a small state like ours was not any less than California.

"So through the electoral process, because we have two senators, which is equal to California that can easily outvote us, we actually have more power, and more votes in Hawaii through the electoral process. If we were to go back to a system where we just say, 'Hey winner take all. Every American vote wins an election.' Then Hawaii would be meaningless, because we wouldn't have two votes which is equal to California. People will no longer think that we're important, and Congress will no longer look upon us in the favor that they do in Presidential elections. So that's why I cannot vote for this Resolution, Mr. Speaker."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. Unfortunately, in opposition. My opposition is basically based upon the dangers of a Constitutional Convention. I just want to share a brief story with the Members. Back in the day, when I was an aide, when the Legislature was over at the Hemmeter Building, a Resolution was introduced calling for a Constitutional Convention for balanced budget amendment, something that everybody pretty much supported.

"But as the Resolution made its way through, a lot of groups from both the left and the right came in there very upset. And one of the things that came out through the process of Committee Hearing was, once the Constitutional Convention is called, anything can be brought to the Floor. There are no sacred cows. Title IX. The Native Hawaiian Entitlement Program. All of that's on the chopping block, or could be, as well as these other issues that other people have raised. And once it's in the Constitution, Mr. Speaker, it's in the Constitution. It can't be removed by act of Congress later on.

"I'm very concerned that while I appreciate the intent of the author, and I respect his passions, I just think it's a danger, because you're opening up a lot of issues and cans of worms that will affect both sides of the political spectrum. That's why at this point I just cannot support this Resolution. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am in opposition to this particular Resolution. I am not opposed to a State or national Constitutional Convention, however, the reasons for this particular national Constitutional Convention are not to my liking. So that is the reason for my no vote."

Representative Har rose in opposition to the measure and asked that the remarks of Representative McKelvey be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. With the question. How can we, after having a 1978 Constitution, having voted down for 30 years for the people of Hawaii to open up and look at issues, vote for this? When, in effect, we can't do it locally, but we wanted to do it at the national. It doesn't make sense. That's why it's a strong no vote. Thank you."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations and a brief comment. My record is pretty clear that I am in support of Constitutional Conventions and perhaps it is this time in our nation's history that we are, we should look at this. My reservations come with the fact that one of the things we should ask a potential Con-Con at the national level to consider is whether or not corporations, for purposes of campaign spending, should be treated as natural persons. Thank you, Mr. Speaker."

Representative Giugni rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Cullen rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Choy rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Nakashima rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record a no vote 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 Hanohano 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 H.C.R. No. 114, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPLYING TO CONGRESS TO CALL A NATIONAL CONSTITUTIONAL CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION," was adopted, with Representatives Carroll, Ching, Choy, Cullen, Fontaine, Giugni, Hanohano, Har, Johanson, Kawakami, Marumoto, McKelvey, Nakashima, Pine, Riviere, Saiki and Ward voting no, and with Representative Thielen being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1528-12) recommending that S.B. No. 1142, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 1142, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine 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 an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1142, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading, with Representative Thielen being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1529-12) recommending that S.B. No. 1312, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION," passed Second Reading and was placed on the calendar for Third Reading, with Representative Thielen being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1530-12) recommending that S.B. No. 2816, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," passed Second Reading and was placed on the calendar for Third Reading, with Representative Thielen being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1531-12) recommending that S.B. No. 2868, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2868, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record a no vote 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 Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2868, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Ching, Fontaine, Pine and Ward voting no, and with Representative Thielen being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1532-12) recommending that S.B. No. 2967, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2967, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was placed on the calendar for Third Reading, with Representative Thielen being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1533-12) recommending that S.B. No. 2784, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2784, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO RECAPITALIZE STATE FISCAL RESERVES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1534-12) recommending that S.B. No. 2438, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1534-12 on S.B. No. 2438, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2438, SD 1, HD 2, were made available to the Members of the House.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1535-12) recommending that S.B. No. 824, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1535-12 on S.B. No. 824, SD 2, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 824, SD 2, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1536-12) recommending that S.B. No. 2354, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1536-12 on S.B. No. 2354, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2354, SD 1, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1537-12) recommending that S.B. No. 2873, SD 1, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1537-12 on S.B. No. 2873, SD 1, HD 3, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2873, SD 1, HD 3, were made available to the Members of the House.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1538-12) recommending that S.B. No. 2341, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1538-12 on S.B. No. 2341, SD 2, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2341, SD 2, HD 2, were made available to the Members of the House.

At 12:31 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

THIRD READING

S.B. No. 2909:

Representative Chong moved that S.B. No. 2909, be recommitted to the Committee on Public Safety & Military Affairs, seconded by Representative Evans.

The Chair then addressed Representative Aquino, stating:

"Representative Aquino, would you state for the record and for the Members of this House why we are recommitting this particular measure."

Representative Aquino rose, stating:

"Thank you, Mr. Speaker. The reason for the recommitment, or the motion to recommit, is because the House Bill has already gone up to the Governor and I believe, he has already signed it into law. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," was recommitted to the Committee on Public Safety & Military Affairs, with Representative Thielen being excused.

S.B. No. 2486, SD 1, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2486, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 2640, SD 1, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2640, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

At 12:33 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2486, SD 1, HD 1
S.B. No. 2640, SD 1, HD 1

ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. I just wanted to let everyone know there's a nice opportunity for those of you who have children, or have friends that have children, or who would like to come on Saturday anyhow. The Iolani Palace, it will be having its first ever egg hunt. The Royal Egg Hunt. It starts at 10:00 a.m. to 12:00. They will have special free tours of the Iolani Palace. Keiki tours from 12:00 to 4:00.

"They will be collecting eggs on the Palace grounds, and learning about the history of the Iolani Palace. Special prizes will go to those who find those 12 golden eggs. You can take part, and the children can take part in several contests. But the important thing is they get a free tour of the Iolani Palace. And they get to dress up.

"You know, Mr. Speaker. This is something I've been doing for a couple years for my daughter. And the reason I asked the Iolani Palace to do it this year is I thought that this would be an opportunity to instill love of historic sites in children as actually it was done when I was little."

Representative Ward: "Mr. Speaker, after three marathon days in the Finance Committee, I was awakened yesterday by a white Easter bunny that looked a little bit like Representative Takai. But it reminded us that there was a holiday coming up. He was actually giving out candy, I think. He didn't come to my office, though. But I would swear it was him. Tomorrow is Good Friday, and Sunday is Easter, lest we forget that it's a special day for many people. I just wanted to say, and wish everybody a Happy Easter. Thank you."

Representative M. Lee: "Thank you, Mr. Speaker. Today at 2:00, the truck from IHS will be arriving. Everyone is welcome to come and help deliver the Easter baskets to the people at IHS. Thank you."

COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

S.C.R.**No.** **Referred to:**

157, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
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COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R.**No.** **Re-referred to:**

178	Committee on Finance
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H.C.R.**No.** **Re-referred to:**

229	Committee on Finance
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OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 10:00 o'clock p.m. this legislative day for the purpose of receiving Standing Committee Reports and Senate Bills transmitted thereby, seconded by Representative Pine and carried. (Representative Thielen was excused.)

RECESS

At 12:37 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, April 10, 2012. (Representative Thielen was excused.)

SUPPLEMENTAL CALENDAR #1

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 1539-12 through 1690-12), were received by the Clerk prior to 10:00 o'clock p.m. this legislative day, in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies were made available to the Members of the House, and the following action was taken:

Stand. Com. Rep. No. 1539-12 (FIN) and S.B. No. 2712, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1540-12 (FIN) and S.B. No. 2713, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1541-12 (FIN) and S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1542-12 (FIN) and S.B. No. 2803, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1543-12 (FIN) and S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1544-12 (FIN) and S.B. No. 2797, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1545-12 (FIN) and S.B. No. 2810, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1546-12 (FIN) and S.B. No. 2833, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1547-12 (FIN) and S.B. No. 3008, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1548-12 (FIN) and S.B. No. 2778, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1549-12 (FIN) and S.B. No. 2818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD

HUMAN BODIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1550-12 (FIN) and S.B. No. 2084, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1551-12 (FIN) and S.B. No. 2101, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1552-12 (FIN) and S.B. No. 2344, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1553-12 (FIN) and S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1554-12 (FIN) and S.B. No. 2540, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1555-12 (FIN) and S.B. No. 2773, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1556-12 (CPC) and S.B. No. 2103, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1557-12 (CPC) and S.B. No. 2630, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1558-12 (JUD) and S.B. No. 2228, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1559-12 (JUD) and S.B. No. 3001, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1560-12 (FIN) and S.B. No. 2489, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1561-12 (FIN) and S.B. No. 2261, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1562-12 (FIN) and S.B. No. 2776, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1563-12 (FIN) and S.B. No. 2865, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1564-12 (FIN) and S.B. No. 2866, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1565-12 (FIN) and S.B. No. 2337, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1566-12 (FIN) and S.B. No. 2402, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1567-12 (FIN) and S.B. No. 2747, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1568-12 (FIN) and S.B. No. 2874, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1569-12 (FIN) and S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1570-12 (FIN) and S.B. No. 2224, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1571-12 (FIN) and S.B. No. 2746, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1572-12 (FIN) and S.B. No. 2872, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1573-12 (FIN) and S.B. No. 2946, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1574-12 (FIN) and S.B. No. 2588, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1575-12 (FIN) and S.B. No. 2123, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1576-12 (FIN) and S.B. No. 2318, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1577-12 (FIN) and S.B. No. 2576, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1578-12 (FIN) and S.B. No. 2579, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MINORS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1579-12 (FIN) and S.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1580-12 (FIN) and S.B. No. 2214, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1581-12 (FIN) and S.B. No. 2220, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1582-12 (FIN) and S.B. No. 2323, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1583-12 (FIN) and S.B. No. 2324, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1584-12 (FIN) and S.B. No. 2528, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1585-12 (FIN) and S.B. No. 2239, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1586-12 (FIN) and S.B. No. 3050, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM, TELEVISION, DIGITAL, AND NEW MEDIA DEVELOPMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1587-12 (FIN) and S.B. No. 2748, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1588-12 (FIN) and S.B. No. 2842, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1589-12 (FIN) and S.B. No. 2859, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1590-12 (FIN) and S.B. No. 2158, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1591-12 (FIN) and S.B. No. 2858, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1592-12 (FIN) and S.B. No. 2277, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1593-12 (FIN) and S.B. No. 2785, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO

INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1594-12 (FIN) and S.B. No. 3011, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1595-12 (FIN) and S.B. No. 2850, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1596-12 (FIN) and S.B. No. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1597-12 (FIN) and S.B. No. 2536, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1598-12 (FIN) and S.B. No. 2709, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1599-12 (FIN) and S.B. No. 2766, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1600-12 (FIN) and S.B. No. 2813, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1601-12 (FIN) and S.B. No. 2820, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1602-12 (FIN) and S.B. No. 2821, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1603-12 (FIN) and S.B. No. 2827, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1604-12 (FIN) and S.B. No. 2828, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1605-12 (CPC/JUD) and S.B. No. 2412, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1606-12 (FIN) and S.B. No. 2288, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1607-12 (FIN) and S.B. No. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1608-12 (FIN) and S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1609-12 (FIN) and S.B. No. 2429, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1610-12 (FIN) and S.B. No. 2763, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1611-12 (FIN) and S.B. No. 2765, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1612-12 (FIN) and S.B. No. 2767, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1613-12 (FIN) and S.B. No. 2805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1614-12 (FIN) and S.B. No. 2397, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1615-12 (FIN) and S.B. No. 2435, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1616-12 (FIN) and S.B. No. 2779, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1617-12 (FIN) and S.B. No. 2213, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1618-12 (FIN) and S.B. No. 2750, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1619-12 (FIN) and S.B. No. 2248, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1620-12 (FIN) and S.B. No. 2584, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1621-12 (FIN) and S.B. No. 2655, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1622-12 (FIN) and S.B. No. 2780, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1623-12 (FIN) and S.B. No. 2758, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1624-12 (FIN) and S.B. No. 3062, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1625-12 (FIN) and S.B. No. 2939, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1626-12 (FIN) and S.B. No. 2126, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1627-12 (FIN) and S.B. No. 2466, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1628-12 (FIN) and S.B. No. 2534, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1629-12 (FIN) and S.B. No. 2933, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1630-12 (FIN) and S.B. No. 2876, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1631-12 (FIN) and S.B. No. 2506, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1632-12 (FIN) and S.B. No. 3053, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1633-12 (FIN) and S.B. No. 2386, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1634-12 (FIN) and S.B. No. 2790, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1635-12 (FIN) and S.B. No. 3003, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1636-12 (FIN) and S.B. No. 2981, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1637-12 (FIN) and S.B. No. 1197, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO

ENERGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1638-12 (FIN) and S.B. No. 2281, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1639-12 (FIN) and S.B. No. 2787, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1640-12 (FIN) and S.B. No. 2927, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1641-12 (FIN) and S.B. No. 580, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1642-12 (FIN) and S.B. No. 490, SD 3, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1643-12 (FIN) and S.B. No. 3048, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AND TOURISM STIMULUS INITIATIVES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1644-12 (FIN) and S.B. No. 2739, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1645-12 (FIN) and S.B. No. 745, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1646-12 (FIN) and S.B. No. 2226, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1647-12 (FIN) and S.B. No. 2238, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1648-12 (FIN) and S.B. No. 2457, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1649-12 (FIN) and S.B. No. 2947, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1650-12 (FIN) and S.B. No. 2745, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1651-12 (FIN) and S.B. No. 2001, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1652-12 (FIN) and S.B. No. 2822, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1653-12 (FIN) and S.B. No. 3006, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1654-12 (FIN) and S.B. No. 2335, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1655-12 (FIN) and S.B. No. 2678, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HONOLULU," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1656-12 (FIN) and S.B. No. 2782, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1657-12 (FIN) and S.B. No. 2774, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1658-12 (FIN) and S.B. No. 2789, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1659-12 (FIN) and S.B. No. 2116, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1660-12 (FIN) and S.B. No. 2535, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1661-12 (FIN) and S.B. No. 2545, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1662-12 (FIN) and S.B. No. 2769, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1663-12 (FIN) and S.B. No. 2804, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1664-12 (FIN) and S.B. No. 2568, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1665-12 (FIN) and S.B. No. 3025, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1666-12 (FIN) and S.B. No. 2737, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO

PUBLIC MEETINGS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1667-12 (FIN) and S.B. No. 650, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1668-12 (FIN) and S.B. No. 2056, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1669-12 (FIN) and S.B. No. 2941, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1670-12 (FIN) and S.B. No. 2236, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1671-12 (FIN) and S.B. No. 2030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1672-12 (FIN) and S.B. No. 2235, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS TECHNOLOGY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1673-12 (FIN) and S.B. No. 2958, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1674-12 (FIN) and S.B. No. 2320, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1675-12 (FIN) and S.B. No. 2383, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1676-12 (FIN) and S.B. No. 2434, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1677-12 (FIN) and S.B. No. 2632, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1678-12 (FIN) and S.B. No. 2424, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1679-12 (FIN) and S.B. No. 2671, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1680-12 (FIN) and S.B. No. 2110, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1681-12 (FIN) and S.B. No. 2695, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1682-12 (FIN) and S.B. No. 2378, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1683-12 (FIN) and S.B. No. 755, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1684-12 (FIN) and S.B. No. 2742, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1685-12 (FIN) and S.B. No. 3010, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1686-12 (FIN) and S.B. No. 1276, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1687-12 (FIN) and S.B. No. 2798, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1688-12 (FIN) and S.B. No. 2800, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1689-12 (FIN) and S.B. No. 2394, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," were placed on the calendar for Third Reading on April 10, 2012.

Stand. Com. Rep. No. 1690-12 (FIN) and S.B. No. 2115, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," were placed on the calendar for Third Reading on April 10, 2012.

ADJOURNMENT

At 10:00 o'clock p.m., the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, April 10, 2012.

HOUSE COMMUNICATIONS

House Communication dated April 5, 2012, from CJ Leong, 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 House Bills:

H.B. No. 1543, SD 1
H.B. No. 1925, HD 1, SD 1

FORTY-SIXTH DAY

Tuesday, April 10, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 9:26 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative James Kunane Tokioka, after which the Roll was called showing all Members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 236, 1111 and 1112) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 236, dated April 5, 2012, transmitting the 2011 Annual Report of the Hawaii Housing Finance and Development Corporation, pursuant to Section 201H-21, HRS.

Gov. Msg. No. 1111, informing the House that on April 09, 2012, the following bill was signed into law:

S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS." (ACT 011)

Gov. Msg. No. 1112, informing the House that on April 09, 2012, the following bill was signed into law:

H.B. No. 2639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION." (ACT 012)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 475 through 479) were received and announced by the Clerk:

Sen. Com. No. 475, transmitting S.C.R. No. 10, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE REPEAL OF COMBAT EXCLUSIONARY RULES," which was adopted by the Senate on April 5, 2012.

Sen. Com. No. 476, transmitting S.C.R. No. 64, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PUBLIC LAND DEVELOPMENT CORPORATION TO IDENTIFY PUBLIC TRUST LAND ON THE ISLANDS OF HAWAII AND MAUI WITH GEOTHERMAL RESOURCES THAT MAY BE DEVELOPED AND TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND IMPLEMENT GEOTHERMAL DEVELOPMENT PROJECTS ON PUBLIC TRUST LAND ON THE ISLANDS OF HAWAII AND MAUI," which was adopted by the Senate on April 5, 2012.

Sen. Com. No. 477, transmitting S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SELECTION OF DANIEL KAHIKINA AKAKA TO BE INDUCTED INTO THE ALOHA ORDER OF MERIT," which was adopted by the Senate on April 5, 2012.

Sen. Com. No. 478, transmitting S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION DECLARING THE FIRST WEEK OF OCTOBER AS HAWAII FISHING AND SEAFOOD WEEK," which was adopted by the Senate on April 5, 2012.

Sen. Com. No. 479, dated April 5, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 1500, HD 1
S.B. No. 2398, SD 2, HD 1

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar.

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, there will be no discussion as these are items agreed to by this Body for placement on the Consent Calendar."

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1536-12) recommending that S.B. No. 2354, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2354, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support SB 2354 SD1 HD2, as another way to address concerns by local farms with theft. This bill sets a simple standard for people attempting to sell substantial quantities of locally grown produce – show us written proof that you purchased the agricultural commodity from a local farmer.

"The House draft we vote on today requires that the certificate identify the particular sellers of the agricultural commodities and establishes lack of such ownership or movement certificates as prima facie evidence of second degree theft.

"Hawaii's future food security aspirations depend on having a strong and self-sufficient farming community. But our farmers – particularly our local truck and produce farmers – face an often thin margin between profitability and failure. High land prices. Scarcity of water. Higher labor costs than the mainland farmers filling container-loaded produce into the big box stores.

"Anecdotally, agricultural theft has become endemic in Hawaii. Such theft threatens the livelihood of farmers who are already engaged in an industry fraught with financial risks. Island farmers cannot afford for us to be lax on yet another threat to their ability to sustain viable local farms. In keeping with the effort to support local farmers and local agricultural production, I support this bill which will strengthen the tools to pursue agricultural thieves.

"This bill is a practical and efficient way to deter and prosecute agricultural theft. I urge my colleagues to vote in favor of local agriculture."

Representative Tsuji's written remarks in support of the measure are as follows:

"This bill seeks to deter theft of agricultural commodities and specifies ownership verification requirements for sales.

"The House Committee on Agriculture heard the majority of testimony in support of this Bill. Subsequent amendments included expanding the offense of theft in the second degree to include the theft of all agricultural commodities, rather than just those marketed for commercial purposes. This measure addresses the ongoing problem of agricultural theft and I urge my colleagues to support it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2354, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1539-12) recommending that S.B. No. 2712, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2712, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Awana voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1540-12) recommending that S.B. No. 2713, SD 1, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2713, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1543-12) recommending that S.B. No. 2808, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1544-12) recommending that S.B. No. 2797, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2797, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1545-12) recommending that S.B. No. 2810, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2810, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1546-12) recommending that S.B. No. 2833, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2833, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1549-12) recommending that S.B. No. 2818, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1553-12) recommending that S.B. No. 2772, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1555-12) recommending that S.B. No. 2773, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2773, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1556-12) recommending that S.B. No. 2103, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2103, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 2103 – Relating to Health. I rise in support of the measure. This will facilitate the transfer of important doctor's orders needed for patient care. The measure is especially needed in rural areas where the physician is not physically present. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2103, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1557-12) recommending that S.B. No. 2630, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2630, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1558-12) recommending that S.B. No. 2228, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2228, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support this measure as I supported a similar measure last Session that unfortunately was vetoed for a technical title – subject problem.

"I stand in support of this measure which requires the monitoring of the sale of products containing pseudoephedrine. Pseudoephedrine is an effective cold and allergy medication for many people, however it can be used in the manufacture of methamphetamine, commonly referred to as "ICE," a highly dangerous drug. This measure will provide an up to date, real-time tracking system that will help ensure that pseudoephedrine products are available for legitimate use, but not available to those who would illegally divert it. This measure allows retailers to block illegal sales and enhances law enforcement's suppression and investigation efforts.

"This measure is far better than requiring a prescription for pseudoephedrine. It will help reduce the cost and waste of valuable professional time required to obtain a prescription. The system is maintained by industry, so it will cost the State little. If the State's concerns with having access to the data proves to be a problem or a barrier, then future Legislatures can take up that issue.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2228, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1563-12) recommending that S.B. No. 2865, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1564-12) recommending that S.B. No. 2866, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2866, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1568-12) recommending that S.B. No. 2874, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2874, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1569-12) recommending that S.B. No. 2877, SD 1, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1570-12) recommending that S.B. No. 2224, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2224, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1572-12) recommending that S.B. No. 2872, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1576-12) recommending that S.B. No. 2318, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2318, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 2318 – Relating to Adult Guardianship and Protective Proceedings Jurisdiction.

"I rise in support of the measure. This is a Uniform Act which will provide clarity when determining guardian jurisdiction in multi-state situations. As the nation ages, such questions will be ever more important and this will provide uniformity among the states. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2318, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1579-12) recommending that S.B. No. 2751, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1582-12) recommending that S.B. No. 2323, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2323, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1583-12) recommending that S.B. No. 2324, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2324, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1587-12) recommending that S.B. No. 2748, SD 1, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2748, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1589-12) recommending that S.B. No. 2859, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2859, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I strongly support this bill which addresses a practical and frustrating problem faced by the normal, everyday working person who wants to participate in our democracy. This bill allows members at a board meeting that must be cancelled for lack of a quorum to receive testimony and presentations from the people who have shown up to the cancelled meeting. Many people must arrange work and family obligations in order to testify at an announced meeting of a public board considering an issue of importance to them. Through no fault of their own, such a meeting can be cancelled at the time it is supposed to begin because a quorum is not present. The existing law presents a burden on public participation to require people to come back, possibly repeatedly before they can express their concerns to the board.

"This measure allows the members present to receive the testimony and make a record for the entire board so that members of the public are not unduly burdened.

"This measure also allows two or more, but less than a quorum of board members to attend information meetings or presentations on matters relating to official board business. This change balances allowing board members to participate in community events relevant to their work on the board with valid transparency concerns regarding deliberations by a board's majority outside of a properly noticed formal meeting. With this change, we recognize the occasional need for a neighborhood or organization to have the participation of their fellow residents who also serve as members of boards and elected bodies in the social and community life of our democracy.

"I urge my colleagues to vote in favor of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2859, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1595-12) recommending that S.B. No. 2850, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2850, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1597-12) recommending that S.B. No. 2536, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1598-12) recommending that S.B. No. 2709, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2709, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1600-12) recommending that S.B. No. 2813, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2813, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1601-12) recommending that S.B. No. 2820, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2820, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1602-12) recommending that S.B. No. 2821, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2821, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1603-12) recommending that S.B. No. 2827, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1604-12) recommending that S.B. No. 2828, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2828, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Honorable Speaker, I support SB2828 HD3 which changes the membership composition and functions of the Hawaii Early Intervention Coordinating Council to be consistent with the requirements of the Individuals With Disabilities Education Improvement Act of 2004 regarding the State Interagency Coordinating Council.

"SB2828 HD3 increases the Council's membership from fifteen to twenty-five members and pools membership from parents of special needs children, service providers with knowledge and experience with early intervention services, the Departments of Health, Education, Human

Services, Commerce and Consumer Affairs, Head Start, the Legislature, personnel, and other interested members selected by the Governor.

"SB2828 HD3 also adds to the function of the Council which is to advise and assist the Department of Education regarding the transition of toddlers with special needs to preschool and other appropriate services.

"The Department of Health annually receives more than \$2.1 million in federal funds which supports early intervention services to infants and toddlers who are at risk for developmental delays. Compliance with existing federal requirements requires the specification of additional members to the Hawaii Early Intervention Coordinating Council. The broader membership would ensure compliance with the Individuals With Disabilities Education Improvement Act of 2004 and also ensure that the needs of Hawaii's at risk children and their families are met.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2828, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1608-12) recommending that S.B. No. 2768, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1611-12) recommending that S.B. No. 2765, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2765, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1613-12) recommending that S.B. No. 2805, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1622-12) recommending that S.B. No. 2780, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2780, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1623-12) recommending that S.B. No. 2758, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2758, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1626-12) recommending that S.B. No. 2126, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2126, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1629-12) recommending that S.B. No. 2933, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2933, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I support S.B. 2933 SD2 HD2 which addresses the longstanding user conflicts and safety issues in the Kaanapali Ocean Recreation Management Area (ORMA) and other heavily used nearshore waters on the island of Maui.

"Today, as found throughout our island state, the nearshore waters on Maui are popular sites of recreational activity for both local residents and our visitors—it's a major reason Hawaii remains one of the best places to live and a major attraction for tourists and others who come to the islands for business. We as legislators have a duty to make the use of these nearshore waters as safe as possible for our residents and visitors. Tragically, these waters continue to be the sites of far too many accidents, including some tragic fatalities when swimmers and divers mix too easily with motorized recreational vessels.

"We can certainly take some practical steps to better prevent these tragedies and make our nearshore waters safe and enjoyable for everyone. Swim buoys to mark areas in our nearshore waters for swimmers and to separate those areas from speedboats, jet skis and other mechanized vessels, are an important tool to meeting these ends. As shown in many places both in Hawaii and in other resort destinations, swim bouys serve as incredibly efficient and effective solutions. Accidents involving collisions between speed boats and jet skis with swimmers are all too frequent occurrences because all parties are unaware of where appropriate swim zones are located. In addition, swimmers who swim beyond appropriate swim zones are in danger of being swept up in a rip tide, or drowning.

"This measure will give the Department of Land and Natural Resources (DLNR) a tool to implement these bouys in nearshore waters. DLNR will be mandated to adopt rules that promote greater safety of ocean users in the State's nearshore waters, appropriates funds for swim zone bouys at Kamaole beach, establishes the West Maui ORMA Advisory Committee to DLNR on State waters within the area, particularly with respect to Kaanapali, and requires reports to the Legislature.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2933, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1630-12) recommending that S.B. No. 2876, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2876, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Honorable Speaker, I support SB2876 SD2 HD3 which is intended to assist the Department of Transportation, Harbors Division in addressing the management and operations of its commercial harbor facilities. SB2876 SD2 HD3 adds two new sections to Part I of Chapter 266, Hawaii

Revised Statutes. The new civil procedure distinguishes civil matters from existing criminal statute, thus de-criminalizing certain violations.

"The new sections establish within the Department of Transportation, a State harbors civil violations system, whose purpose shall be to process administrative penalties for violations of departmental regulations.

"SB2876 SD2 HD3 establishes an administrative hearing process for non-criminal violations, modeled after and similar to the administrative process successfully being used by the Department of Land and Natural Resources. This law creates general administrative penalties and graduated fines, establishes minimum and maximum fines for each violation, authorizes the administrative hearings officer or the courts to deprive any violator of the privilege of entering State waters or obtaining operating or mooring permits for a period of not more than one year, and stipulates that the fines and penalties for non-criminal matters shall be deposited into the Harbor Special Fund.

"SB2876 SD2 HD3 allows the Department of Transportation to seek reimbursement from tenants or harbor users who violate federal maritime transportation security law which result in fines to the Department of Transportation.

"SB2876 SD2 HD3 further specifies that the State shall retain the right to pursue civil action for a violation of law even if criminal actions have been pursued for the violation, and to pursue criminal action even if civil actions have been pursued.

"I urge my colleagues to vote in favor of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2876, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1631-12) recommending that S.B. No. 2506, SD 2, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2506, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Honorable Speaker, I support SB2506 SD2 HD1 which consolidates within the Department of Transportation the State identification program with the driver license program. This measure moves Hawaii closer to assuring our residents will be able to travel freely and do business without interruption by ensuring that Hawaii Drivers Licenses and Hawaii State IDs comply with new federal requirements for official government identification. This bill would consolidate the two functions which are currently being issued by two different State agencies. The Department of the Attorney General would no longer be responsible for the issuance of non-driver license identification cards.

"The federal government enacted REAL ID Act 2005 which mandated the kinds of documentation required and procedures to be followed in issuing driver licenses and non-driver identification cards. The deadline for the implementation of the REAL ID Act is January 15, 2013. Failure to comply will result in official government identifications for Hawaii's people not being recognized by federal agencies and other states, thus preventing individuals to travel and to do business with the federal government and other states. SB2506 SD2 HD1 will ensure that all data collected and stored for both Driver License and for State Identification cards are managed by one state agency, the Department of Transportation. The counties which currently issue driver licenses would assume this function, easing access in obtaining a non-drivers license or civil identification card by having more locations available to them. Since the required documents and processing procedures for the issuance of both cards are similar, the transition should not be difficult to implement.

"Act 35, Session Laws of Hawaii 2011, mandated the Department of the Attorney General to work with the Director of Transportation and the appropriate county agencies, to allow county employees to issue certificates of identification at the same locations where driver licenses are issued. Coordination amongst the two programs is critical as the REAL ID Act must be implemented on a timely basis so that Hawaii's citizen can continue to travel and do business without interruption.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2506, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1633-12) recommending that S.B. No. 2386, SD 2, HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2386, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1634-12) recommending that S.B. No. 2790, SD 1, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2790, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I stand in strong support of this measure which will permit the Department of Hawaiian Home Lands to keep building affordable homes for its beneficiaries and which will extend the repeal date of Act 187, SLH 2010, a pilot program not yet implemented, which would enable the Department to commence housing and other projects, without having the full project cost on hand at its initiation.

"By permitting the Department of Hawaiian Home Lands to begin projects without having the full capital costs on hand, this measure will help the Department better manage its cash flow and resources, so as to better serve its beneficiaries through homestead awards."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2790, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1641-12) recommending that S.B. No. 580, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 580, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1645-12) recommending that S.B. No. 745, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 745, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1652-12) recommending that S.B. No. 2822, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2822, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1653-12) recommending that S.B. No. 3006, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3006, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1657-12) recommending that S.B. No. 2774, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2774, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1662-12) recommending that S.B. No. 2769, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2769, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1667-12) recommending that S.B. No. 650, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 650, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Mahalo, Mr. Speaker. I stand in strong support of this measure which will amend the Hawaii State Constitution to empower the Chief Justice to appoint retired judges, ages seventy and above, to serve as temporary judges, for terms not to exceed three months, in courts no higher than they had previously attained.

"This measure will permit the Judiciary to utilize the experience and skill of those judges who reached retirement age but who are still willing to continue to serve the people of the State of Hawaii. Apparently our existing constitutional provision has been interpreted to bar such service after the retirement age is reached. The ability to continue to employ their knowledge and expertise in our court system will prove to be an invaluable asset to the Judiciary. Where such service is common is our federal court system where judges are appointed for life and serve capably and effectively decades after Hawaii's constitutionally imposed retirement age. The phrase "per each appointment" in this bill was included to demonstrate that this measure anticipated that these judges may be appointed for multiple terms. Here, whether the judiciary decides to make additional reappointments in light of a judge's retirement benefits will be left to the good judgment of that branch of government and the individual judges. Also, the term "judges" was contemplated to include "justices" too."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 650, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI,

SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1668-12) recommending that S.B. No. 2056, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2056, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1670-12) recommending that S.B. No. 2236, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2236, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1674-12) recommending that S.B. No. 2320, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2320, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Thank you, Mr. Speaker. I strongly support this bill which establishes in law the Kupuna Care program.

"SB2320 hopefully will fill a legal structural gap in our community continuum of care by recognizing the important role provided by family caregivers. Much of the care provided in Hawaii's close-knit communities are provided by family members. This bill will provide better support for them.

"There is no doubt that Hawaii's growing elderly population may need long-term care facilities. But we need to recognize the important role provided through traditional family support by funding and supporting affordable quality home and community-based services. The Kupuna Care Program has been addressing the growing needs of the elderly and increasing demand for such services. Formally establishing kupuna care into law will strengthen the possibility that these compassionate and practical services will continue to be available.

"As the baby boomers enter their elder years, the demand for such services will only increase and the state must be positioned and prepared to accommodate such demand. The need for long term care has become more widespread as a result, and the Kupuna Care Program serves as a mechanism for providing affordable long-term care by supporting home-based solutions as long as practical and effective. At a time when the economy is struggling, affordability remains a priority.

"We must protect our elderly citizens as they become more vulnerable to society. The Kupuna Care Program's services will also ensure that our elderly are cared for and protected, and that they will enjoy a quality of life that's caring and humane."

Representative M. Lee's written remarks in support of the measure are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 2320 – Relating to Aging.

"I rise in support of the measure. This important measure is part of the Kupuna Caucus package, and is important not only because it may bring

down federal funds, but also because it will be a huge help to our aging population. Hopefully all the ADRC units across the State can be fully funded. This is an integral part of the aging infrastructure that cannot be done without. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2320, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1675-12) recommending that S.B. No. 2383, SD 1, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2383, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1677-12) recommending that S.B. No. 2632, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2632, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1680-12) recommending that S.B. No. 2110, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2110, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1681-12) recommending that S.B. No. 2695, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2695, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Tsuji's written remarks in support of the measure are as follows:

"This measure would require the Department of Agriculture to collaborate with other institutions to implement a livestock feed feasibility pilot.

"Feed costs continue to rise and thus continue to be a challenge to our local farmers. Any solutions to this predicament should be looked into and I believe this Bill is viable and relevant. I urge this Chamber to support it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2695, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1682-12) recommending that S.B. No. 2378, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2378,

SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1687-12) recommending that S.B. No. 2798, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2798, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1688-12) recommending that S.B. No. 2800, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2800, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Third Reading by a vote of 51 ayes.

THIRD READING

S.B. No. 3002, SD 2, HD 1:

Representative Chong moved that S.B. No. 3002, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks in support of the measure are as follows:

"Mahalo, Mr. Speaker. I stand in support of this measure which will afford liability protection to real estate brokers and salespersons for misrepresentation based upon good faith reliance upon certain persons and records and based upon their reliance upon certain disclosures.

"However, rather than have that good faith reliance decided by the subjective opinions of the applicable brokers and salespersons, it makes better sense to have that determined by a disinterested third-party. After careful and due consideration, I commend the Chair of Consumer Protection's recommendation that the State of Hawaii's Regulated Industries Complaints Office and the Real Estate Commission who shall resolve whether the brokers or salespersons relied in good faith upon certain persons, information, or disclosures."

The motion was put to vote by the Chair and carried, and S.B. No. 3002, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Third Reading by a vote of 51 ayes.

S.B. No. 1312, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 1312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION," passed Third Reading by a vote of 51 ayes.

S.B. No. 2816, SD 1, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," passed Third Reading by a vote of 51 ayes.

S.B. No. 2784, SD 2, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2784, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO RECAPITALIZE STATE FISCAL RESERVES," passed Third Reading by a vote of 51 ayes.

At 9:31 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2354, SD 1, HD 2
 S.B. No. 2712, HD 2
 S.B. No. 2713, SD 1, HD 2
 S.B. No. 2808
 S.B. No. 2797, SD 1, HD 1
 S.B. No. 2810, SD 1, HD 1
 S.B. No. 2833, SD 1, HD 2
 S.B. No. 2818, HD 1
 S.B. No. 2772, SD 1
 S.B. No. 2773, SD 1, HD 1
 S.B. No. 2103, SD 2, HD 2
 S.B. No. 2630, HD 2
 S.B. No. 2228, SD 2, HD 2
 S.B. No. 2865, HD 1
 S.B. No. 2866, SD 1, HD 2
 S.B. No. 2874, SD 1
 S.B. No. 2877, SD 1, HD 1
 S.B. No. 2224, SD 1, HD 1
 S.B. No. 2872, HD 1
 S.B. No. 2318, SD 1, HD 2
 S.B. No. 2751, HD 1
 S.B. No. 2323, SD 1, HD 1
 S.B. No. 2324, SD 1, HD 1
 S.B. No. 2748, SD 1, HD 1
 S.B. No. 2859, SD 1, HD 2
 S.B. No. 2850, SD 1, HD 2
 S.B. No. 2536, HD 2
 S.B. No. 2709, HD 2
 S.B. No. 2813, SD 1, HD 1
 S.B. No. 2820, HD 2
 S.B. No. 2821, HD 3
 S.B. No. 2827, SD 1, HD 1
 S.B. No. 2828, HD 3
 S.B. No. 2768, SD 1
 S.B. No. 2765, SD 2, HD 2
 S.B. No. 2805, HD 1
 S.B. No. 2780, SD 1, HD 2
 S.B. No. 2758, SD 1
 S.B. No. 2126, SD 2, HD 2
 S.B. No. 2933, SD 2, HD 2
 S.B. No. 2876, SD 2, HD 3
 S.B. No. 2506, SD 2, HD 1
 S.B. No. 2386, SD 2, HD 2
 S.B. No. 2790, SD 1, HD 1
 S.B. No. 580, SD 2, HD 2
 S.B. No. 745, SD 2, HD 2
 S.B. No. 2822, SD 2, HD 2
 S.B. No. 3006, SD 2, HD 2
 S.B. No. 2774, SD 2, HD 1
 S.B. No. 2769, SD 2, HD 3
 S.B. No. 650, HD 1
 S.B. No. 2056, HD 2
 S.B. No. 2236, HD 2
 S.B. No. 2320, SD 2, HD 2
 S.B. No. 2383, SD 1, HD 1
 S.B. No. 2632, SD 1, HD 1
 S.B. No. 2110, SD 1, HD 1
 S.B. No. 2695, SD 2, HD 2
 S.B. No. 2378, SD 1, HD 1
 S.B. No. 2798, SD 1, HD 1
 S.B. No. 2800, SD 1, HD 1
 S.B. No. 3002, SD 2, HD 1
 S.B. No. 1312, HD 1
 S.B. No. 2816, SD 1, HD 1
 S.B. No. 2784, SD 2, HD 1

The Chair then announced:

"Members, please remember to submit to the Clerk the list of Senate Bills on the Consent Calendar for which you will be inserting written comments for, in support or in opposition. This must be done by the adjournment of today's session."

At 9:32 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:01 o'clock a.m., with Speaker Say presiding.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1534-12) recommending that S.B. No. 2438, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2438, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising to speak against the measure. Thank you. Mr. Speaker, S.B. 2438 is relating to the Public Utilities Commission. It requires the Hawaii Natural Energy Institute to provide a technology readiness assessment of renewable projects when requested by the Public Utilities Commission. Then here's the key language. It prohibits the approval by the Public Utilities Commission of any project or contract for a renewable energy project with a, at this point, unspecified technology readiness level. The level is left blank. And my opposition to the bill, Mr. Speaker, is that I know that ultimately there will be a number filled in that will then limit what Hawaii can do with renewable energy, and PUC approval.

"That number would adversely affect the expansion of our renewable energy industry and it's going to be inserted in Conference Committee, pretty much outside of the eye of the public, and where people are not able to weigh in with testimony in person to make that determination. Previous versions of S.B. 2438 specified a readiness level of 6, and that could exclude viable technologies such as wave energy and other ocean energies, as well as bio-fuel.

"Wave energy has been commercially viable in Europe for more than a decade. I've mentioned that before, Mr. Speaker. I've been over and talked with the proponents of those technologies and met with them in the different locations. Wave energy is viable as the United States Department of Energy said recently at a conference held at Marine Corps Base, Hawaii. The United States is 10 years behind Europe. Well, with this kind of legislation, we'll remain that far behind.

"Here in Hawaii, the Navy's been conducting tests on wave energy at the Marine Base for more than five years. They're now going to expand this testing by selecting three companies to plug in and test their wave energy converters at Marine Corps Base, Hawaii."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, could you confine your remarks to the present legislation that is before this Body. We are not addressing wave energy at this point. Confine your remarks to the proposed legislation that is before us in regards to delegating the authority of creating the HNEI being that particular agency to determine the readiness."

Representative Thielen responded, stating:

"What I'm doing is, showing you how a bill and a technology readiness level could harm what is going on at Marine Corps Base, Hawaii, with the wave energy, the new wave energy. It's called a Wave Energy Test Site, the WETS, which is going to be operable in 2014."

Speaker Say: "Representative, Thielen, at that point in time, the commercialization of the wave energy will be presented to HNEI, and then HNEI will say to the PUC, for this particular technology, you folks should consider it. So I can understand what you're saying, but could you confine your remarks to the content and substance of the bill that is before us."

Representative Thielen continued, stating:

"Certainly. The specification of a technology readiness level above 6, could inaccurately discard viable energy such as wave energy, while it's in an earlier stage of development than wind or solar. Considering that the United States Department of Energy has stated its federal objective of obtaining 15% of national energy needs from water power, the last thing Hawaii should be doing is passing legislation that could be seen as restricting local research and development of ocean energy technologies."

"Mr. Speaker, the message that this bill sends to wave energy companies that are interested in participating in Hawaii, is that it's going to put a limit on what you can do at the Marine Base. In conversations from my office with Hawaiian Electric, I'd like to indicate Hawaiian Electric's opposition to this measure as a damp rag, to what they are trying to accomplish."

"Ocean energy, including wave energy and bio fuel technology, is in development, and it's at an earlier stage than wind or solar, but Hawaii wants to be open to all forms of renewable energy. Such restrictions send a very negative message regarding Hawaii's willingness to consider and utilize various renewable energy technologies."

"Obviously, the utility is not in favor of the bill. It anticipates problems were this to become law. If our State is to adhere to S.B. 2438's stated intent to deploy a number of transformational technology with real benefits, then we have to be sure that the real benefits of wave energy ..."

Representative Riviere rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you. Then we have to be sure that the real benefits of wave energy as determined by the US Department of Energy and exemplified by over a decade of successful implementation in Europe, is given a fair chance in Hawaii's waters."

"Mr. Speaker, I don't think that we want to be noted as calling a halt to progress, because when we are forced to buy retail down the road, because we passed legislation such as this and put in a level of technology readiness that's going to stop the innovative work in Hawaii, it's going to mean we buy retail. And the countries and the states that are moving ahead with the renewable energy, they're going to get the jobs. They're going to get the bright minds. That's where our kids will graduate, and go to work. Not here, because we'll say, 'No you've got to buy retail in Hawaii. We're not going to allow testing to take place.'"

"The PUC will be prohibited by this bill from approving those kinds of projects. I don't want our kids to be working in Oregon when they could be working here building our wave energy systems. But this bill is sending them to Oregon. Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I rise in support. Thank you. I just would like to share with the previous speaker some language from the purpose of this particular bill. 'Hawaii's electricity ratepayers and tax payers should not have to bear the burden of the integration of potentially costly renewable energy projects or energy efficiency devices that are not technologically feasible or are in their developmental infancy.'"

"So what we're trying to do is protect the ratepayers to provide things that are actually ready. But this bill does not exclude the development. In

subsection (d), this section shall not apply to proposal contracts or demonstration projects of less than three years with primary purpose for experimental or data collection purposes. So we're trying to protect the ratepayers, but we're also allowing demonstration projects, Mr. Speaker. Thank you."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition and a few comments. Basically a footnote to the notion that the wave energy is being thrown under the bus. Mr. Speaker, technology happens so quickly that we are now at 3% renewable energy for all of our grid. We're really just in the foothill. No, we're on the plains. We aren't even climbing, but yet we're the nation's leader in energy. We should allow the private sector, i.e., HECO, even though it's controlled by the PUC, to make those decisions."

"What's a good investment? What's not a good investment? For the Legislature to come in and say, 'We don't want you to do this. We don't want you to do that, because we want to protect consumers.' Consumers want protection by lower rates. If the bill says we're going to protect you against higher rates, it's a good one. But for now, we're limiting it, and we're cutting ourselves short in understanding what technology can do."

Representative Pine 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. 2438, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Chang, Marumoto, Thielen and Ward voting no.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1535-12) recommending that S.B. No. 824, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 824, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1537-12) recommending that S.B. No. 2873, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2873, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Riviere rose to speak in opposition to the measure, stating:

"Opposition and brief comments please. Thank you. This bill would exclude secondary impacts from environmental review. And while that is a laudable idea, to try to move things along if the primary impact has been addressed, I would caution the Members that secondary impacts can cumulatively add up to potentially be worse than the primary impacts."

"So once again, we're seeking the blinders. We don't want to have to look at anything. We don't want to have to see anything. We don't want to consider anything, and that is bad policy. I'm going to continue to say that. Somebody has to take a look at the potential impacts. There are processes

for exemptions, and I'm sorry that this Legislature is repealing all these. Thank you, very much."

Representative M. Lee 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 Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Riviere be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana 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. 2873, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Riviere and Thielen voting no.

At 10:15 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2438, SD 1, HD 2
S.B. No. 824, SD 2, HD 2
S.B. No. 2873, SD 1, HD 3

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1538-12) recommending that S.B. No. 2341, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2341, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

At this time, Representative Fontaine offered Floor Amendment No. 2, amending S.B. No. 2341, SD 2, HD 2, as follows:

"SECTION 1. Senate Bill No. 2341, S.D. 2, H.D. 2, section 1, is amended by amending line 13 on page 1 to read:

"people, but less than one hundred seventy thousand people;"

SECTION 2. Senate Bill No. 2341, S.D. 2, H.D. 2, section 3, is amended by amending line 19 on page 5 to read:

" thousand people, but less than one hundred seventy"

SECTION 3. Senate Bill No. 2341, S.D. 2, H.D. 2, section 4, is amended by amending line 17 on page 10 to read:

" thousand people, but less than one hundred seventy"

Representative Fontaine moved that Floor Amendment No. 2, be adopted, seconded by Representative Ward.

Representative Fontaine rose to speak in support of the proposed Floor Amendment, stating:

"Yes, Mr. Speaker. I strongly support S.B. 2341 SD2 HD2, Relating to Land Use. This bill repeals the prohibition on ordinances that allow overnight accommodations in agricultural districts. The bill authorizes agricultural tourism activities including overnight accommodations of 21 days or less within a county with a population greater than 100,000 people, but less than 150,000, provided that the county has adopted ordinances regulating agricultural tourism.

"Mr. Speaker, unfortunately, I'm concerned that this bill will not include Maui, which according to the 2010 census, Maui County has a population of 154,834. Right now, no counties fit into the range of 100,000 to 150,000 people given by the bill. Just for a note of information, Kauai County has 67,000 people approximately; and Hawaii County has 185,000 people. Honolulu County has 953,000 people.

"I propose an amendment to this bill to correct the population figure to counties with a population greater than 100,000 people, but fewer than 170,000 people. This will allow farmers to supplement their incomes in this smart and limited way, to ensure that the land remains farmland, but also allows farmers to maintain an income to continue farming, thereby supporting agriculture, and enhancing food security. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 2, amending S.B. No. 2341, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry.

(Main Motion)

Representative Thielen rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I'm rising to speak against S.B. 2341. Mr. Speaker, in addition to it being unclear, or maybe it's not unclear. Maybe it's obvious that this bill no longer applies to Maui. I would question the wisdom in passing a measure like this. Once you allow other uses, by law, in the agricultural land, all of a sudden, the value of that land becomes switched to be favoring whatever the non-ag purpose is.

"You take a look at the farmers that are presently in agricultural work, the ones yet to come, the families that might want to go on and start a farming operation. Which is going to be more profitable? Lettuce sold to Foodland? Or agricultural tourism? It's the tourism, and it's bit, by bit, by bit. It drops away on the actual valid use of agricultural land for agricultural purposes. And while we say that the population set forth in the bill, well right now it doesn't apply to any island, except for ... Well maybe not. But eventually it will point the smoking gun at Oahu. And that's where we have farmland. That's where we need to have the farmland if we're going to ever be able to become more self-sufficient. But when you couple the more lucrative use of that land, guess what's going to take precedent? So I think the bill is a bad idea, Mr. Speaker. And I'm sorry you all didn't accept our amendment, which would have cleaned up the population defect that's in the present bill. Thank you."

At 10:20 o'clock a.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:21 o'clock a.m.

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Although I support S.B. 2341 and its meritorious aim to spur an industry especially dear to me, I must also note

several reservations. S.B. 2341 repeals the prohibition on ordinances that allow overnight accommodations in agricultural districts. It authorizes agricultural tourism activities, including overnight accommodations of twenty-one days or less, within counties of populations between 100,000 people and 150,000 people; provided that the county has adopted ordinances regulating agricultural tourism.

"Hawaii stands to gain immeasurably, both in tangibles and intangibles, by better highlighting our agricultural prowess. When tourists from all parts of the globe acknowledge - and indeed wonder at - Hawaii's versatile capacities as a farming Mecca, many other industries will grow along with the immediate dimensions of agricultural tourism. For instance, when any potential buyer experiences the process of a product's creation, they will undoubtedly place much more value in the product itself. Thus, thriving agricultural tourism will also impel substantial hikes in the value of Hawaii's locally grown crops. Moreover, agricultural tourism has been shown to promote more healthy lifestyles, as individuals come to better value their own roles in the creation of natural, organic foods. The premium of the "Hawaii" label climbs when buyers perceive food as freshly provided by an intimate community willing to take accountability. When agricultural tourism spotlights the creation process of local products like Hawaii-grown cacao, customers will assume an even more personal association with the product than they already do. By allowing overnight accommodations for relevant activities, we will ensure participants in those activities gain a fuller - and thus more memorable - impression of Hawaii's agricultural climate. As a result, they will more likely bring home goods as souvenirs, whetting palates back home to Hawaii's tastes, and thus inspiring others to patronize our islands in the future.

"My one caveat, however, is that in rolling forward with agricultural tourism, the character of our farmlands does not distort fundamentally. We need not commercialize Waialua to become any remote version of Waikiki, fraught with plastic, neon signs, and other tacky dins of advertisement. We must value each farm and refuge for what it offers now, leading tourists to appreciate our natural bounties with respect, and not sacrifice timeless natural resources for the sake of fleeting gains. As we move ahead with this promising legislation, let us remember to reflect back when we must. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support. First of all, to the population issue, I do thank the Representative of South Maui for the Floor Amendment, and for flagging that for us. As I talked to him earlier before session, that is not the intent of the measure, and we're going to fix this in Conference. And if we can't, then I would support removing the bill, because again, this is only for Maui County to implement the B&B ordinances that they have worked on this with all the groups, over the last year and a half.

"And Mr. Speaker, I've got to tell you. I'm trying to get in this farming game myself, and it's tough. I'm starting to find out first hand, what it really takes. It's basically gambling, to be honest with you, because you can literally plant a whole section of tomatoes and nurture them every day. And then come out and be wiped out by a mealy bug. And the reason why, and I'm sorry for straying a little bit. I say this is because farmers are struggling to make income to make sure that when these things happen, that they can have income.

"Visitors coming to Hawaii want to explore sustainability. They want to be a part of this. They want to support our local farms and visit them. And yes, buy their products. I think we should be proud as the State of Hawaii to want our products to be bought by people traveling here from all over the world, to sample our products like cacao. And to basically take the message of sustainability home, all around the world. That's all this is trying to do, Mr. Speaker. To basically allow Maui County to move forward on its program. The intention is not for this measure to apply to Oahu or for everywhere else.

"I've talked to the Representative from the North Shore. I completely understand the concerns of the Oahu people. So, I just ask for people's

support, and let us get this to Conference and see if we can fix this, as well as some other amendments.

"There's also an amendment for a \$35,000 litmus test, which is a very bad thing that needs to come out of the bill, too. Since most farmers don't make 35-grand. And you know, 35-grand doesn't tell one if they're a real farmer or not. Maui County Council has gone a lot further to address that issue within their ordinances, and because of the way the bill is drafted now, it would supersede them.

"So, there's some work to be done in Conference, but again, this is to give our local small farmers, from Hana, Upcountry, the ability to farm. And stay in farming. Teach their kids to farm. And to give the visitors the farming experience, and teach them about sustainability, and what we're trying to do here in Hawaii. And to yes, to spread the word of the great superior products we have here, so that we have a following all around the world. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Reservations, Mr. Speaker. Pretty much for the same reasons. I'm so glad that the Representative from Maui did declare that, that is their effort and attempt to change this in Conference. We'll be very glad to support that wholeheartedly then."

Representative Herkes rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. Mr. Speaker, I've tried for years to get our laws changed so that we can have wilderness lodges. This State is way behind the rest of the country, and the rest of the world, on wilderness lodges. And I'll give you an example.

"Keauhou Ranch above where I live at Volcano. It's a marvelous piece of property. They've taken all the cattle off of it. They've planted well over a million *koa* trees. We brought in an ecotourism planner, the world's best, by the name of David Anderson. The plan that he put in there called for tree houses, wilderness lodges, hiking trails, horseback trails. It would have been a marvelous, marvelous facility. We need to catch up to the rest of the world in wilderness lodges. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this bill. Although I'm sensitive to the needs of the small farmers, I think in the long range, and in the overall, this is not good for our State economy. Measures like this will give further encroachment to our precious, limited agricultural lands. Agriculture offers diversity. We have seen what happened to our State once the tourism industry goes down. Also, agriculture promises us that we can be more independent by securing our own food, and not relying too much on agriculture coming from outside the State. So for those reasons, I'm in opposition to this bill. Thank you."

Representative Har rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. Thank you, Mr. Speaker. Mr. Speaker, the purpose of this bill is to allow agritourism in counties of a certain size as a means of providing additional income to farmers, as well as education opportunities to people interested in learning about, and experiencing Hawaii's agriculture. Allowing agritourism in counties of a certain size will help fulfill Hawaii's State Constitution, Article XI, Section 3, the first paragraph of which states: The state shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands. The legislature shall provide standards and criteria to accomplish the foregoing.

"Mr. Speaker, it is a well known, accepted fact that agritourism can help make farmers more sustainable and less susceptible to price fluctuations. According to a May 2011 article in the *New York Times*, and I quote:

For all the talk about sustainable agriculture, most small farms are not self-sustaining, in a very basic sense. They cannot make ends meet

financially without relying on income from jobs off the farm. It's virtually impossible to make a living just off traditional farming as a small farm. Agritourism really provides an opportunity to keep the land, keep a family farm existent, even amongst urbanization, and allow someone to depend less on an outside job for their income.

"By allowing agritourism to make our farms more diverse and financially sustainable, we are protecting our agricultural lands and ensuring that they can continue to be farmed now and into the future. Not only does S.B. 2341 SD2 HD2 not reclassify or rezone any agricultural lands, in fact, the bill mandates that *bona fide* farming operations must be taking place on any site where agritourism is also taking place, which helps to ensure that even as farmers diversify, ag lands stay as ag lands.

"The benefits of agritourism go far beyond allowing farmers to achieve financial sustainability, and even beyond maintaining and protecting Hawaiian agricultural lands. Pursuant to the American Farmland Trust, and I quote:

Agritourism is a form of ecotourism that connects vacationers to America's agricultural heritage, giving people the opportunity to visit, or vacation on working farms and ranches. Agritourism is popular in places where farming is still a vital part of the local culture, including winegrowing regions and farm destinations such as Lancaster, Pennsylvania, the Kona region of Hawaii, and dairy country in Vermont.

"Allowing agritourism in counties of certain sizes is an opportunity not only for us to protect the agricultural future of Hawaii, but also to share our rich agricultural heritage and history with others. Therefore, Members, we urge you to please support S.B. 2341 SD2 HD2, not just as a means of protecting Hawaii's agricultural future, but also to honor Hawaii's agricultural past. Thank you, Mr. Speaker."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you. I rise in support, with reservations though. I do want to commend the Maui delegation, because the last version of the bill did have provisions in it which would have allowed tourist activity without any actual agricultural activity taking place, and that, ultimately would be tantamount to rezoning, in effect. And so keeping the purpose of the bill focused and intact, I think, is a good thing. Thank you."

Representative M. Lee rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations of Senate Bill 2341 – Relating to Land Use.

"I rise with reservations. This bill brings to mind the "agricultural" gentleman's farms on the North Shore. Farming is hard and unglamorous work which should be shared with others, but not as a kind of tourism. I hope this is not a way to encourage intrusion into our valuable agricultural lands."

Representative Thielen rose to respond, stating:

"Thank you Mr. Speaker. My second time, I know. Mr. Speaker, I'd like to just read a brief paragraph from the agricultural liaison for the City and County of Honolulu, Laura Thielen, who happens to be my daughter. And I quote:

Nearly 16,000 acres of farmland on Oahu's North Shore are being marketed for great views, or access to the ocean. These qualities aren't relevant to farming. They're relevant to tourism. The bill permitting vacation rentals as a primary use will destroy any ability to assure these lands remain available for agricultural production. The price of Oahu farmland is nearly out of reach for food farms today.

"And then it goes on. I believe Members have received the testimony, because it came to all of us, either personally or via email. The Department of Agriculture, Office of Planning, and City and County of Honolulu have all testified against these bills, for valid reasons. While the bill, because of the population number, doesn't apply actually to any island at this point, it ultimately will apply to Maui and then ultimately as the years go by, will apply to Oahu.

"Why are 16,000 acres of farmland being marketed with views, and access to the ocean? Tomatoes don't need that. Lettuce doesn't need that, but the landowner knows that the big value in that land is agritourism with a little plot of produce, and a lot of tourism. That doesn't help us become food self-sufficient. 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. 2341, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Cabanilla, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1541-12) recommending that S.B. No. 2796, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1542-12) recommending that S.B. No. 2803, SD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2803, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1547-12) recommending that S.B. No. 3008, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3008, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"I rise to speak in favor of this measure. This is H.B. 3008, and it would allow Family Court indigent plaintiffs and petitioners to serve notice on a defendant or respondent by posted pleadings at the courthouse. On Oahu, this is Kapolei.

"I would just ask that the Conferees also consider an option to post a notice online, as well as at the courthouse. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her 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 Committee was adopted and S.B. No. 3008, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1548-12) recommending that S.B. No. 2778, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2778, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

At this time, Representative Ching offered Floor Amendment No. 3, amending S.B. No. 2778, SD 1, HD 1, as follows:

"SECTION 1. Senate Bill No. 2778, S.D. 1, H.D. 1, section 1, is amended by amending subsection (a) to read as follows:

"(a) There is established a childhood obesity and diabetes prevention task force to develop and recommend legislation related to the prevention of childhood obesity and diabetes."

SECTION 2. Senate Bill No. 2778, S.D. 1, H.D. 1, section 1, is amended by amending subsection (d) to read as follows:

"(d) The childhood obesity and diabetes prevention task force shall:

- (1) Assemble accurate research, fiscal and demographic information, and justification to support policy development, and track outcomes; and
- (2) Research other state, county, and organizational policy agendas and suggested best practices related to childhood obesity and diabetes prevention policies."

SECTION 3. Senate Bill No. 2778, S.D. 1, H.D. 1, is amended by amending section 2 to read as follows:

"SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____ or so much thereof as may be necessary for fiscal year 2012-2013 to:

- (1) Collect and analyze Hawaii-specific early childhood obesity and diabetes data to identify children at risk;
- (2) Increase awareness of the health implications of early childhood obesity and diabetes; and
- (3) Promote best practices through community-based initiatives and public service announcements to improve healthy life choices, such as training and technical assistance to child care providers to promote exercise and nutrition best-practices and the advantages of breastfeeding.

The sum appropriated shall be expended by the department of health for the purposes of this Act.""

Representative Ching moved that Floor Amendment No. 3, be adopted, seconded by Representative Johanson.

Representative Ching rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of this amendment. For as everyone knows, how passionate I am about Hawaii's epidemic of diabetes, and I appreciate those who continue to work with me on this important issue to our people. It's only because of the dire nature of this deadly, debilitating disease, that I feel the responsibility to continue beating this drum.

"In 2010, the Hawaii Diabetes Plan stated, and I'll remind you, that there are over 110,000 people that have diabetes with approximately 39,000 of said persons not aware that they have it. Hawaii currently has approximately 2,900 residents with regular dialysis treatment. And another 156,000 residents with chronic kidney disease, leading to the eventual need for dialysis or kidney transplant.

"I repeat for the third time, my hospital in my district, HMC, has had many challenges because of the cost associated with this. And we as a state are spending more than a billion dollars to take care of the cost of this disease. Escalating among the more, to the mortality, rising, rising, only second to another state in the nation. The highest in end-stage renal. And if the numbers ring true to the problems we face, we have to look to the HMC closure and now that another 18,000 spent on kidney and bladder operations for them, and also understanding that how we exceed the

national average is that, the most vulnerable sufferers are those of Native Hawaiian, Filipino and Japanese descent.

"So Mr. Speaker, we know the problem. We know the problem, and we know the lack of awareness is the problem. The lack of awareness is really what we need to raise. And studying the issue has been done. This is the diabetes report from 2004, under the last Administration, by Dr. Chiyome Fukino, produced under the direction of the Hawaii State Diabetes Prevention and Control Program, compiling surveillance information, vital stats. You want it here? We got information. We got data. We have a lot of data.

"We know that our people are dying. And we know some of the reasons. But the first step is raising awareness on any issue. Then comes a time for action. Action. Like in the bible it says that there's a time for all things. There is a time, perhaps in this Chamber, to study. To try to ask questions. Then, there is a time to act. Because, nationwide, 1 in 2 children born in 2000 are going to be directly affected, and every generation needs every bit of help regarding prevention and awareness.

"It's time for people to understand three things. Three things our children understand, and hopefully like in the environment, in smoking, in all the other initiatives I've seen over my decades of being involved in trying to make Hawaii a little better. They hopefully will bring it home to their parents. And then the parents will understand, because they need to know. It's a silent disease.

"Number two, they need to know diabetes is a largely preventable disease. And they need to be able to repeat that they understand that the half of the plate needs to be vegetables and fruit. A little bit protein. A little bit carbohydrates. This is where we are."

Representative Thielen rose to yield her time, and the Chair "so ordered."

Representative Ching continued, stating:

"Thank you, Mr. Speaker. Thank you. Obesity and diabetes. Not all people with diabetes are obese. And my concern and why I'm offering this amendment, is that when we broad, Mr. Speaker, you know, chronic disease, cardiovascular. When we talk broadly, we talk about obesity, these are broad terms. I want to start having the word diabetes, I would like if this Chamber, and this Legislature, with the Senate passes something with this word, that we laser beam, understand this enemy of our local people. And so Mr. Speaker, I ask for this amendment to help us have a call to action. To know it's an epidemic.

"We have the research. We have the numbers. We want to spend our effort and time perhaps on things like this. This is the Blue Zone Project, from Minnesota. It was on Oprah Winfrey and Doctor Oz, with excellent, excellent results. So not just a recommendation. It's time for action. It's imperative we teach our *keiki*. I support that. Health habits. They must learn this word, diabetes. They must learn the aspects of diabetes, and early education programs can go a long way to stem the tide of all of diabetes, for all our ages. Our populations can be reached by TV and radio. And to this day, Mr. Speaker, I do not believe I have seen one PSA, locally to teach our people about this disease, and to speak it, to understand. That's the first step.

"So for these reasons, I do show my strong support, for a childhood obesity and diabetes task force as proposed in this Floor Amendment. The time has come to act. So if our Legislature has something with the word, we know and we understand that this is serious, Mr. Speaker. Thank you."

Representative Riviere rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. In support with brief comments. Obesity often leads to diabetes. We do have a problem with obesity in our State, and in the nation. So I'm glad we're looking at this. I do think this is a good idea, to include diabetes, in the subject. And either way, I like this bill and hope it moves forward. Thank you."

Representative Yamane rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, I'm standing in opposition to the amendment. Mr. Speaker, I applaud the Representative from Liliha. She and I have had many discussions on the Health Committee regarding the issue of diabetes. We have honored the Diabetes Association on the Floor of this Chamber this year. The current bill before us establishes a Childhood Obesity Prevention Task Force. Mr. Speaker, obesity is estimated to have grown 17.6% in Hawaii citizens over the last ten years. It has increased in childhood about 38% from 1999 to 2009.

"The number of overweight children in the United States has doubled in the last 30 years. Mr. Speaker, this issue of obesity is an epidemic. Regarding the question and the addition of diabetes. The reason for this Administration measure to move forward was for the task force to look at all issues related to obesity, both the potential causes, as well as potential effects. And one of the concerns has been in the past about putting in specific ailments associated with diabetes, is that the task force would be overly focused on those issues rather than all the impacts related to obesity.

"So Mr. Speaker, at this time I applaud the effort to try to make sure diabetes is an issue. It is an issue within the State of Hawaii, Mr. Speaker. However, this bill at this time, to address obesity in all risks, both diabetes and other issues, needs to be addressed. Mr. Speaker, this task force has less than a year to report back to this Legislature. They have to give a report to us, within about 9 months. So Mr. Speaker, we ask that this measure move forward in its original form. Thank you."

Representative Ching rose to respond, stating:

"Yes thank you, Mr. Speaker. And I don't mean to beat this drum so hard, and I appreciate, very much, the Chair of Health. In fact I appreciate him moving a measure out of Committee that originally called for the accountability of one person to really focus on this. But that's the whole point, I guess, of my amendment. It is that, that's been done before. If you look into the Department of Health's background, they have consistently approached chronic disease, and like I said. So that's the whole point. I guess what I'm trying to say is the day that comes that children, and their parents and grandparents understand there's three concepts in a PSA, TV, and they'll start making movement. Thank you."

The motion that Floor Amendment No. 3, amending S.B. No. 2778, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry.

(Main Motion)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2778, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1551-12) recommending that S.B. No. 2084, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2084, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1551-12) recommending that S.B. No. 2101, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2101, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Pine rose to disclose a potential conflict of interest, stating:

"Yes, I just wanted to declare a potential conflict. I am a recipient of the TRICARE Program. Thank you," and the Chair ruled, "no conflict."

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker, same request," and the Chair ruled, "no conflict."

Representative Takai continued to speak in support of the measure, stating:

"I'd like to rise in support of this. Thank you, just briefly. People that have the privilege of partaking in TRICARE that are City and State workers, are helping the EUTF. In fact, I wrote a letter two years ago, requesting that the EUTF Board consider encouraging more people to go onto TRICARE and other employer health insurance coverage for the main reason that one less person on EUTF is not only a savings to EUTF and the State, but also the savings to the participant.

"So my calculations back two years ago, and I believe it's since gotten even better, was for every 250 people who partake in TRICARE program, that saves the EUTF program a million dollars. So anything we can do to encourage people to participate in non-EUTF health benefits, the better for all of us. 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. 2101, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," passed Third Reading by a vote of 51 ayes.

At 10:48 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2341, SD 2, HD 2
S.B. No. 2796, SD 1
S.B. No. 2803, SD 2
S.B. No. 3008, HD 3
S.B. No. 2778, SD 1, HD 1
S.B. No. 2084, SD 1, HD 1
S.B. No. 2101, SD 1, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1552-12) recommending that S.B. No. 2344, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2344, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1554-12) recommending that S.B. No. 2540, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2540, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1559-12) recommending that S.B. No. 3001, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3001, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm voting no on this measure just to point out that the definition of feral deer might need correction. Perhaps you could transport a once-feral deer. Also, this bill pertains only to one animal, the deer. Earlier it had referred to several animals. Many conservation groups were in opposition to dropping other animals from this bill. So, just to explain my no vote. Thank you."

Representative Fontaine rose in opposition to the measure and asked that the remarks of Representative Marumoto be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just want to voice my reservations on this measure. I think the reason why we're writing bills like this, is because there's concern of the overabundance of this animal. There are some people that would like to transport them to the other islands. Let me just point out that deer is used for subsistence to a lot of our people. It's being eaten for their meat. I think that rather than discouraging the growth of this animal, we should expand our hunting seasons and make hunting less restrictive so they could be used for God's intended means, which is to feed our people. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Well you know, as a person who actually took environmental science in college, I'm very understanding of the nature of the damage that feral pigs, feral goats, feral deer do. And that feral deer are responsible for a lot of the destruction of our topographic, the surface our islands.

"So I'm absolutely for hunting the deer. I'm absolutely for it. But as the Representative of Kaimuki said, there's a real fiddle sentence there, in the bill. It is not worded correctly. It's very, very misleading. And then number 2, the people who actually supported the bill originally were so disappointed. It's my understanding that goats and other animals were then changed, so it's just narrowly deer, and I don't know what the reason is for that. You know, I have a couple of ideas. Maybe it has something to do with carrying pork. I don't know. But pigs are a major problem to our fragile environment. We have got to cut down those pigs."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3001, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Fontaine and Marumoto voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1560-12) recommending that S.B. No. 2489, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2489, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with strong reservations. Mr. Speaker, this bill expands the powers of the Governor, therefore a good intention, and that is for public disaster, flood, fire, storm, earthquake. But there's something in here called, civil disturbance, which is not defined. Which may be an overreach. And Mr. Speaker, the Governor of the State of Hawaii has more powers than any Governor in the whole United States, so the potential for abuse of this, and I'm not saying and naming any possible event, but right now, the Governor's had enough emergency powers to do just about anything that's wanted.

"Recall this Floor debating intensely, passionately, about Governor Lingle calling the homeless crisis an emergency crisis. And people were jumping up and down. We've got to define what it is. Well civil disturbance is as important that we define it, and we don't slip down to where the Governor, as powerful as he already is, is going to be more powerful. Thank you, Mr. Speaker. With those reservations."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. And I just wanted to allay the concerns of the previous speaker, and then just make note that the reason why this bill is in front of us, and it is because of two things. Number one, is model legislation from the national level which has gone to every state making recommendations on state laws as it pertains to the National Guard.

"And number two, as a result of the recently completed APEC event just last November, many recognized some of the shortcomings of our State law, and as a result of those two items, we have this bill in front of us.

"It is critical that we pass this. In fact, it's one of, I believe, three top initiatives coming from our Adjutant General. Basically what this bill does is, it provides the Adjutant General with some of the powers necessary to take on some of the challenges that we have faced in the past, and we will face in the future.

"The last thing I'd like to ask is that we recognize and commend the Chair and the Vice Chair of the Public Safety and Military Affairs Committee for moving this bill forward. This is effective July 1, 2012 and as such, I don't believe this will be coming back into Conference."

Representative Ward rose to respond, stating:

"Mr. Speaker, I can entirely agree that the bill should be passed, must be passed. However, civil disturbance still disturbs me, probably because I've lived in the Third World where too many times, and seen too many misuses of the word, civil. I've seen countries that have internal security acts that make their countries secure. But what they do is, knock on the door in the middle of the night, take you away and say, 'Well this is for the peace and tranquility of the society.'

"That is not in the root of who we are as Americans, who love freedom and democracy. If we must do civil disturbances, I think it needs to be defined, because people protest in a very civil manner. But when you call something civil, then a disturbance, it's up to the personality and the power of those in the leadership. I think there are a number of examples that we have here, just disturbing from possible people in the gallery, of which we have not defined. I won't go across into that particular issue, but unless we lock this down, there's potential for abuse. Not now, but in the future. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker, I wish to speak with some reservations. I certainly understand the work that went into this bill, and the pride they take in developing the bill. However, I have a question on an item which I think can be of major consequence. There is some language in there that they may be called for a non-emergency basis. I have no idea what non-emergency is. I know there are emergencies when they're called for to go into combat. There's emergencies for natural disasters. But this here, the language alone, just by itself, that says that you may be called for non-emergencies.

"So on this basis, I would vote with reservations. Hopefully I can be enlightened along the way as to what this language really means. But I don't want to leave broad language like that, that can be used for any particular purpose that the Governor and the General may want to develop. Thank you."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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. 2489, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1561-12) recommending that S.B. No. 2261, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2261, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Aquino rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict? I work for a nonprofit in Waipahu that serves as a fiscal agent for that site. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2261, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1562-12) recommending that S.B. No. 2776, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2776, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, thank you. I'm in opposition to S.B. 2776 SD2 HD2, relating to public safety. Thank you. This is an early release bill. And while I favor releasing some prisoners as a humanitarian measure, and as a cost cutting measure, and believe me, this is a cost cutting measure. It will save the Department of Public Safety millions of dollars. I believe we should place public safety as a paramount criteria in the decision to release prisoners. While I am impressed that a noted NCSL consultant favors this measure, I still question the wisdom on how these prisoners are released. And while it is wise to provide parolees with programs to help them get reestablished in society, is it wise to determine their low risk potential on an actuarial basis?

"Is it wise to release 1100 prisoners in the first three years of the program? Can we provide them sufficient services? Do we have enough jobs to support them? Will the community be safe? This bill provides for many more parole officers. Can they guarantee against re-offense?

"I reiterate the point that I raised when I spoke on the companion bill. Honolulu's Prosecuting Attorney is not supportive of this measure, and he was also the former Director of Public Safety. I respect his judgment on this particular measure. I have many more remarks Mr. Speaker, but ask that they be inserted in the Journal, and I thank you for your attention."

Representative Marumoto's written remarks are as follows:

"While I favor releasing select prisoners as a cost-cutting measure, I believe we should place public safety as the paramount criteria in the decision to release prisoners on a wholesale basis (1100 in the first 3 years of the program).

"Violation of parole is another issue. Under Section 7 of the bill: If a parolee violates parole, the *longest* period of incarceration he or she can receive for the violation is a mere six months.

"There are exceptions for those who have:

- (1) been charged with a felony or certain misdemeanors,
- (2) left the State without permission,
- (3) violated conditions applicable to sex offenders, or
- (4) been previously re-imprisoned for violating the conditions of parole on the current offense.

"I question whether all sex offenders should be released even if they have undergone treatment. The recidivism rates are so high for this offense.

"Section 8 mandates release on the expiration of a minimum sentence if the inmate is deemed "low risk". Like Section 7 there are exceptions, but they limit HPA to a narrow field of choices.

"Likewise, Section 13 requires that HPA must release a class A, class B, or class C felon on parole, with multiple sentences, based on the longest term of imprisonment, provided that HPA has approved a parole plan, irrespective of a court-ordered minimum sentence.

"Given the way the bill is drafted: The HPA may set an earlier release date if it wants to, but if it doesn't, then with an approved parole plan, it must adhere to a specific minimum release schedule. This takes away discretion.

"The release schedule varies from *no later* than 6 to 18 months prior to the expiration of the maximum sentence, depending on the level of felony.

"I am troubled by the fact that HPA will lack discretion to require a class A felon to be released no later than 18 months prior to the end of his or her maximum sentence.

"I reiterate the point that I raised when I spoke about the companion bill. Honolulu's City and County Prosecuting Attorney who has been a former DPS Director is opposed to this measure, and I respect his judgment on this measure."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Fontaine 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 Johanson rose to speak in support of the measure with reservations, stating:

"Thank you. In support with reservations, and brief comments. Thank you, Mr. Speaker. I echo some of the concerns that the good Representative from Kaimuki noted earlier. But what I do think, and what has compelled me to vote still in support of this measure, is although I think we can debate about whether or not to honor the minimum or maximum sentences for offenders, I do think, the way this bill is written, it does try to recompense victims in terms of restitution, ensuring that they're at least serving their minimum sentence.

"In addition, what really persuades me is the efficacy of what this measure is crafted on. Given the reduction in the recidivism rates in states who have implemented a similar measure, I'm willing to give this particular solution a chance."

Representative Pine rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Cullen rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, when we look at this measure, people will say that we are trying to focus on what we are trying to do in public safety, and that is, ensure that we are making our public safe. But when we take a look at this and we look at the fiscal matters, and we are taking a chance here, we are ensuring from the Public Safety Committee that we are taking all the steps possible.

"You know, we could say let's throw in millions of dollars, billions of dollars into building new prisons. And we can keep individuals locked up. But that's not what we're trying to do here. The individuals from CSG who brought down the GRI initiative, they are putting this measure there. You know, we take the chance and when we do this, we are ensuring public safety is there. And we would take every step that matters. And like anything, we are trying something here, Mr. Speaker."

Representative Aquino rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I'd like to also adopt the words of the Vice Chair of Public Safety and Military Affairs as if they were my own. S.B. 2776 HD2 is an Administration measure, and is a companion to a bill that we heard earlier in the House. This bill is the result of a rare occasion we see in government. This bill is a result of a collaboration between three branches of government, and I might add, it was a bipartisan effort, to come together to better our criminal justice system through an initiative called Justice Reinvestment.

"As mentioned earlier in this Session, Justice Reinvestment is a data-driven approach to reducing corrections and related criminal-justice spending, and reinvest those savings in evidence-based strategies designed to increase public safety.

"Mr. Speaker, this bill seeks to address certain areas of the justice system. In particular, the Department of Public Safety's role in the pre-trial process. Increasing needed positions on the Parole Authority Board. Utilizing quick and effective responses for technical parole violations, which would be the parole version of the HOPE Probation Program which is a nationally recognized program headed by Judge Steven Alm, which has shown to decrease recidivism and violations dramatically. Increasing their restitution rate for victims 150%. Providing evidence-based tools and assessments to determine re-offense and suitability for parole. And lastly, a renewed focus on supervision and pre-trial and reentry programs.

"Mr. Speaker, there may be some concern that through this measure we have stripped the Paroling Authority of their authority and discretion that they currently have. That is inaccurate, Mr. Speaker. The Hawaii Paroling Authority maintains its discretion by its continued approval of parole plans, approval or denial of offenders' parole plans, which is needed before any offender is released. That will not change.

"Mr. Speaker, other states in our country have adopted similar policies to increase public safety, reduce correctional spending and reinvestment in needed areas. States such as Texas and North Carolina have gone through the same process we have in the last 9 to 10 months. Texas is currently experiencing significant drops in parole and probation violations, while North Carolina, adopted certain laws that reduced prison populations by creating a new misdemeanor class, and provided incentives to address recidivism.

"Mr. Speaker, this bill has gained support as it went through the process. The measure is currently being supported by the Administration, and the Judiciary, various victim advocacy and compensation groups, and the senior pastor of the largest evangelical church in our State, as well as other well-known individuals. So in turn, Mr. Speaker, I urge my colleagues to support this measure, as it proceeds to Conference for further discussion and work. Thank you, very much."

Representative Keith-Agaran rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just very briefly. I think the Administration points out, that this is really just a first step at setting a framework. And

let's be clear that this bill doesn't really change the way we treat defendants at the beginning. It only requires that the courts have the information concerning the level of risk defendants pose to public safety.

"This is a framework. Whether it's successful or not will depend on making sure that the agencies that are required to perform the assessments and the agencies that receive those assessments, properly use them. So again, this is a first step, and I commend the Chair of the Public Safety Committee for the work that he's put into this. Thank you."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. Just very briefly. First of all, Mr. Speaker, I want to thank the Chair and Vice Chair of Public Safety, as well as the Chair of the Judiciary Committee, and the Finance Committee, as well as the Administration for this bill. There are many parts of this bill that I agree with, and I think that this is the way in which we need to start dealing with our incarcerated population. My concern though, deals with page 14, and I think I've been very consistent with this point regarding victim restitution.

"The previous law allowed 10% of an incarcerated inmate's amount earned in prison to go towards the victims. I want to thank the Chairs for allowing this amount to go up to 25%, but the fact of the matter is that, 25% of whatever moneys they're earning is not enough to make victims whole. And for that reason, I stand with reservations. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. Thank you, very much. I wish to speak in favor, very much in favor of this measure. And I wish to thank the Chair and the Members of the Judiciary Committee who invested in this great landmark legislation. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2776, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Marumoto and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1565-12) recommending that S.B. No. 2337, SD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2337, SD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. This concessionaires' bill is a very important bill because with the airport modernization that we have, or will be having, it will be affecting the concessionaires. The concessionaires may have some expenses in adapting to the modernization. So this language provides some flexibility, where they can request the DOT, and of course the Budget and Finance Office, and the Governor, for extensions of their contract as they will be incurring additional costs because of the modernization."

Representative Hanohano 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. 2337, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 51 ayes.

At 11:11 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2344, SD 2, HD 1
S.B. No. 2540, SD 2, HD 2

S.B. No. 3001, SD 2, HD 2
 S.B. No. 2489, SD 2, HD 2
 S.B. No. 2261, HD 1
 S.B. No. 2776, SD 2, HD 2
 S.B. No. 2337, SD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1566-12) recommending that S.B. No. 2402, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2402, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Morikawa rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, thank you. I know last year I spoke on this also, and I'm happy to see that there were some changes made. But I still have reservations because, if the objective is to be fully shielded to preserve the quality of the night sky, my concerns are for outdoor athletic facilities. Unless a replacement, a conforming light fixture replacement is designed to be compatible with the existing electrical wiring, replacements will not be possible. The whole system may need to be changed. Affected agencies need to begin planning for complete light renovations, and funding must be committed to the projects. So that's my only concern. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you. In support with some reservations too. I wanted to adopt the words of the Representative from the Island of Kauai. And I wanted to bring out an interesting irony, Mr. Speaker, which is that the University has been, I think for a number of years, been testifying, hoping for, pushing for, some protection for their night sky for Mauna Kea, you know, to control light pollution.

"It's my understanding that there's a project going on, at the University of Hawaii that is just going to light up the sky, and Lord knows as the Representative said, from Kauai, these things you can see it for miles around. And I've been on record about light pollution and all of its different consequences. I think that we need to keep that in mind. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Darkness is a natural resource. I've said that a number of times, and people would laugh and say, 'What do you mean by that?' Well, when you're number one in the world in astronomy, the darker you have your skies, the more you can see.

"Case in point. The University of Hawaii has reported that in Downtown Honolulu, you can see 200 stars. How many are there? There's 2,000. So the amount of light pollution that is on this Island, fortunately we don't have the 3 meter telescope here, is blotting out what otherwise at the Big Island where it is, where we are the world leader, when you do this. Obviously we've got to work out the mechanics. We've got to shut it down. We don't have to bankrupt Kauai or any other place, but we've got to be mindful. That's a natural resource, and we need to stay out front in world astronomy."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Morikawa be entered into the Journal as her 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 Committee was adopted and S.B. No. 2402, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1567-12) recommending that S.B. No. 2747, SD 1, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2747, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. First of all, ruling on a potential conflict, I own an electric vehicle," and the Chair ruled, "no conflict."

Representative Takai continued to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. This measure weakens the current incentives for electric vehicles, first by requiring just one vehicle parking spot charging station for a highly used area like the Honolulu International Airport. It sends a public message that the State of Hawaii's not addressing the range anxiety issues now currently felt by many electric vehicle owners. And basically Mr. Speaker, that is a situation when it only says that you have 20 miles left to go, and you have about 20 miles to drive home. It's critical that we provide these charging stations throughout the State, and especially in the town and rural areas.

"We already have a few charging stations in place. In fact, we have one located in the Capitol, but as many of you may have noticed, it's over subscribed. Something's always in that parking space. And this is occurring with only 1000 EVs on the road currently.

"Secondly, the current law is not being enforced, and relatively few charging stations have been implemented statewide. An enforcement or a stronger incentive mechanism is required to ensure that the State of Hawaii can meet with its aggressive electric vehicle goals.

"Now before anyone says that I'm standing because of my personal self interest, let me just reassure you that I think my vote in opposition is broader than that, because of this. The Hawaii Clean Energy initiative calls for 4000 electric vehicles to be sold per year, and 10,000 on the road by 2015. And yet, only a few dozen charging stations have been deployed, and almost none are on the Neighbor Islands or in rural areas.

"To the extent the current laws are not enforced, it is incomprehensible why the current incentives should be reduced. The only practical result of this measure is that it sends to the public a message that the State is backing away from its electric vehicle adoption in Hawaii. It sends to the public that the State is backing away from the goals of the Hawaii Clean Energy Initiative, and I recommend that my colleagues take a look at this, and support my no vote on this. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I speak in favor of this measure, and we're speaking on S.B. 2747. All this bill does is provide for flexibility for buildings and institutions that already have plugs, and that they don't have to relocate the plugs at any expense. But they will make the plugs available. They will also have to make mention where the plugs are. So I don't see anything detrimental towards the public as far as those who wish to purchase electric cars. I think the State is committed to electric cars and alternate energy, and this is one of the major items. But this bill merely provides flexibility. Thank you, very much."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. First of all, I want to thank the Chair of Transportation, as well as the Chair of the Committee on Energy and Environmental Protection, as well as the Administration. This is an Admin bill, to make what the current law is, better. But the issues that were expressed in the Finance Committee were this. There was testimony from the Department of Business, Economic

Development, and Tourism, who noted that, currently, statewide, there are 700 electric vehicles in our State. So, while this measure attempts to fix the previous law that required 10% of all parking stalls to be dedicated to electric vehicles, now we're going to reduce that, to parking stalls, one parking stall with now a charging station.

"The fact of the matter is this. This cost will be borne by whom? The business owners. So every business owner who owns, or is part of a shopping center, is now required to put in one parking stall that is dedicated with a charging station. I think that's premature given the fact that we only have 700 electric vehicles in this State. And again, when asked the question to DBEDT about who the cost would be borne by, they did in fact admit that it would be the business owners. At this point, I think that is somewhat premature. For those reasons, I'm with reservations. Thank you, Mr. Speaker."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Har be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose in support of the measure with reservations and asked that the remarks of Representative Har be entered into the Journal as her 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 Committee was adopted and S.B. No. 2747, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Takai voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1571-12) recommending that S.B. No. 2746, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2746, SD 1, HD 3, pass Third Reading, 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 Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. A ruling on a potential conflict. I'm an owner of an electric vehicle," and the Chair ruled, "no conflict."

Representative Takai continued to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. Thank you, and just briefly, because I stated it in the previous measure. This measure also weakens the current incentives for electric vehicles. The Hawaii Clean Energy Initiative calls for 4000 electric vehicles to be sold per year, and 10,000 on the road by 2015. This bill hampers that effort. In fact, it sends a message that we in the Legislature, and the State, are backing away from the goals of the Hawaii Clean Energy Initiative. I'd also like to request additional written comments. Thank you."

Representative Takai's written remarks are as follows:

"Thank you, Mr. Speaker, for allowing me to submit written comments in opposition to Senate Bill 2746. This measure weakens current incentives for electric vehicles.

"The Hawaii Clean Energy Initiative calls for 4,000 electric vehicles to be sold per year and 10,000 on the road by 2015. This measure sends the message that the State is backing away from electric vehicle adoption in Hawaii. It sends the public the message that the State is also backing away from the goals of the Hawaii Clean Energy Initiative.

"If our intent is truly to move Hawaii towards energy self-sufficiency, it is short-sighted to do away with preferential and free parking, and other incentives that encourage more drivers to switch from gas to electric vehicles.

"I oppose this legislation, and any legislation that takes away incentives for motorists to choose electric vehicles as their form of transportation. The negative effects of carbon emissions require Hawaii to reduce, if not eliminate, oil-based transportation emissions.

"As Hawaii moves towards energy independence, and towards a cleaner environment, the purchase of electric vehicles should be encouraged. The Legislature can play a major role in moving Hawaii's people towards these goals.

"A major incentive for the purchase of our electric vehicle was the free parking, free meters, and ease of charging in public places. If these incentives go away, especially at this stage where electric vehicle purchases are still not being purchased by the mass market, the purchase and use of these vehicles will be curtailed.

"For these reasons, I oppose Senate Bill 2746."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Giugni 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. 2746, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Takai voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1573-12) recommending that S.B. No. 2946, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2946, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Fontaine's written remarks are as follows:

"Thank you Mr. Speaker. Mr. Speaker, I rise in opposition to Senate Bill 2946 Senate Draft 2, House Draft 2 Relating to Transportation.

"To properly analyze this bill, one should consider Act 104, which passed just last year.

"Let us look at the rental motor vehicle surcharge tax. Prior to Act 104, this tax was meant to go entirely to the State highway fund. The tax was \$3 per rental vehicle per day.

"Under Act 104, two things happened to that tax: (1) the amount of the tax temporarily increased by \$4.50 to \$7.50, with a sunset date of June 30, 2012. (2) The additional \$4.50 was designated to go into the general fund. There was somewhat of a trade off to consumers' pocketbooks in that the \$4.50 the rental motor vehicle customer facility charge (CFC) was suspended through June 30, 2012. However, monies from this charge were meant for the rental motor vehicle customer facility charge (CFC) special fund. And monies in that special fund are meant to be used for enhancement, renovation, operation, and maintenance of existing rental motor vehicle customer facilities and the development of new rental motor vehicle customer facilities. So with Act 104, that fund, in essence, lost out to the general fund.

"But the loss to that special fund was meant to be temporary, and last for only about a year.

"Now let's fast forward to today. Today, we consider a bill that will maintain the rental motor vehicle surcharge tax at the \$7.50 amount—as well as continue the suspension of the customer facility charge—through 6/30/16; that's four more years. The supposed good news, we are told, is that the law will be amended so that at least some of the surcharge tax will go to the customer facility charge special fund, to build and improve rental car facilities.

"However, instead of a clear breakdown of where the \$7.50 amount collected per vehicle per day collected will go, the bill as drafted instead states that the Director of Finance will deposit \$3 of each of the \$7.50 into the State highway special fund, with unspecified aggregate amounts into the motor vehicle customer facility charge special fund and the general fund, with the remainder then going to the CFC special fund.

"The Tax Foundation of Hawaii has observed: "While the rental motor vehicle customer facility charge was enacted to provide funds to develop and construct a consolidated car rental facility and other related improvements for the department of transportation's airport modernization program, it now has morphed into another way to raise funds for the general fund. Hopefully, the car rental industry has learned a very important lesson about trusting lawmakers."

"In light of that analysis, I am concerned about the fact that any of the rental motor vehicle surcharge tax will continue to go into the general fund.

"Some reading my remarks may believe I am making too much of this. They may say, "What's \$4.50 per day?" or "Why should it matter where the funds go, as long as the State needs the money?"

"My response, I note: Today, at least twelve of the bills considered, including this one, have some sort of a fee increase or tax increase. This legislature will also vote on the creation of five new special funds. These fee increases and new funds purport to do good, to somehow help the State and its citizens in the long run. The special funds seem noble, seem productive, and seem geared to specific purposes. As the members of this body consider those bills, however, we should ask ourselves: Are those fees and taxes going to end up like the rental motor vehicle surcharge? Will taxpayers and businesses doubt whether they can trust us?

"We may also wish to be cautious about the fact the bill authorizes the Department of Transportation to issue \$500 million in rental motor vehicle customer facility revenue bonds. As the Tax Foundation of Hawaii has noted, "While the issuance of bonds could be used to borrow the money to build [a consolidated rental motor vehicle facility], such a strategy will only increase the cost of construction as funds must be repaid with interest."

"For the reasons I have noted, I will be voting no on Senate Bill 2946 Senate Draft 2, House Draft 2. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you. In opposition Mr. Speaker, and just a few notes on this. My opposition stems from, originally I thought, 'Fine. If the rental facilities want to charge themselves for the rental facility, great.' But it's not really panned out that way. And on the side, I mean, personally we went to rent a car the other day, and it was amazing the response by everybody, how expensive it is with this surcharge. So I have to go no. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I wish to speak for this measure with some reservations, on Stand. Com. Rep. No. 1573. Thank you, very much. And, the reservation that I have is that, even though there's no exact dollars, how much is going to be taken, the format is planned so that they'll continue to take money away from the Highway Fund, which we need desperately because of the condition of the highways, and all the potholes we have.

"So I would encourage, especially the Finance Committee, and hopefully I will be the Chairman of this Committee, but relying on the Finance Committee that we look very tenderly at the dollars that you take away from the Highway Fund, as that will affect the amount of repairs and maintenance that we need for the State highways. We drive on it every day and we know what is needed out there. There's a lot of *puka*. Thank you, very much."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. Thank you. Just to be brief. First I would like the comments of the previous speaker entered into the records as if they were my own. I hope that as this moves forward to Conference that the Committee members will look at a breakout for the Special Highway Fund. The timing is everything, and SAFETEA-LU has, as you are well aware, Mr. Speaker, has not been reauthorized yet. It is in the process of being reauthorized.

"And the big states are really clamoring hard about small states like Hawaii getting what they call a disproportionate highway share. And one of the things the federal DOT is looking at is, what we're doing to ensure our Special Highway Fund remains soluble and valid, and basically is strong. And my concern is, we don't have some kind of an allocation for that. The feds may look at this and say, 'Okay well, Hawaii is one of these states who is not really doing much to protect their Special Highway Fund or invigorate it,' and therefore that could be reflected in perhaps loss of federal dollars. Thank you."

Representative Awana rose in support of the measure with reservations and the remarks of Representatives McKelvey and Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of the measure with reservations and asked that her written remarks, and the remarks of Representatives McKelvey and Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine's written remarks are as follows:

"I stand with reservations on SB 2946, which extends the current \$7.50 rental vehicle surcharge tax through June 30, 2016 in order to continue to ensure there is enough money in the Highway Special Fund, the general

fund and the Rental Motor Vehicle Customer Facility Charge Fund by extending the rental motor vehicle facility's fee suspension. My greatest concern about this bill is that we are extending the tax."

Representative Hanohano 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. 2946, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Ching, Fontaine, Marumoto, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1574-12) recommending that S.B. No. 2588, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2588, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

At this time, Representative Riviere offered Floor Amendment No. 4, amending S.B. No. 2588, SD 1, HD 3, as follows:

"SECTION 1. Senate Bill No. 2588, S.D. 1, H.D. 3, is amended by amending section 1 to read as follows:

"SECTION 1. Chapter 657, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§657- Civil action arising from sexual offenses; application: certificate of merit. (a) Notwithstanding any law to the contrary, no action for recovery of damages based on physical, psychological, or other injury or condition suffered by a minor arising from the sexual abuse of the minor by any person shall be commenced against the person who committed the act of sexual abuse more than:

- (1) Eight years after the eighteenth birthday of the minor or the person who committed the act of sexual abuse attains the age of majority, whichever occurs later; or**
- (2) Three years after the date the minor discovers or reasonably should have discovered that psychological injury or illness occurring after the age of minor's eighteenth birthday was caused by the sexual abuse,**

whichever comes later.

A civil cause of action for the sexual abuse of a minor shall be based upon sexual acts that constituted or would have constituted a criminal offense under part V or VI of chapter 707.

(b) For a period of two years after the effective date of Act , Session Laws of Hawaii 2012, a victim of child sexual abuse that occurred in this State who had been barred from filing a claim against the victim's abuser due to the expiration of the applicable civil statute of limitations that was in effect prior to the effective date of Act , Session Laws of Hawaii 2012, may file a claim in a circuit court of this State against the person who committed the act of sexual abuse.

A claim may also be brought under this subsection against a legal entity, including the State or its political subdivisions, if:

- (1) The person who committed the act of sexual abuse against the victim was employed by an institution, agency, firm, business, corporation, or other public or private legal entity that owed a duty of care to the victim; or**
- (2) The person who committed the act of sexual abuse and the victim were engaged in an activity over which the legal entity, including the State or its political subdivisions, had a degree of responsibility or control.**

Damages against the legal entity shall be awarded under this subsection only if there is a finding of gross negligence on the part of the legal entity, including the State or its political subdivisions.

(c) A defendant against whom a civil action is commenced may recover attorney's fees if the court determines that a false accusation was made with no basis in fact and with malicious intent. A verdict in favor of the defendant shall not be the sole basis for a determination that an accusation had no basis in fact and was made with malicious intent. The court shall make an independent finding of an improper motive prior to awarding attorney's fees under this section.

(d) In any civil action filed pursuant to subsection (a) or (b), a certificate of merit shall be filed by the attorney for the plaintiff, and shall be sealed and remain confidential. The certificate of merit shall include a notarized statement by a:

- (1) Psychologist licensed pursuant to chapter 465;**
- (2) Marriage and family therapist licensed pursuant to chapter 451J;**
- (3) Mental health counselor licensed pursuant to chapter 453D; or**
- (4) Clinical social worker licensed pursuant to chapter 467E;**

who is knowledgeable in the relevant facts and issues involved in the action, who is not a party to the action.

The notarized statement included in the certificate of merit shall set forth in reasonable detail the facts and opinions relied upon to conclude that there is a reasonable basis to believe that the plaintiff was subject to one or more acts that would result in an injury or condition specified in (a)."

Representative Riviere moved that Floor Amendment No. 4, be adopted, seconded by Representative Ward.

Representative Riviere rose to speak in support of the proposed Floor Amendment, stating:

"Thank you. This bill involves sexual abuse of children. Child predation is an abomination. On that we can all agree. It's a horrible situation and it must be dealt with firmly. The problem with this bill, and what this bill does, is it extends the statute of limitations for certain parameters. But the problem with this bill is that it excludes the State. So my question to the Members, and this really cuts to the chase of equity and fairness. The question is, why is the State excluded from this two-year provision to go back and follow up on sexual predation and sexual abuse.

"I ask, is there a difference if a child is molested in a public school? Is that different than a child being molested in a private school? You all know the answer. There is no difference to the trauma brought to the child. There can be no justification for excluding the State. The State can't afford it. The State's got big pockets. The people would be suing us. I'm afraid that's not a good enough answer, folks. If there's a crime committed against children, let's deal with it. Let's not exclude ourselves and say the rules apply to others. I hope that you folks will all agree that this is an amendment that should be passed. Mahalo."

Representative Ward rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, I rise in support of the amendment. Mr. Speaker, this is one in a series of the State exempting itself. You know from my colleague, the exemption on the environmental laws, just on the last bill. We exempted putting money into the road repair fund. This exempts the State from being liable for what otherwise, as a deep pocket employer, should be there. So what is fair? State's rights were very important. Why are we not taking the liability side of the freedom that we exercise? We are not above the law. We are the lawmakers. We should not be exempt from this. Thank you."

The motion that Floor Amendment No. 4, amending S.B. No. 2588, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry, with Representative Wooley being excused.

(Main Motion)

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Manahan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, reservations for the same reason. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Reservations, with a couple of comments. You know, there was this leader that I had first met many, many years ago, and he was the head of a labor union. He was very close friends to my family, and my family loved this leader. We loved this leader. And when I was young, I could never figure out why did everyone love him so much. And it was because he never imposed anything on his people without putting even stricter rules on himself. And that is true leadership.

"I think I'm very proud of the Representative from Waialua, feeling so strongly that for us to lead successfully here in the State of Hawaii, instead of looking out to others, and how to change them, fix them. He really felt, and he's a freshman, and this is what I love freshman for. He came here to do justice for his people, and he saw this bill as unjust. So that is why I have very strong reservations, Mr. Speaker.

"Before we even start legislating this to the private system, or private sector, we should have first legislated this for the State. First prove our leadership, Mr. Speaker, that we could accomplish this. And that we truly believe in protecting victims, and that's why we're passing this law."

Representative Aquino rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Reservations, for the reasons stated earlier."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. I think the good Representative from the North Shore, sums up my position."

Representative Marumoto 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 an aye vote with reservations for him, and the Chair "so ordered."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Reservations, because it does not apply to the State."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, 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 Johanson 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 M. Lee rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations of Senate Bill 2588 – Relating to Limitation of Actions.

"I rise with reservations. Child sexual abuse may stay with a victim for a lifetime. Therefore, this bill is very important for recovery and interventions which may heal the damage done years later. I protest excluding the State and its political subdivisions from this law. It is hypocritical to do so even if it may have cost implications."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. And may I please reference the testimony of the Attorney General and incorporate it as my own. Thank you."

Representative Giugni 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 Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai 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. 2588, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1575-12) recommending that S.B. No. 2123, SD 2, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2123, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I would just point to the comments by the Department of Labor and Industrial Relations where they comment on some of the feasibility, and the effectiveness of the measures in this bill. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. With your kind indulgence, I'd like to provide a brief history on the foundation for this measure. Will do, Mr. Speaker. I will keep it under five minutes.

"In 2011, before the end of the Legislative Session, Hawaii was ranked near the bottom of states in dealing with human trafficking. However, before the end of the 2011 Session, this Body passed two bills, H.B. 240 and H.B. 141, to provide stronger policy to address human and sex trafficking. In fact, on June 21st, 2011 when Governor Abercrombie signed into law H.B. 141, Hawaii became the 47th state in the nation to have a standalone labor trafficking bill.

"Mr. Speaker, these measures catapulted Hawaii from a lower tier state dealing with human trafficking, into a middle tier state. It's not me saying that. This is the Polaris Project. That's their assessment. The Polaris Project is the leading authority in the United States dealing with human trafficking, and they operate the National Human Trafficking Resource Center Hotline.

"Mr. Speaker, if this legislation were to pass, along with some of the other measures we have before us, it would place Hawaii in the top ten as far as states addressing human and sex trafficking. Quite a transformation. From bottom ten, to top ten. This measure is not perfect. I'll be the first to state that. It needs a little bit of work. But I ask Members to support this measure so we can deal with it in Conference.

"Finally, by moving this measure, we will send an unmistakable warning to individuals and entities engaged in human and sex trafficking. And we will provide a clearer and more structured means for our community and businesses to protect our victims of human trafficking. For those reasons, I support this measure. Thank you, Mr. Speaker."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"I'm standing with reservations. I would just like to express my reservations in regards to the placement of the poster. In the measure it says that an establishment shall post in a conspicuous place, near the entrance or another area where posters are, and notices are customarily posted on the premises of the establishment. My concern is that there will be unintended consequences while having these types of posters posted, that could have a negative, instead of a productive perception."

Representative Cullen rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Kawakami rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Aquino rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'm in support of the bill. We can hang up all the signs in the world, but unless we have the proper services for the victims of trafficking, trafficking is still going to go on. 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. 2123, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1577-12) recommending that S.B. No. 2576, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2576, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Unfortunately, I rise in opposition. Thank you, Mr. Speaker. Although I think this bill is based on some good

intentions and definitely a worthy purpose of protecting those victims of human trafficking and sex trafficking victims, as written, the bill, I believe, fails to distinguish between real victims from those who may just exploit the system claiming to be victims in order to avoid the full consequence of their actions.

"It allows a person convicted of prostitution or certain related offenses, to file a motion asking the court to vacate the judgment, setting aside the conviction. This gives the true victims a fresh start. That's wonderful. And letting them make positive changes, such as pursuing career level jobs, without the stigma of a prostitution conviction. That's great. But the problem is, the requirements for the motion don't set the bar high enough. The motion has to be in writing, but the convicted person only has the burden of proving their case by what is called a preponderance of the evidence, a very low burden to meet.

"The convicted person generally has six years after the fact to bring the motion, and it gives them an even longer time frame if they say the safety factor prevented them from coming forth sooner, such as the risk that coming forward sooner would have jeopardized their safety. The bill doesn't require the convicted person to present any real proof that they committed the criminal act because they were a victim of human trafficking or sex trafficking.

"Official documentation of the person's victim status needs only to be a police report, court record, affidavit generated by the law enforcement agency. But the bill does not fully flesh out how strong the documentation needs to be. Someone who wants to cheat the system can make an unsubstantiated claim that they were victimized, and take this to court, wave it around as an official documentation.

"For example, in 2007 a person was arrested and convicted for prostitution. At that time, they were being investigated as a defendant. She said nothing about having been forced or coerced to commit prostitution as a victim of sex trafficking. In 2012, she went to a local police station to make a report that she was a victim of sex trafficking five years ago, but the police have to make the report to document her claim even though it's unlikely they're able to even investigate the claim, or verify the identity of the alleged trafficker, given that so much time has passed.

"Yet under this bill, the 2012 police report would qualify as official documentation of the person's status as a victim of trafficking. It invites more abuse because the fact that the so-called official documentation would create a presumption in court that the person's participation in the offense was a result of having been a victim. But the bill doesn't even require the court to have this documentation in order to grant the motion. They can just come to court and completely make an unsubstantiated claim that they were a victim.

"So while I believe, Mr. Speaker, it's very important and I support helping true victims of human trafficking. In fact, I applaud the efforts of the Representative of Mililani. I think it's so important, what the Representative of Kalihi said, and that sex trafficking has to be addressed. The problem is, the bill as drafted is unbalanced, is unfair to law enforcement and to the prosecutors who have no way to rebut the convicted person's claim, having been a victim. The court will be setting aside serious criminal convictions based on so-called evidence. It is almost impossible to investigate because the alleged trafficker and potential witnesses will be so difficult to locate, years after the fact.

"So if anything, this bill is advocating a process jeopardizing the public's confidence in the integrity of our criminal justice system. And Mr. Speaker, I would say that, that is really my objection. That is my objection, Mr. Speaker. That's why I rise on the Floor in opposition.

"It's not a perfect bill, but we've passed imperfect bills before. But I think there's a prevailing feeling out there, that crime pays in Hawaii. And I've talked to people about this. They don't feel good about it. There are other ways to help real victims. If the person is arrested for prostitution and committed the offense under duress and not of free will based on threats or harm to her family, she has a constitutional right to assert this defense at trial."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Ching continued, stating:

"Thank you. Thank you, Mr. Speaker. And if the jury fails to acquit her, as the Attorney General's Office and the Honolulu Prosecutors Office testified, that appealing to a higher court or filing a motion under Rule 40 of the penal procedure to vacate the conviction, would be the better way to achieve the bill's goal of helping our victims. I don't want to be a state that consistently, some of even the officers of our HPD are told that we have some of the loosest state's rules, the laws in the nation. We don't want to be a place where crime pays. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Oddly enough, I agree to a certain extent, with what the good Representative from Liliha had stated. Please note that this bill again, is not perfect. However, the fix to it, in Conference, would be to have the county prosecutor be the final arbiter in determining whether the motion to vacate would be accepted or not."

"A blanket vacate, is over-inclusive. I address that. I agree with that. However, allowing a county prosecutor to make that determination, provide guidance, I think that would be the fairness test we're looking for. So, this measure by no way is close to being perfect. And if we don't have buy-in from the Prosecutors and the Attorney General's Office, this will not pass your Conference Committee. Thank you, Mr. Speaker."

Representative Riviere 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 Riviere's written remarks are as follows:

"I understand the intent of this bill is to allow a second chance in life for people convicted of prostitution when they were victims of sex trafficking. Having a clean record may help in future job opportunities. However, not everyone who works in prostitution does so against their will and not everyone is a victim. The intent is good for those who were truly enslaved, but this legislation appears to allow just about anyone to erase their criminal record of prostitution if they make a claim of victimization."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2576, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ching voting no.

At 11:46 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2402, SD 1, HD 1
S.B. No. 2747, SD 1, HD 2
S.B. No. 2746, SD 1, HD 3
S.B. No. 2946, SD 2, HD 2
S.B. No. 2588, SD 1, HD 3
S.B. No. 2123, SD 2, HD 2
S.B. No. 2576, SD 1, HD 3

At 11:46 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:52 o'clock a.m.

At this time, the Chair announced:

"Members, may we proceed on to page 16 at this point in time. But before we continue, I want to thank all of you for a job well done this morning, since it's going to be at 12:00 very shortly, and it's going to be the afternoon. The discussion on the Floor has been really lively and excellent as far as educating the Members on the Floor of this House."

"The other message that I'd like to give to you, is that our counterparts are now watching us. So, if all of you can wave to them. That's the Senate. They got through at 11:24 this morning. So let's proceed on to page 16."

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1578-12) recommending that S.B. No. 2579, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2579, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise again, this time in reservations. Thank you, Mr. Speaker. This is Stand. Com. Rep. 1578. The goal of this bill is to provide more front-end services for the sexually exploited minor who ends up in prostitution. It definitely has praiseworthy components, such as the Safe Harbor Program, that'll provide coordinated services to victims from various government agencies, educating the public about sex trafficking of children, and reaching out to at-risk youth."

"Providing front-end services is extremely positive. It might even prevent our at-risk minors from falling into this terrible trade, prostitution. But there's also some serious problems with the bill Mr. Speaker, because it imposes a blanket prohibition on prosecution on all minors who are arrested for prostitution or related offense. Minors cannot be prosecuted, period. No matter what the reason for their involvement. Regardless of whether they were coerced or engaged in it on their own free will."

"The lack of prosecution would mean lack of accountability. Minors, even those who committed those criminal acts after being persuaded by their smooth talking, smooth talking ill person, need to know that there are consequences for their actions. Lack of prosecution denies Family Court oversight over the minors and consequently deprives the judges of knowledge of the larger social problem. Family Courts are valuable resources. Family Court judges approach the minor's case holistically, looking at the minor's home, their school, the community environment. The judge is there to help the minor to do what's in his best interest. The minors can get treatment and the support services that their parents and families often are unable or not interested in giving."

"The significant distinction between court-ordered services or what's commonly called back-end services, and the front-end service is that the court is in a position to monitor and enforce. There will be consequences for failing to follow through with court-ordered treatment. Other programs like the victims services program established by this bill can be helpful, but have no teeth. There is no enforcement, unless there is an incentive to comply."

"The bill as written ignores other specialized features of Family Court prosecution of juveniles, such as, the existence of Girls Court. Girls Court is a specialized courtroom which deals with the unique needs of adolescent girls. The Family Court has the flexibility to deal with a case informally, without criminal sanction, and an official adjudication that ends up on minor's juvenile record. This is known as informal adjustment, and it can be very effective in some cases."

"The Family Court adjudication for a prostitution offense does not have the same consequence or stigma as conviction on an adult criminal record. By law, juvenile criminal adjudications are not treated as convictions, and must be kept confidential, so they don't appear on a person's adult record. Furthermore, Family Court judges have the option of dismissing a case in the interest of justice. If the minor makes progress on court supervision, the minor can ask to have the case dismissed after the fact."

"The Department of the Attorney General, the Prosecutors Office, the Honolulu Police Department, all have serious concerns about exempting minors from prosecution. Most alarming is that giving minors, quote unquote, 'immunity' from prosecution for prostitution offenses, actually gives pimps and sex traffickers a perverse incentive to recruit more minors."

into prostitution. They'll say, 'Don't worry. You can't get in trouble with the law, because of your age.'

"Mr. Speaker, this bill has all the right intentions, but in the long term, will do only more harm if passed the way it's written. For these reasons, Mr. Speaker, I have serious reservations. Thank you."

Representative Riviere 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 Riviere's written remarks are as follows:

"Forced prostitution of children is a particularly heinous act and we must do everything we can to help these young people find a better life. My reservation with this bill is that it eliminates the crime of prostitution for persons younger than 18 years. Not every person who prostitutes herself or himself is a victim and many 17 year olds are well aware of their actions. Additionally, there are many pimps and unscrupulous individuals who might see a new, safer market to exploit because 17 year olds cannot be convicted of prostitution. In other words, this attempt to help children forced or tricked into sex trafficking could have the exact opposite effect."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations, with a very serious footnote to underscore what the Representative just said. It's about keeping the records clear for the young ladies, the prostitutes. But the real message that it sends, and this is the dangerous one, that pimps aren't stupid. Pimps will get the message to go and pimp on the young kids. Get them in, because they're going to be immune to this. And that's why I fear that the guys are so street smart. They're going to take advantage of this if we do it. Therefore, there's got to be some balance to make sure that doesn't get out of hand. Thank you."

Representative Cullen 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 Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on S.B. 2579. I support the intent of this measure because it wants to establish a new chapter in the Hawaii Revised Statutes for a safe harbor for sexually exploited children. This measure establishes that a person under the age of eighteen and suspected of, or charged with certain offenses relating to prostitution shall not be prosecuted. Mr. Speaker, my reservations with this measure center around the generality of the options under which the Police and Prosecutors are allowed to charge a minor for a prostitution crime.

"I understand that we want to help the minor, but my experience as a social worker and the work I have done within our Family Court system have given me the insight to know that sometimes, these minors are knowingly and willfully engaging in the crime. Also, Mr. Speaker the Prosecutor's Office currently has the official capacity to drop the charges on the minor after these minors have received the proper help.

"Therefore, I believe that this measure is too vague for it to work within our system and it may not help the population it is intended to help, having a more negative impact rather than the intended positive impact. Mr. Speaker, please also note that the Department of Human Services, and the Honolulu Police Department opposed this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2579, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1580-12) recommending that S.B. No. 2214, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2214, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1581-12) recommending that S.B. No. 2220, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2220, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1584-12) recommending that S.B. No. 2528, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2528, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Fontaine 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. 2528, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1585-12) recommending that S.B. No. 2239, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2239, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in enthusiastic support for this job creator. Did you want me to jump up and down? I'll be very brief, because this is going to establish the venture accelerator funding mechanism for the Hawaii Strategic Development Corporation. Mr. Speaker, these are the kind of high-tech jobs that the State needs. This is what Act 221 was going to do to really get people in the fast lane. We couldn't do a Menlo Park, Palo Alto, but we got close to doing some of it, and this bill gets us closer to doing that by providing advisors, mentors, and other entrepreneurs with tech-based opportunities to expand or, in fact, even start their business.

"We are a very capital-short state. In fact, most venture capitalists are either extreme East Coast or extreme West Coast. We basically have to import all of the capital that we have. This will be a good seeding mechanism, and it does what America used to do in the old days. It grows the pie. It's getting there and creating jobs and growing the pie. And in this case, it's the kind of jobs that is what we need. The kind of jobs that will hire all those young STEM students who are out now doing their robotics and other ventures in Hawaii.

"Mr. Speaker, the bottom line and the fix is, if there's any doubt about the use of these funds for a State Bank, I would say, if there's any excess funds that can ever be used for a Green Bank, the funds would be better spent if they put in this Strategic Development Corporation for the future of the kids of Hawaii. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. It would be such enthusiastic support, I had hoped it would stay on Consent Calendar. That being said, Mr. Speaker, this is a very powerful tool. It's not just about tech. It actually floats all of our economic sectors in what we call the matrix this year. This will benefit our writers and people who want to get in film. This will benefit aerospace for companies who wish to commercialize the IP, which is being developed by our University System.

"And real quickly, Mr. Speaker, the most important thing is that we have millions, and millions, and millions of dollars that have been put into this State into research for IP. The big thing is there's a gap, a great desert between this and the commercialization, which basically allows us to take this IP, intellectual property, and turn it into green, sustainable, well-paying jobs for our people, especially our children.

"I'd like to call this great desert, I nickname it the Iraqi Desert, and this is a Stillsuit bill, Mr. Speaker, because this will get us from one end of the divide, from all of the money that's tied up in IP in our University System, to the other side of the divide, which is commercializing this IP, and creating local jobs, well-paying, sustainable jobs that will help to leverage all of our other sectors. This rising tide will float all boats. Thank you, Mr. Speaker."

Representative Oshiro rose to speak in support of the measure, stating:

"I rise in support. I just wanted to reassure my colleague across the aisle that none of the moneys that are now being banked at the Bank of America, Merrill Lynch of \$651 million, or Morgan Stanley Smith Barney of \$500 million, will be returning to Hawaii to capitalize this important venture capitalist program. 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. 2239, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1586-12) recommending that S.B. No. 3050, SD 2, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3050, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 3050, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM, TELEVISION, DIGITAL, AND NEW MEDIA DEVELOPMENT," passed Third Reading by a vote of 51 ayes.

At 12:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2579, SD 2, HD 3
S.B. No. 2214, SD 2, HD 2
S.B. No. 2220, SD 1, HD 2
S.B. No. 2528, SD 2, HD 3
S.B. No. 2239, SD 1, HD 1
S.B. No. 3050, SD 2, HD 1

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Nakashima introduced Minnesota State Representative Michael Nelson and his wife, Mrs. Cathy Nelson who were visiting Hawaii and our Capitol this day.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1588-12) recommending that S.B. No. 2842, SD 1, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2842, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1590-12) recommending that S.B. No. 2158, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2158, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise with reservations. This is a good bill that has been watered down and is no longer very meaningful. The bill would uphold constitutional rights by allowing an arrested person to post bail 24 hours a day, 7 days a week. It would allow law enforcement agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds when the court is closed, including nights, weekends, and holidays, to facilitate the arrested person's prompt release after bail is accepted. The original bill would have mandated the availability of 24/7 bail.

"Unfortunately, the current HD1 draft no longer mandates this long-overdue change in our system. It only gives the Department of Public Safety and law enforcement agencies the option to make bail available on a 24/7 basis. The amendment to the bill was in response to the department's testimony that they lack the necessary staff and manpower. Left to their own devices, who knows how many years it will be before the departments make this important change?

"This bill also hurts our State's finances by needlessly keeping our incarceration costs high. The majority of arrests are for misdemeanors or petty misdemeanors where bail is low, a few hundred dollars or less. The arrested person either has the money on them and can post bail for themselves right away, or can call a friend or family member to come post it for them. But if the person was arrested in the evening or over the weekend, they are penalized and forced to stay in custody, simply because the system isn't set up to accept their money. It costs the State MORE money to house someone in jail, even just for a day or over the weekend. There was testimony from Duane and Beth Chapman of Da Kine Bail Bonds that the per-day cost is estimated at \$140 to \$200 per day. If the person has to be housed over a long weekend, the State is looking at \$800. The money that the State stands to recoup upon a conviction and judgment is much less: only \$100 to \$200 in the average misdemeanor case. In its present form, the bill creates a lose-lose situation: the arrested person's constitutional rights are violated, and the taxpayers shell out money that doesn't need to be spent.

"It may be true that the Department of Public Safety or law enforcement agencies need to hire more staff in order to provide access to 24/7 bail. But this is a relatively small investment that would result in a much larger cost savings. There was testimony that on some of the Neighbor Islands (Maui, Big Island), arrested persons CAN post bail during evenings and weekends. If the Neighbor Islands can structure their services to that bail is accepted 24/7, why can't Oahu?"

"Let's take this opportunity to make this a win-win situation by going back to the original form of the bill. 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. 2158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1591-12) recommending that S.B. No. 2858, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2858, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on this bill. Mr. Speaker, this, like the other exemptions of the environment, or tax, or other uses of power of government, this one is exempting us from really being open. It's a transparency exemption. It's about the Office of Information Practices and the ability of people to get information from their government. Basically it's saying that if an agency doesn't give it, we're going to have to pay for it to get it, because we're going to have to go to court, to pay lawyers, to get the money, to get the information. Mr. Speaker, it's a step backwards of transparency.

"It's not open government. It's a bad policy precedent. And I think of all the exemptions that we're trying to do this Session, this would be one that the people are going to see through, and they're going to say, 'Why are you guys exempting that?' People, *Civil Beat*, *Star Advertiser*, those people need information. It's going to tie up a lot of this stuff into court, and it's going to be a cloud over this Legislature. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I join the Minority Leader in opposition. This bill has the wrong title. It should be called, 'Relating to Closed Government.' Passage of S.B. 2858 will roll back more than 20 years of openness and sunshine in the manner in which the State of Hawaii handles access to records and ensures its meetings are open and transparent to the public. S.B. 2858 would allow State agencies to delay the release of publicly-requested records under the Uniform Information Practices Act, and makes it more difficult for the public to ensure agencies meet the Sunshine Law requirements. This is because the law would now allows agencies to challenge an OIP decision in the courts.

"A recent analysis done by a noted professor at the University of Hawaii Law School, makes it clear that the original legislative intent in passing Chapter 92 was not to permit OIP decisions to be adjudicated, but instead to clearly promote promptness and uniformity in the manner in which UIPA requests were handled. S.B. 2858 would turn the legislative intent 180 degrees around and destroy the hard-earned reputation our State has earned for openness, fairness, and transparency in its dealings with the public.

"I read the legalized arguments of the current head of OIP, and I do not believe they hold legal water. Further it is disturbing that this bill is part of the Governor's legislative package, the same Governor who summarily dismissed the former head of OIP when she did not rule the way he wanted her to. Mr. Speaker, this is part of a larger issue that we as legislators have

a responsibility to address. We will permit actions on the part of the Executive Branch to hide what they are doing from both us and the public.

"Actions such as the issuance of Executive Orders, or the dismissal of staff, or the whereabouts of our Governor on a daily basis. Will we stand up for regular citizens and the media that have a duty to inform the public and allow them to be thwarted in their efforts to know what their own government is doing? The government they pay for, and support. These are disturbing developments and S.B. 2858 will only make it harder for the public and members of the media to find out what is really happening in our State government. I therefore urge my colleagues to oppose this bill."

Representative Fontaine rose in opposition to the measure and asked that the remarks of Representative Marumoto be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am also in opposition. Thank you, Mr. Speaker. The purpose of the bill is to allow State agencies to appeal the decisions of the OIP. And per Beverly Ann Keever, Professor Emerita, UH Manoa Journalism Program, she says this bill clearly contradicts the Legislature's intent, that OIP's decisions be binding on government agencies.

"The Open Records Law which took effect in 1989, based on the federal Freedom of Information Act that OIP grew out of, this law. At the time the Open Record Law was discussed, the Legislature stated in Conf. Com. Rep. No. 167 on S.B. 1799 in 1989, House Journal page 843, that the intent of a citizen to have the right to appeal a government agency's denial of access to a government record, but the government agency not have the right to contest it, the ruling.

"To allow government departments to sue OIP, a government agency would diminish and fragment OIP's powers. It would be counterproductive given that OIP was intended to serve the public's interests, by providing a place where the public can get assistance on records, questions, at no cost, and within a reasonable time frame. Mr. Speaker, I rise in opposition because I feel that this bill goes against what we have said that we want, open and transparent, good government. Good democracy is really based on freedom and truth, and being able to get access to the truth. 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. 2858, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Carroll, Ching, Fontaine, Marumoto, Pine, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1592-12) recommending that S.B. No. 2277, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2277, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Saiki rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 2277, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Thielen voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1593-12) recommending that S.B. No. 2785, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2785, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

At this time, Representative Riviere offered Floor Amendment No. 5, amending S.B. No. 2785, S.D. 2, H.D. 2, as follows:

"SECTION 1. Senate Bill No. 2785, S.D. 2, H.D. 2, is amended by amending section 2 to read as follows:

"SECTION 2. Chapter 269, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"PART . INTERISLAND TRANSMISSION SYSTEM

§269-A Definitions. As used in this part:

"Cable acquisition cost" means the electric utility company's costs, including reasonable transaction costs, to acquire a high-voltage electric transmission cable system pursuant to a turnkey cable contract or a cable purchase contract.

"Cable company" means any person or persons, company, corporation, or entity that is selected through a request for proposals, or other process approved by the commission, to be a certified cable company applicant.

"Certified cable company" means any person or persons, company, corporation, or entity who owns or controls a high-voltage electric transmission cable system and who receives a certificate of public convenience and necessity from the commission pursuant to section 269-B.

"Commercial operations" means the period after the high-voltage electric transmission cable system:

- (1) Passes acceptance tests approved by the commission, as determined by a qualified independent engineer approved by the commission; and
- (2) Meets other criteria the commission determines to be reasonable.

"Commercial operations date" means the date upon which the high-voltage electric transmission cable system begins commercial operations, as determined by the commission.

"Commission" means the public utilities commission.

"Cost-effective" has the same meaning as in section 269-91.

"Electric utility company" means a public utility as defined in section 269-1, for the production, conveyance, transmission, delivery, or furnishing of electric power.

"Electric utility system" means the electric system owned and operated by an electric utility company, including any non-utility owned facilities that are interconnected to the system, consisting of power plants, transmission and distribution lines, and related equipment for the production and delivery of electric power to the public.

"Energy resources coordinator" or "coordinator" means the director of business, economic development, and tourism.

"High-voltage electric transmission cable system" means one hundred twenty kilovolts or greater of alternating current or direct current transmission cables constructed undersea, including connected transmission cables or lines installed on land that connect the electric utility systems on two or more islands or allow for the transmission of power from one or more energy generation facilities to the electric utility system located on another island of the State; alternating current substation or alternating current-direct current converter station; on-island transmission infrastructure if required; fiber optic communication cables; and other appurtenant facilities.

"On-island transmission infrastructure" means the modifications and additions to the existing alternating current transmission grid on an island and other electric utility system modifications needed to reliably connect a high-voltage electric transmission cable system to an electric utility system, and to reliably accept power transmitted via the high-voltage

electric transmission cable system connecting two or more islands of the State's electric utility systems.

"Power purchase agreement" means an agreement between an electric utility company and the developer of an energy generation facility to sell the power generated by the facility to the electric utility company.

"Project-on-project financing risk" means the risk involved when mutually dependent projects, whose risk of completion, and therefore, financing, are dependent on each other.

"Renewable electricity" means electrical energy generated using renewable energy as the source.

"Renewable energy" has the same meaning as in section 269-91.

"Renewable energy generation facility" means a facility generating electrical energy using renewable energy as the primary source.

"Renewable portfolio standard" has the same meaning as in section 269-91.

"Request for proposals" means a request for proposals issued pursuant to a competitive process authorized, reviewed, and approved by the commission, and developed and conducted by the electric utility company or companies to which the capacity of a high-voltage electric transmission cable system will be made available, with input and assistance from the state energy resources coordinator, to select a cable company.

§269-B Certification. (a) Prior to installing a high-voltage electric transmission cable system, a cable company shall be selected through a request for proposals, or other process approved by the commission. The selected cable company shall not commence commercial operations of the high-voltage electric transmission cable system until it is issued a certificate of public convenience and necessity by the commission pursuant to section 269-7.5. A certified cable company shall be subject to regulation by the commission and defined as a "public utility" under section 269-1, notwithstanding any law to the contrary.

(b) The electric utility company and the energy resources coordinator, or the energy resources coordinator's designee, shall develop the request for proposals, and the energy resources coordinator or the energy resources coordinator's designee shall be a member of the selection committee that will review and evaluate the proposals. The electric utility company shall suspend or terminate the request for proposals at the discretion of the commission.

(c) Notwithstanding any provisions in section 269-7.5 to the contrary:

- (1) The commission shall approve, disapprove, or approve subject to certain conditions, an application for a certificate of public convenience and necessity for a high-voltage electric transmission cable system, and shall issue a final order within one hundred eighty days after the application is filed, provided that the commission may extend the timeline as necessary;
- (2) In determining whether the cable company is financially fit, the commission may allow for the use of commercially reasonable non-recourse project financing for the high-voltage electric transmission cable system;
- (3) In determining whether the proposed transmission capacity service is or will be required by the present or future public convenience and necessity, the commission shall determine whether the high-voltage electric transmission cable system would be a cost-effective means of:
 - (A) Interconnecting two or more electric utility systems;
 - (B) Helping one or more electric utility companies meet the applicable renewable portfolio standard; or
 - (C) Achieving other considerations the commission may deem appropriate;
- (4) If the primary source or sources of the renewable electricity that will be transmitted to an electric utility company or companies using the high-voltage electric transmission cable system will be provided pursuant to a power purchase agreement or agreements between the electric utility company or companies and an owner or owners of a new renewable energy generation facility or facilities, in reviewing and approving the application for a certificate of public

convenience and necessity, the commission shall, among other factors, take into consideration:

- (A) The status of the power purchase agreement or agreements;
 - (B) The extent to which the project-on-project financing risk of the high-voltage electric transmission cable system and the associated renewable energy generation facilities is materially reduced through agreements between the certified cable company and the owner or owners of the renewable energy generation facilities holding the power purchase agreement or agreements, or through common ownership arrangements; and
 - (C) The extent to which the certified cable company assumes financial responsibility for the high-voltage electric transmission cable system until both the cable system and the new generation facility or facilities have achieved commercial operations;
- (5) In the certification process, the commission shall review and determine ratemaking principles appropriate and applicable to the high-voltage electric transmission cable system during commercial operations. The ratemaking principles shall be used in determining the certified cable company's revenue requirement that is used to determine its transmission capacity charges, and may be used to fix the capital investment costs for the high-voltage electric transmission cable system upon which the certified cable company will be allowed to earn an authorized rate of return and the operating costs that may be included in the certified cable company's revenue requirement. Any applicable land costs shall be included in the determination of the certified cable company's revenue requirement;
- (6) In determining the authorized rate of return that will apply to a certified cable company, the commission may consider the risks assumed by the certified cable company related to or resulting from the planning, financing, construction, and operation of the high-voltage electric transmission cable system, including other factors deemed relevant and appropriate by the commission, such as the terms and conditions of the transmission tariff as may be approved by the commission;
- (7) Prior to approving the application for a certificate of public convenience and necessity, the commission shall hold a public hearing on each island to be connected by the high-voltage electric transmission cable system to obtain input from the affected communities about the high-voltage electric transmission cable system; and
- (8) In no event shall the high-voltage electric transmission cable system be connected to any island populated by less than fifty thousand residents.

§269-C Transmission tariff. The commission shall, by order, approve, disapprove, or approve subject to certain conditions, the tariff of the certified cable company pursuant to which the certified cable company shall make the capacity of its high-voltage electric transmission cable system available to the electric utility company or companies. The tariff shall be consistent with the tariff provisions provided in the request for proposals, unless otherwise ordered by the commission. The tariff shall specify the terms and conditions under which the certified cable company will be entitled to receive revenues collected through the cable surcharge, established pursuant to section 269-D. The certified cable company may submit its proposed tariff for approval prior to the expected commercial operations date, and the commission shall take final action on the proposed tariff within one hundred twenty days after submittal of the proposed tariff with supporting documentation as may be required by the commission; provided that the commission may extend the timeline as necessary.

§269-D Cable surcharge. (a) The commission shall establish a cable surcharge to allow recovery of the high-voltage electric transmission cable system costs designated for recovery according to the ratemaking principles pursuant to section 269-B.

(b) Pursuant to the transmission tariff, the commission shall, by order, designate the electric utility company or companies to which the capacity of the high-voltage electric transmission cable system shall be made available as the agent of the certified cable company to collect the cable surcharge approved by the commission. The electric utility company or

companies collecting the cable surcharge for the benefit of the certified cable company shall have no right, title, or interest in the moneys so collected. The commission shall approve a fee, to be collected by the electric utility company or companies concurrently with the cable surcharge, for acting as the collection agent for the certified cable company.

(c) Notwithstanding any requirements to the contrary, a high-voltage electric transmission cable system may be deemed "used or useful for public utility purposes" upon commencing commercial operations, subject to the commission's determination and approval.

§269-E Recovery of electric utility company costs. (a) An electric utility company may recover, through an automatic rate adjustment clause, its revenue requirement resulting from the capital costs that it prudently incurs for on-island transmission infrastructure; provided that the commission has approved the utility's commitment of capital expenditure costs for the project.

(b) To provide for timely recovery of the revenue requirement, the commission shall establish a separate automatic rate adjustment clause for that purpose, or modify an existing automatic rate adjustment clause. The use of the automatic rate adjustment clause to recover the revenue requirement shall be allowed to continue until the revenue requirement is incorporated in rates in an electric utility company's rate case.

(c) The electric utility company's revenue requirement shall include:

- (1) The commission-approved rate of return, as set in the electric utility company's last rate case, on the utility's net investment in the high-voltage electric transmission cable system from the acquisition date of the high-voltage electric transmission cable system, and in the on-island transmission infrastructure from the date the on-island transmission infrastructure is completed and available for service;

(2) Depreciation; and

(3) Revenue taxes and other relevant costs as approved by the commission.

(d) The electric utility company's net investment includes costs incurred by the electric utility for planning, permitting, and constructing the on-island transmission infrastructure, including an allowance for funds used during construction where the utility finances the planning, permitting, and construction costs, less offsets such as accumulated depreciation and associated unamortized deferred income taxes.

(e) The on-island transmission infrastructure shall be available for service before the commercial operations date of the high-voltage electric transmission cable system. Notwithstanding any other provision in this chapter to the contrary, at the time the commission approves the electric utility company's commitment of capital expenditure costs for the project, the commission may either:

- (1) Allow the electric utility company to recover its approved revenue requirement resulting from the capital costs that it prudently incurs for on-island infrastructure at the time that the infrastructure is available for service; or

(2) Allow the company to continue to accrue an allowance for funds used during construction on such prudently incurred capital costs until the commercial operations date for the high-voltage electric transmission system.

(f) If the electric utility company elects not to complete the on-island transmission infrastructure, and the commission approves this election, or the electric utility company is precluded from completing construction of the on-island transmission infrastructure, the electric utility company shall be allowed to recover reasonable costs determined by the commission to have been prudently incurred by the electric utility company with respect to the on-island transmission infrastructure. The electric utility company shall be allowed by the commission to recover the reasonable costs through the cable surcharge over a period equal to the period during which the costs were incurred or five years, whichever is greater."''''

Representative Riviere moved that Floor Amendment No. 5, be adopted, seconded by Representative Thielen.

Representative Riviere rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. S.B. 2785 involves an interisland power cable regulatory structure. Last year, we debated this bill, and at that time there was a discussion about how much wind is available on Lanai and Molokai. The bill did not pass last year, and in the intervening time, another bill has come forward. And the conversation has amazingly changed away from, 'No, we're not trying to get windmills on Lanai and Molokai, but we're just trying to create a regulatory structure to have an interisland cable.'

"The interisland cable itself is not a bad idea. Having a grid providing power and redundancy between communities is a worthy idea. The concern is that most of the power usage, and most of the power generation rests on this island. There is no island that has surplus power to export. So we are now talking about a regulatory structure, which I have serious concerns about the financing elements. And that's all we're talking about.

"So, since we're no longer talking about forcing two of our smaller islands to have windmills to generate electricity so we can open our garage doors on this Island. Since we're no longer talking about including them, this Amendment would exclude from the regulatory scheme, islands with populations less than 50,000 people. I think this cuts to the heart of it. Let's have the interisland cable and let us respect the island where they are so vehemently and dreadfully are opposed to windmills so that we can have power on this Island. Thank you."

Representative Thielen rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I'm rising in support of the amendment. Thank you, Mr. Speaker. What the amendment is, it just basically is saying let's be honest and let's be transparent. If we're not going to be pointing the gun at the Island of Lanai and Molokai to be our industrial wasteland to provide power for Oahu, let's say it upfront, and that's what this amendment does. It precludes in the regulatory system. It precludes the Island of Lanai and the Island of Molokai from being included as the provider of power for Oahu. It's transparent. It's open. And I believe that it deserves the Members' support.

"The other measure, the main bill that we're trying to amend, really plays kind of duplicitously by saying, 'Gee, this doesn't mean to apply to any island.' I say let's be more honest than that. Let's say it will not apply to Molokai. It will not apply to Lanai. And we can go ahead with a regulatory scheme which I think still needs to be debated on its merits, and we will be able to do that later. Thank you."

Representative Coffman rose to speak in opposition to the proposed Floor Amendment, stating:

"Yes, Mr. Speaker. In opposition. This amendment will be very detrimental to the two islands, in the future. Those two islands currently, right now have some of the highest electricity rates in the nation. And in the future, they may want to have cables running to the Island of Maui to provide them with inexpensive electricity.

"Now I want to address a couple things, statements that were made regarding the fact that there isn't any excess energy to be brought over to this Island. On the Island of Maui, we already curtail a large amount of wind, and we're building additional wind farms over there. In addition to that, we're also looking at developing geothermal on Maui, so there is going to be excess energy brought over here. And the third thing is, there was mention to projects, the cable. This bill has nothing to do with any renewable projects, Mr. Speaker. Thank you."

Representative Riviere rose to respond, stating:

"Yes, thank you. For the amount of surplus energy that is being generated in Maui, I am very concerned that it would be an expensive extension cord, to build a billion dollar cable over there, to get some of the intermittent wind that is curtailed at night. There are better uses for the surplus power in the evenings. Such as, we know, hydrogen power could be generated and stored for daytime use.

"The idea that an island, a small island with a small population would need to connect to a major grid, I'm not accepting that. I think a windmill or two on Lanai could power the wind needs for the people of Lanai, and they could have their clean, green energy, without having to connect to Oahu. So I disagree with the premise that we need to go to an island and extrapolate power against the wishes of the people on that Island. It just seems very imperialistic. Thank you."

The motion that Floor Amendment No. 5, amending S.B. No. 2785, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry.

(Main Motion)

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, I was pleased to see the Chair of the Environmental & Energy Committee that says we could get cheaper electricity if we got it onto Lanai or Molokai, from Maui. One of my objections is that there's light at the end of tunnel every time we talk about this undersea cable. Which to me is comparable about the way we've talked about the train. Here's the cost, \$5 billion, \$7 billion, \$1 billion dollars. And all people see is what it's going to cost, rather than what it's going to save. I think, Mr. Speaker, that's really a missing element in this whole thing.

"The same reason that we want to push electrical vehicles. You know what GM did? They suspended production of the Volt. That was America's electric car. They stopped the production of it. People are not buying it. The point is, if we're going to do this stuff, we need to make with incentives, and the logical, rational incentives. We've got to vet this thing throughout our communities. We've got to tell them what it is. Why it's being done. How it's going to be done, so people will understand if they're going to back it. And people are rational. They will understand it, and they'll say, 'Yah, we need this. This is worth the price that we're going to pay.'

"Now I know the opposition or the retort to what I'm saying is that, 'Hey this is only a funding mechanism. All this is, is a mechanism to get the money.' Well Mr. Speaker, I don't know of any banker who will lend you the money if you don't tell them what you're going to do with it, and to me, telling what you're going to do with it, is the same thing as setting this thing up to actually do it. I think it's premature. It's expensive. And we need to know that there's light at the end of the tunnel, i.e. cheaper energy. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker I'm rising in opposition to the main bill. Mr. Speaker, the price tag on this comes at about \$1 billion. When you add that to what's going on, on the Island of Oahu, with rail, and the added .5 GET tax, pretty soon you reach a tipping point for our residents, where they just can't afford it. They can't afford to pay for these massive public work projects.

"The problem with this bill, there's been no economic analysis other than a Booz Allen report that pretty much puts the price tag at a billion dollars. So what are we doing today to put together a regulatory system for our ratepayers on the island without really going out to them to say, 'How much can you bear? How much can you handle?' A billion here, and a billion there, and pretty soon you're talking about real money. And the people are noticing, because they're having a hard enough time now, and then we're putting this added burden onto them.

"The regulatory system gets set up, and that doesn't mean that this company's going to come to town saying, 'Gee, we're a non-profit. We'll do

it for free. No one's going to have to pay for it.' That's not the way it's going to go. It's going to go that they will go to the PUC. The PUC's going to say, 'Fine.' And then the money will have to be repaid by the ratepayer. That's a billion dollars. The need for an interisland cable system hasn't really been justified, and when you take a look at what the Department of Energy has recently determined are the energy sources for our islands, we have energy sources for each individual island to be energy independent that we can tap into now, and begin developing.

"So the interisland cable may be a theoretically, 'Gee, it'd be nice to link the islands,' and obviously the Administration has come up with that, 'Gee it'd be nice to,' idea. And that's what's behind this bill. But take a look at, can our islands each be independent? And then the question is, can they do that less expensively? And obviously the answer is, yes. And can they do it with renewable energy. Obviously, the answer is yes.

"So to go ahead, and put an 'only a regulatory system' into place, is putting a huge economic burden upon our population. I would ask the Members to look at this. It's like the camel's nose under the tent. It's poking under to say, 'Gee, it's just a regulatory system. Trust us. It's not going to be a problem.' That's a billion dollar request for trust, and I don't think it's justified or needed, because each island can provide its own energy, renewable and less expensive than this system. Thank you."

Representative Kawakami rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. And that's a great analysis of the price tag, but I ponder this question. What is the price tag of doing nothing? Of doing absolutely nothing? To not be able to look beyond our own lifetimes, and to place a burden on our children, and our grandchildren, and the generations to come? This is a great proposal. The only reservation that I would have is that it cuts Kauai out of the deal.

"We are very limited in our resources on Kauai. With our endangered species, it eliminates any possibility of wind. With endangered species, it pretty much eliminates our possibility of having hydro. Now I see the proposals from the Big Island with their geothermal, Maui geothermal. We're coming to a day and age, Mr. Speaker, where the price tag we need to look at is the price tag that our children and grandchildren will be paying by doing nothing at all. United we're strong. Alone we are weak. This is a great proposal to tie in all the islands, to share in the wealth of resources that makes us all diverse. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just a couple quick points. You know, this conflation of rail and the undersea cable, I think it's misguided. Rail is going to stand. And Rail has its own source of funding that can only be used for rail, both at the federal and the State level. The undersea cable will have to rise and succeed, or fail on its own funding mechanism.

"With regard to this idea of self-sufficiency, economists I think, would call it 'autarchy.' Nations that have tried to be completely self-sufficient and not interact with other nations generally end up being poor. I think that's both classical economic theory and I think it's also, it was borne out by the experience of the communist countries who did everything they could to be self-sufficient. While their capitalist specializing neighbors were growing by leaps and bounds, the communist economies were sinking and doing nothing of significance. I think we face the same sort of situation in the islands.

"If we trade with each other, including on energy, it's more efficient. Yes, you could be self-sufficient, but it's the least efficient way to do it, and I think in the end, even if the residents of Lanai and Molokai don't want windmills on their land, I know that's their decision to make. But being connected to the grid will lower their electrical prices. And it will also eliminate unnecessary generation capacity, because you can link them all in. The various power plants on the smaller islands can be shut down completely because they're small and inefficient. Thank you."

Representative Carroll rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations and just a few comments. I would like to adopt the words from the Representative of Kauai and also the Representative of this district to be my own. I'd also like to say, for me, because I represent a very diverse district and this conversation has been very, very emotional among my constituents, I'd like to first say that the reason why I'm supporting it, but with reservations, is because we still have a long way with the conversation in terms of creating that framework. Whether it includes Maui and Molokai. I don't want to not include the conversation of the possibilities that could happen.

"Do I think wind is the answer for Lanai? No. I think that there are other possibilities that could sustain Lanai, as well as Molokai. When looking at Molokai, sustainability is a huge word. I know that they want to look at not being plugged into the grid. However, as we look into the future, like the Representative from Kauai says, it's injustice if we do nothing and we need to look further, because the cost of oil is going up. And I don't see anything soon that will decrease the cost of the gas, or even our electricity on Molokai and Lanai.

"So for further discussion and working on this framework, I'd like to also note that, let the people of each island as we move forward on the discussion of the framework, let their voices be heard. And let them be part of that process when discussing this framework. So for now, I'd like to just conclude here, but to say that I want to support this, with some reservations."

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A no vote. May I please enter comments which include the comments of four economists that I consulted on this issue? And I'd just like to make a couple comments to the Body here.

"We've heard a lot of discussion about this bill. It is a very important bill. It commits, potentially a lot of our ratepayer dollars, and even our tax dollars up front. These are not lean times. In many ways, this legislation puts the cart before the horse. From the very beginning, before we create a government regulatory, almost mandate, a structure, we should know what's going to be built. About how much it's going to cost. About how much it's going to benefit us. And most importantly, in my opinion, there must be an extensive public discourse, community informed consent, and public buy in, before we start committing this money.

"In recent years, the approach to big projects is, people with big ideas come to the Legislature and they use legislation to do things that under normal circumstances in the free market in particular, they would never be able to do. We should not be making these private market decisions, particularly without public informed discussion. In particular, I think for the small islands, they have not been involved in this discussion.

"We've already seen in the mainland city and state governments, the funding of things that go belly up. Even the federal government is stuck with big projects that won't work. The idea behind sound public projects is we get out more than we put in. And we don't keep private capital or private entities on life support. It's not enough to say to the taxpayer, to the ratepayer, 'We're going to save you money in the future.' People are worried about right now, right here. And we are only now starting to get back into the black.

"Why are we talking about creating a new agency? A new regulatory mandate without community informed consent? There's been shown to be no need for this cable. And I would love to share the comments of the economists, Dr. Paul Brewbaker, Dr. Roumasset, Dr. Stiglitz, and Dr. Endress. Thank you, Mr. Speaker."

Representative Wooley's written remarks are as follows:

"Sometimes, people seem to forget about basic theories of government, the free market, and economic fairness.

"There is no economic justification for this bill at this time. As Dr. Paul Brewbaker said, 'Any energy that can be generated on Molokai and distributed on Oahu via undersea cable can be generated on Oahu and

distributed on Oahu without the undersea cable. Why pay for a cable if you don't have to? I mean, who does that!?"

"Dr. Lee H. Endress took a look at the numbers and came up with a similar conclusion: 'The simple numbers don't make a compelling case for cable in my view. Estimates for fabricating, laying and connecting the cable come up to \$1 billion. That's for 400 megawatts of electrical power, which comes to \$2.5 million per megawatt. And that doesn't include the costs of monitoring, maintenance and repair of the cable. ...'"

"To add insult to injury, if the taxpayers and ratepayers are going to pay for this undersea cable and bear all the potential risk if the venture fails or costs more than expected, then who owns the cable? Shouldn't the people who pay for the cable and bear the financial risks be the ones to own the cable? Not with this bill.

"With SB2785, the Legislature will force ratepayers (and taxpayers) to pay for cable, but the private company selected by the PUC will be the winner of the contract – and will own the cable until they sell it (or walk away). And winner they will be. They are a for-profit company that is about to have almost all of its costs paid for by someone else. As Dr. Jim Roumasset stated, 'the project appears to be Robin Hood in reverse – take from the poor consumer/taxpayer and give to the rich contractors and power companies. However, because of the very high costs and the low or even negative benefit, what will be taken away is many times what will be given. If we want to make the rich richer, it would be cheaper to just give them tax revenues directly, with no strings attached.'"

"This does not mean a cable is not a good idea. It may be. But shouldn't we, as policymakers, allow the market in renewable energy to develop? Shouldn't the free market be given a chance? Unless there is some significant justification, I, like many others, believe the legislature should not 'pre-determine which ones [alternative energy producers] will be, which ones won't be, or where they'll be located,'" said Dr. Paul Brewbaker.

"The Legislature should, at minimum, fully vet at least the estimated price tag and benefits and give the public information before making grand commitments to massive public works projects – especially when the publicly-funded project will be given to a private entity.

"Nobel Laureate Joseph Stiglitz recently came to Hawaii and spoke about the significant potential of renewable energy, but made clear his belief that economic development will only occur with competitive policies capable of greatly reducing the price of power. He recommends true decoupling where production of power is completely decoupled from the utility and where the utility is required to buy what the producers offer. The beauty of this is the government does not have to pick winners -- rather, the market can."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations. I agree with much of what many of the proponents of the bill have said. Certainly our future lies in a clean energy future for Hawaii. And I do understand that this bill is establishing a regulatory framework. A regulatory framework does precede, ultimately, a public works project.

"What my reservations are predicated on, are the confluence of a lot of large scale public works projects that I think all have their merits. But ultimately what links them all together, and I think why it's germane particularly on this bill, is there is a common denominator. It is our people, who are the common denominator in all of these large scale public works products, because ultimately they end up underwriting the cost for it. Because it is this confluence that is happening right now, in what I think are some unstable economic times both nationally, and even here. I think we are experiencing recovery, but it's certainly not a robust growing economy. I just worry about our population's ability to absorb some of those costs in the future. Thank you."

Representative Ward rose to respond, stating:

"Yes, Mr. Speaker. Continuing in opposition. But I wanted to commend you for saying that the dialogue so far has been healthy. This is really what the marketplace of ideas is about. This is really what this Floor is for. Because once we make a decision, this is an investment, a public works project of countless amounts of taxpayer dollars. So Mr. Speaker, I think, even though it's going to take us a little bit away from lunch, I think we need to make a couple points.

"First, I see no excess capacity of energy production on any island. Save one, which is now at 35%, if I get the Big Island production through geothermal. Geothermal has the potential, but with some of the barriers that have been thrown in the way, it's taken them 25 or almost 30 years just to get to 35%. Now if they were busting at the seams with energy, and Maui was cranking out so much Energizer. You know let's move on this thing. Let's get on with it. Let's do it. Mr. Speaker, I have a reservation just about the supply and demand factor.

"Secondly, the issue of a public works project that had its leadership, like the train, saying 'We're going to do steel on steel.' This one says 'We're going to do a big grid.' Imagine for example, you're IBM, and this side over here is Apple. What are we going to do for the future? Are we going to go mainframe? Or are we going to go PCs? Those guys who went mainframe have basically died off, and they have a very small piece of the market. The market now is PC. I'm not convinced that the solar on every roof. PV on every roof. Every island doing what it can do, will actually obviate the necessity for such a bill as this, to do it, because of the amount of investment. We have to vet it with the people. We have to get a little bit more option rather than saying, 'Steel on steel.' Or we've got to do the macro grid before we do any of these other things.

"There's a bill coming up by which we're going to cut the heart out of some of the solar on every roof, which I will speak to shortly. But Mr. Speaker, we have to be wise. We're at 3%. We're the nation's potential first leader, world leader in this. We have to make this decision wisely. Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, in strong support. I think everybody's agreed that this bill is just a regulatory framework for the development of the interisland transmission cable. And basically clarifying the regulatory, the process means that prospective cable developers know precisely what is required for the development of a cable system between islands offering predictability and certainty of the regulatory process. This will help reduce development if they ever occur. This bill does not authorize or guarantee the development of a cable system, or any renewable energy project, nor will it bypass any land use permitting or any environmental laws. This is just prospective. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I wish to speak for this, very strongly for this. My hope is that someday we'll have a grid right across the islands, all the way from the Big Island to Kauai, each relying on each other for the kind of resources they have. And Mr. Speaker, more importantly, I'm getting hungry. May I call for the question?"

At this time, Representative Souki called for the previous question.

The Chair responded, stating:

"The Chair will recognize Representative Ching for some final statements."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I really appreciate it. I just wanted to rise with some reservations and ask for the words of the Representative from Laie to be entered. My main concern is the cost. And I don't think anyone here is saying to do nothing. In fact, I think there's a lot of discussion about possibilities. Wave energy, etc. And I did want to also clarify that

regardless whether you call it the fund for rail, or you call it the fund for cable, it's the people's money. It's people's, taxpayers' money. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Very briefly. I rise with reservations. I just want to note that I'm absolutely in support of the concept of making us far more renewable, and ensuring our energy future. This is one step in that direction. But I do want to note my reservations, and that's with respect to the impact it'll have on communities and the interests of those communities.

"Unfortunately, it appears as though there's the possibility that there will be impact among some very vocal communities who happen to be divided over this, unfortunately. My interest is just making sure that their voices are heard in the process, and that no matter what happens, they're going to be adequately compensated and so forth. So, just wanted to note that. Thank you, very much."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just want to address some of the comments about not involving the public, and not protecting our rate payers. Again, as everybody has acknowledged, this is a regulatory framework. But in this bill, it protects Hawaii's electricity ratepayers in a number of important ways.

"First, only the cable developer will bear the risk of developing and constructing a cable system. Customers only pay for cable costs after a cable has been installed, tested, and placed into service, passing the regulatory standard of, used and useful.

"Next, this bill also enables a cable developer to get project financing, independently of Hawaii's electric utilities, which would lower financing costs, and result in cable development rate savings for ratepayers.

"Finally, all cable-related costs, which may be eventually paid by electric consumers, must first go through the Public Utilities Commission's review and approval process, that will ensure only prudent costs be recovered.

"Again, this bill sets out the regulatory framework for the development of an interisland transmission cable. Interested parties will be better informed of the regulatory process because of this measure, and the average ratepayer will benefit from the lowering of overall project development costs. 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. 2785, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Hanohano, Marumoto, Riviere, Thielen, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1594-12) recommending that S.B. No. 3011, SD 2, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3011, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto 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. 3011, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 42 ayes to 9 noes, with Representatives Awana, Belatti, Hanohano, Jordan, Keith-Agaran, C. Lee, Luke, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1596-12) recommending that S.B. No. 2825, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2825, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm with reservations, because I have some privacy concerns about this measure. Privacy for the public. 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. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," passed Third Reading by a vote of 51 ayes.

At 12:43 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2842, SD 1, HD 1
S.B. No. 2158, HD 1
S.B. No. 2858, SD 1, HD 2
S.B. No. 2277, SD 2, HD 2
S.B. No. 2785, SD 2, HD 2
S.B. No. 3011, SD 2, HD 2
S.B. No. 2825, SD 1, HD 1

At 12:43 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m.

At this time, the Chair announced:

"Members, at this point we are at 12:45. We will recess for lunch until 1:30. Recess."

At 12:44 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:53 o'clock p.m., with Vice Speaker Manahan presiding.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1599-12) recommending that S.B. No. 2766, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2766, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Ching and Ward voting no.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1605-12) recommending that S.B. No. 2412, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2412, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1606-12) recommending that S.B. No. 2288, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2288, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, we had a really long debate about the undersea cable and about the future of electricity, the cost of which is going to go high or low or whatever. This bill is really an opportunity and an answer to one of the Representatives, I believe from Kauai, who said rather than do nothing. Mr. Speaker, this bill is going raise havoc with what has a lot of stuff going on now. But if we take away this solar PV credit, we're going to jeopardize the industry.

"Case in point. This bill basically takes away what otherwise has been from the beginning of the last few years, a boost to the PV industry, and making very robust our green jobs. I don't speak as a sole voice, even though I know some others on the Floor are going to join me in voting against this. But this is also the opinion of the Sierra Club, Blue Planet. It's also strongly opposed by the agencies of DBEDT, County of Honolulu, and all the Solar Energy Association Companies, PV Coalition, Kairos Capital, SunRun, Rising Sun, etc. The problem is Mr. Speaker, it takes the current tax incentives for renewable energy, and basically pulls the rug out from underneath them.

"If we're going to say, 'Oh, we a mistake and this should be changed,' rather than cataclysmically pulling out these tax incentives, we should ratchet them down. The case in point, Mr. Speaker. For this Island, we are now at 3% renewable. We are the nation's leader. I call that the one-eyed among the blind. 3% gets you nation leadership, and we've got \$5 to \$6 billion a year that we're exporting from the State of Hawaii, in terms of fossil fuel.

"If we're serious about getting off of fossil fuel, we've got to keep this in place longer. Let the industry stabilize. Let the PV go up to a percentage that's acceptable, where there's structure. Where there's the pipeline being filled. But if we cut it off cataclysmically now, we're going to lose what otherwise we've started out as the nation's leaders.

"If what they're saying is true, and I think my colleague will repeat it, this is going to be solar only for millionaires. Right now, it's even hard enough to buy solar or PV. Even with the incentives, it's expensive. But if we take out these incentives, it's going to kill the industry. And what is the proof of that? What's the empirical evidence of it? What's this other than just opinion? Look back for the last 30 years, for the solar incentives which have been on and off in place, begging and cajoling people just to put a water heater on their roof.

"What is our penetration of water heater usage on the Island of Oahu? 25 to 30% at the most. In 30 years, to get 30%. With all those incentives and it's still not working. So how are we going to get off fossil fuel, if we're at 3% and we literally take the floor of the incentives away? Mr. Speaker, my suggestion is we ratchet it down. We don't do anything abrupt. We don't do it quickly. And I would like to encourage my colleagues to see this as a real job maintainer of the green industry. It's going to be a job killer if these things are going to be lost. 90% of our energy generation from fossil fuel has got to stop.

"We've got our consumption of imported oil, as the extreme of the only place of the United States that's doing this, and we've got to take some big steps. Not like this in the wrong direction. But in the right direction.

"And lastly, Mr. Speaker, we always look at bills of, 'Gee, we're afraid there's going to be unintended consequences.' My fear is that this is going to be an unintended consequences of killing the industry. Taking PV and saying, 'Yeah, we did okay for a few years. Some people got breaks. But the others who are waiting in line now, it's just too bad for them.' And it's only going to be those who have a lot of excess money, who are going to really afford solar. That's not the equitable. It's not the best way. This bill is not for a good future and strong policy. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition. Thank you, Mr. Speaker. It's really a double whammy. It's the solar for millionaires only bill, and it's the green energy job killer bill. So it does both things. It puts photovoltaic really out of the reach of homeowners that may just stretch a little bit further than they think they can, but still do it to be able to reduce their use of fossil fuel. And then by going after this industry, which was the fastest growing industry, the green industry, in our State.

"By going after it with this bill, it means we're going to kill that industry, or at least wound it enough that it won't be even listed among the top ten after this. And we do it, Mr. Speaker, really in a typical way that this Legislature does it. All of a sudden we decide, 'Okay, let's go ahead and kill this industry today,' without working with them in advance to say other things that we maybe need to reassess, and with working the Department of Taxation."

Representative Evans rose to a point of order, stating:

"Point of order. The previous speaker was implying what other legislators intended by killing the bill. I think that's against the rules."

The Chair addressed Representative Thielen, stating:

"Please, Representative Thielen. Just stay focused on ..."

Representative Thielen continued, stating:

"Without going and putting together, like a task force or a group to be able work on these different things together to say maybe this tax incentive needs to be adjusted. But let's give the industry some advance notice. Let them be able to work with the task force. Work with the group to say, 'What should we take a look at,' so we make sure that we don't have misuse of this system, but that we go ahead and encourage the photovoltaic on the roofs of our residences throughout the State.

"Mr. Speaker, it's just a bad idea. We just now slam the industry. Projects that were in the works that were thought about are now going to be scrambling to say, are they going to qualify? Are they going to be able to get it online before this takes place? Before the bill becomes effective? And then you take a look at the jobs that are out there, in your district. My district. Everyone's district here in this State. Those green jobs. They now are going to be disappearing. It's an amazing thing that a Body like this can take on a green industry, and effectively do it great damage. And that's what this bill does, and I vote no."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, I think this measure is geared to address the policy that whenever you have a tax credit, we need to keep in mind that taxpayers who are not currently claiming their credit are subsidizing those fortunate enough to have the means and wherewithal to get the credit to offset their cost. For my constituents in Wahiawa, not many of them are able to afford photovoltaic systems. Some of them are. They, do well enough to afford water heating systems, or solar water heating systems.

"So we're kind of closer to what the Minority Leader talked about. Probably the 30 percentile area. But when I do talk to them, they inform me that with the ever increasing cost of electricity, it's beginning to pencil out more and more for both photovoltaic and also solar. So I think the discussion we're having today, is whether or not we can afford to have this expenditure of about \$29 million a year, up to \$40 million a year, to support those who are well off enough to afford these systems.

"So I think that's where we are with the discussion. I appreciate the work that has gone in to this measure. But I think we need to keep that in mind that anytime you offer a tax credit, it's basically a subsidization for that one individual or family or business, at the expense of all others. Thank you."

Representative Kawakami rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support, and I'd like to ask to enter the words of the Finance Chair into the Journal as my own, with a few brief comments. This is not a bill that does nothing. What this does, is it ponders the question of whether we should own our own destiny. Because right now, what's happening is, you can get a federal and a State tax credit, and the developer can then depreciate the cost of their equipment over the expected lifetime, while all the time getting the PPA agreement which is all the gravy on top.

"What this does is ask our taxpayers whether we should own these systems outright. Whether we should own our own energy destiny. I think it's a great measure. Now there's two ways to promote good behavior. One is the heavy handedness of mandates, in which I believe businesses will seek out loopholes. The other way to incentivize good behavior and to put up incentives. That's what we did with this tax credit.

"But there comes a point in time when you need to give it a review, a look back, to see when we create these incentives, businesses will try to maximize and capture every opportunity. And when we're in the process of capturing this opportunity, there could be allegations of abuse. I'm not saying that there are businesses that have abused the opportunity, but there are some things that we need to take into account. Is it fair to put up more than one system on your roof to capture multiple tax credits at the cost of our taxpayers? That is a question that we are here to ponder and that's exactly what this bill does. Thank you, Mr. Speaker. In support."

Representative Herkes rose to speak in support of the measure, stating:

"In strong support. You want to put PV on your roof? You still get a tax credit. And quite frankly, I don't think that any alternative device should get a tax credit. They should rise and fall on their own ability, their own price structure, and their own ability to give us something that we can afford. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. It wasn't that long ago on this Floor that I recall so many speeches about how we are going to be sustainable. That this was going to be our vision. That our vision for our State was to get off fossil fuel because a myriad of reasons. Why being dependent on it is such a bad situation.

"And I've said on the Floor before, how we all recall, how the budgets of all of our schools were thrown into disarray when the price of fuel went so sky high. We are slaves to fuel when that happens. When a school cannot pay its bills, a school cannot meet all its requirements, because the cost of just being open is so high. Boy, it would have been nice to have photovoltaic and all that on our schools, huh? If we had that, we might have.

"So the things is, is our vision originally, if we keep to the page of music, was to be sustainable. And it has already been mentioned by the Representative from Hawaii Kai, the Minority Leader, that we have not come anywhere near saturation point, on helping this. I might also add, Mr. Speaker, unfortunately, I regret to repeat, we are listed about on the bottom for being pro-business, in *Forbes Magazine*. I can only wonder what people in other jurisdictions may think of a state with such an abundance of sun. Sunny Hawaii. That this measly amount now cuts the feet, the legs on its solar industry, when it has the highest rates, bar none, in the nation, which affects business. Which affects our people. Which affects our locals.

"I would like to read from the Sierra Club.

Our current solar industry has been one of the bright spots in our economy, producing approximately 15% of all construction jobs last year. The current system of extending a credit per system is based on the Department of Taxation's expressed interpretation of the governing statute. A drastic change to this interpretation as proposed in this measure would sharply curtail the solar industry, and curb thousands of jobs across the State. A more preferable option would be to follow the Senate's example and minimize the tax credit in an orderly fashion over

time, while we're trying to revive our economy and move to a clean energy future. The measure is terribly misguided.

"You know, we have a native son in the White House. I actually went to school with, as we called him, Barry, at Punahou. Barry. I cheerlead for Barry, for the Buff 'n Blue. That's one thing. I don't know. Us Punahou kids. I don't know. Maybe, you know. The environment is important. We've got to take care of it. And we've got to make sure that we're helping those that are contributing to the industry in a positive way, through solar jobs. They're not saturated yet, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker, just a couple of footnotes. Because people were conscious of the cost of living and that was music to my ears when they said, 'Watch out for the ratepayers,' because we have to do this. But how can we in good conscience just vote up a billion dollar undersea cable, and not want to give \$29 million a year to benefit the people who put it on their roof. That in terms of the numbers for the cable we can actually outfit, probably the whole State of Hawaii with putting PV on the roof.

"The other thing is that, if we think it's expensive in Wahiawa today, wait till you take away the incentives. It's going to be really expensive because there's going to be no incentive for anybody, whether you're Wahiawa, or Kahala, or wherever. It will have died because there's not the incentive to bring people on board. Again, Mr. Speaker, the bill is well intentioned. But what it does too cataclysmically, too quickly, it just does it without ratcheting it down and getting the industry, and getting the people ready to absorb the shock.

"This is going to be a shockwave when it hits. What we need to do is to sort of step back. Take a breath. And say, 'Okay. How are going to fix this without destroying it?' That's what we've got to do. We've got to look at it a little more systematically, and long range. Thank you, Mr. Speaker."

Representative Kawakami rose to respond, stating:

"Thank you, Mr. Speaker. I'm still in support. And just to clarify. We didn't vote up on a billion dollar undersea cable. We voted up on creating the regulatory framework. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just a few comments as we've been through this bill before. Again, this is about fiscal accountability, in a time where we've removed thousands of people off of Medicaid, and we've made deep cuts to education. This tax credit, which does not have to come before this Legislature every year, like the Department of Education, or the University of Hawaii, spends more money than we projected. In fact, this upcoming year, the tax year, it was expected to cost over \$40 million. So that's one.

"Two is, in response to the Representative from East Honolulu. The difference is, the tax credit benefits individual residents and businesses. It can benefit the grid, but that's where the bulk of the usage is. The cable will benefit everyone. That's part of the argument of tightening up the language.

"The socio-economic argument, is like the Representative from Wahiawa talked about is. Who can afford it? Not just in the credit, but up-fronting the money. This is a 65% tax credit. 65 cents on every dollar. And by the way, the feds don't have a limit. Only we do, which we're trying to close the loophole that's in the law. That's all this is about. It's fairness, because as we've talked about, the PUC has an intermittent cap limit on a grid. Only 15% of intermittent power can be on the grid. So out of every hundred homes, on average, only 15 people will get to use it. The other 85, one will not be able to, because of the cap. And you can appeal the cap and some people have, but then, that lost revenue to Hawaiian Electric, who's going to pick up the fixed cost? The other 85. So not only are we subsidizing these people at 65 cents on the dollar. The other 85% are now going to have to pay higher rates. Thank you."

Representative Wooley rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"This bill will eliminate incentives to invest in renewable energy. We live on a tiny island in the middle of the Pacific and face a high cost of living. 90% of our food is imported and we rely on imported oil for more than 90% of our energy needs. Hawaii is also an ideal place to lead the way for the development and implementation of renewable energy technologies. In order to be successful, the State must work to promote the strengths and opportunities for renewable energy while minimizing its weaknesses. Therefore, I will not support a bill that aims to damage the very foundation of renewable energy industries and prevent Hawaii's efforts to achieve clean energy by 2030. The uncertainties and risk to business caused by this bill and effort to change or eliminate incentives sets up a business environment that is a disservice to investment."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. First I ask your permission for written comments. Thank you. You know, I agree with the Majority Leader in that one of the concerns that we've had over the years is the abuse of this tax credit as it relates to the definition of system. And I have said many times on this Floor that I think the ruling by the former Administration and the current Administration is incorrect, because there's no such thing, from my perspective, of having multiple systems and claiming multiple credits in the same tax year. But this doesn't do it. This actually says that you can claim the credit, one time, and one time only. And I've said many times on this Floor, that I have a problem with that, because there may be future owners on that same TMK.

"And number two, in regards to the TMK. I hadn't thought that we would address it. We all know that there are TMKs throughout the State that have multiple homes, with multiple owners. How is that addressed? It's not. How fair is that? So I think there's still a lot of work that needs to be done on this particular part of the bill.

"In regards to the power purchase agreements, I understand the concerns about the \$40 million. But if you take a look at the cost of the credit, it's mainly from these huge projects. Now I would support a tax credit being limited to residents, or smaller systems.

"I have problems with huge systems benefitting huge corporations, and the people that install it through PPAs. However, a PPA in some cases is good. We did it at Aiea High School, just a couple weeks ago. Governor Abercrombie and a few of us were there touting the benefits of a power purchase agreement for photovoltaic systems. It's been said that this is the example for many schools throughout the State to be using. This bill gets rid of that option, totally. It says that we should go and use GO Bonds. I totally agree, if we have the money. But that's blank right now.

"I'm just curious to find out what the plans are if we're going to get rid of the power purchase agreements for State facilities. But what's not in here, and is not addressed, is the concerns of the counties. The other governmental agencies that utilize the power purchase agreements over the last few years. If you talk to the counties, the four counties, they will tell you, that one of the reasons why they can afford to put up photovoltaic systems is because of this power purchase agreement. We are absolutely wiping it off, with this bill, so no longer can any of our four counties partake in this particular benefit. Thank you, Mr. Speaker."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I vote with reservations on this measure, and just pointing out that Hawaii must become energy independent and photovoltaic is one way to achieve that energy independence. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes. Thank you, Mr. Speaker. In strong support. Just a little history. Years ago, I had a subsidiary building solar water heaters. We didn't have any tax credits. We built our own. We sold it. We sold over a thousand homes in Maui, Molokai and Lanai. At that time, we began for the disadvantaged. Those that met the criteria. And so I do know the costs of solar. I have some idea. That is basically a simple mechanism for solar. You get a box, and you get a glass. You get some copper pipes in there. And you get a pump and you connect it to the water heater. It's not rocket science.

"The price of solar heaters has gone up tremendously over the last few years because of the tax credit. And so the major beneficiaries of it are those who sold the solar heaters for relatively exorbitant prices. And of course, some of the contractors. But you don't blame them. They've got to put it on the roof, and then they've got to pay their basic wage. But I believe that the vendors were the beneficiaries. I can almost predict that if we stop this tax credit, the price for solar heaters will come down correspondently. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2288, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Ching, C. Lee, Pine, Takai, Thielen, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1607-12) recommending that S.B. No. 2752, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1609-12) recommending that S.B. No. 2429, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2429, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Riviere rose to disclose a potential conflict of interest, stating:

"Thank you. May I have a ruling on a potential conflict? For 20 years, I have been a mortgage loan officer," and the Chair ruled, "no conflict."

Representative Riviere continued to speak in support of the measure with reservations, stating:

"Just please note my reservations. This is a bill that obviously needs work, and has proven very problematic to fix. I didn't think it was good idea in the beginning, and it's proving to be quite a rascal to fix. So, note my reservations, please."

Representative Johanson. rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"A ruling on a possible conflict. In my law practice, we occasionally have cases involving foreclosures," and the Chair ruled, "no conflict."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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 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. 2429, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Brower voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1610-12) recommending that S.B. No. 2763, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2763, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1612-12) recommending that S.B. No. 2767, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2767, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

At 2:23 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2766, SD 2, HD 2
S.B. No. 2412, SD 2, HD 2
S.B. No. 2288, SD 1, HD 1
S.B. No. 2752, SD 1
S.B. No. 2429, SD 2, HD 1
S.B. No. 2763, SD 2, HD 2
S.B. No. 2767, SD 2, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1614-12) recommending that S.B. No. 2397, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2397, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1614. Yes, I rise with reservations. You know, this bill proposes to limit counties from enforcing what I call, fire safety measures. This type of preemptive language is very interesting, in HRS because as you are well aware, very rarely do we preempt counties from doing anything. And I suspect that this is probably, maybe, the only preemption language that we have as it relates to fire safety and fire sprinklers.

"I'm troubled by it. In fact, you know what? I'm going to vote against it, because I just don't think it's appropriate for the Legislature to be telling the counties how to deal with fire sprinklers and fire safety.

"In addition Mr. Speaker, when we heard this in Committee, the fire chiefs throughout the various counties didn't support this. I trust those gentlemen, and I will follow their guidance. Thank you."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you. I've got some very serious reservations on this. In the first place, it doesn't go far enough in dealing with building codes.

"Then the other thing that really bothers me is that it exempts new homes that require a variance from access road or firefighting water supply requirement. What that means is, and what the Fire Council says is that your access road has to be a certain width, and you have to be within 175 feet of a fire hydrant that pumps 4,000 gallons a minute. I got 10,000 people who say, 'What's a fire hydrant?' You know? So we're completely off base on this. Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"I'm speaking in opposition, Mr. Speaker. It's hard to top my friend on my left here, in his manner of speech. But my only concern is, and I served both on the Charter, if I can give you some background. Of course, I'm opposed. I served on the Charter Commission in Maui County, and I was also a member of the Constitutional Convention, so I have some idea of where their responsibilities should lie. Whether it's with the State, or with the county.

"In this case here, we are, I believe, interfering with county home rule. We cannot legislate for the county. They need to do their own legislating. I believe that somewhere along the way, I'm surprised the Attorney General did locate this yet. But again, we cannot make ordinances for the county. If the counties wish to have sprinklers, it is within their purview to have it. Now not that I'm for putting sprinklers in homes, because it does raise the price of homes, and not everybody can afford it. However, it's still a county responsibility and not a State responsibility. Thank you, very much."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in strong support of this measure. We do have something called the State Building Code which covers all the different islands. If you do not believe in the State Building Code, then we should disband it. But I believe that the State does have a purview on fire sprinkler systems. This bill requires that the counties are prohibited from mandating laws on fire sprinklers. But each individual homeowner can opt to have their own fire sprinklers if they do decide. We want more homes to be built for our people, and not to keep it very expensive that there are less people that can afford it.

"As far as those tight streets where the fire department can't get in, they can apply for a variance not to have a sprinkler system, or for the counties to still mandate it. There is an application process. The permitting process of each county is still enforced. It's just saying that the counties cannot require it as a rule. But it doesn't overlap the permitting process. When you build your home, the counties can still mandate it if it's in the name of safety. But as a State law, they cannot blanket mandate every homeowner to have a sprinkler system. Thank you, Mr. Speaker."

Representative M. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just briefly. I just listened to the testimony in Committee as well, and I think it was very clear that the State Fire Council and HFD were in strong support of requiring fire extinguishers, and fire systems in homes. And if I'm going to err, I'm going to err on the side of safety. So I cannot support this bill."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, 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."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you. I rose with reservations the last time. And actually, I'd like to change that to opposition, and just to briefly state why. I was going to

put this in the Journal, but I might as well put it out here, just because this is at the core of the debate that occurred in the Finance Committee, which not everybody had the opportunity to hear.

"The reason that the testimony was in support of this bill, asking for prohibition on the State enacting preempting ordinances, was because it was a cost savings. If you're buying a new house, the estimates were somewhere between 5,000 and 10,000 on average, give or take an additional cost that you'd have for the cost of a new home.

"What amount of money, homeowners, new homeowners would save on their insurance costs and everything else, we didn't have answers to that night. What it came down to, was the fact that the fire department and fire chiefs were basically saying and made clear that, in most cases you're going to have about an 80% reduction in fatalities when you have systems like this installed in homes. And so the question is, if that's the case, not just here, but everywhere that you have this, what is the cost? And that's a discussion that people didn't want to get into in that Committee. They didn't want to assign a value to a life.

"Because we're the State saying on the one hand, we're weighing the cost for this, versus ultimately how many lives would be saved in the long run. And that's a discussion that we absolutely should be a part of. No matter where you fall in the spectrum. It's a discussion that hasn't really happened yet, and yet the bill has still moved ahead. That's really my reservation because there's a lot more to this, I think, than meets the eye. So thank you, very much. In opposition."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Actually, it's so interesting. That was exactly going to be my written comments. My brother is a firefighter, and I have great regard for the firefighters and all they do. And as a mother, we don't put a price on a life. I was trying to be sensitive to the understanding of those on the Neighbor Islands that may have some, you know, real feelings that this is not just. But with the county.

"And I think with the debate I've heard on the Floor, I would like to change my vote, as well, to a no vote. And adopt the words of the Representative from Waimanalo. We cannot put a price on a life. And if it's your child's or your loved one, oh my goodness. It doesn't matter. Nothing can bring them back. No amount of money. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of S.B. 2397-Relating to Fire Sprinklers. This bill prohibits counties from requiring installation or retrofitting of automatic fire sprinklers in, (1) new or existing one or two-family dwelling units used only for residential purposes; and (2) non-residential agricultural and aquacultural buildings and structures located outside the urban area; provided that this does not apply to new homes that require a variance from access road or fire fighting water supply requirements.

"While I generally support any measure that saves the State money, I do not feel comfortable saving money at the risk of people's safety and lives. I must concur with the State of Hawaii Department of Labor and Industrial Relations, as well as the County of Honolulu Fire Department in opposing this bill. Thank you."

Representative Herkes rose to respond, stating:

"Still with some serious concerns. When we start talking about safety of the home, things like this requirement for fire sprinklers, and all of the other things that are in the Building Codes have resulted in people living, not in homes, because we can't afford to build them. And they can't afford to buy them. We'd have people living in lava tubes, and caves, and tents, and packing crates. And we have to get rid of some of this crap in the Building Code so we can afford to build homes that people can live in."

Representative Cabanilla rose to respond, stating:

"Still in support, Mr. Speaker. And I just want to make a couple comments. By the time fire sprinklers activate, they activate at the temperature of 360 degrees. You die at 107 degrees, Mr. Speaker. So if to save lives, you'll be long dead by the time the water sprinkler comes on. And it's known that it creates a lot more water damage. It has more damage to property if it activates because of the water damage. But as far as saving lives, you are long gone, before 360 degrees comes on. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, very much. With reservations. In support with reservations. I would like the words, the passionate words of the speaker from Ka'u entered into the record as if they were my own. And the reason why I'm not in opposition at this point is I'm hoping that through the Conference Committee, that these concerns could be addressed. Because subsection 2 does address an issue that has come up in the agricultural farming community which has been the ironclad, one-size-fits-all mandate of fire sprinklers which are designed for residential urban areas. It's impeding them from getting basic structures built that they need for their operations.

"Case in point, there's an aquaculture operation on the North Shore who has potential to turn it into a huge industry. And the poor gentleman's been fighting, trying to get permitting for his aquaculture facility which is a glorified greenhouse. But because he doesn't have three separate, independent fire sprinkler systems, they haven't issued him any permitting. So I just would hope the Members would look at that, and give the Conference Committee a chance to address those issues. But I have the same concerns that have been raised by the other Members. Thank you."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana 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. 2397, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," passed Third Reading by a vote of 42 ayes to 9 noes, with Representatives Belatti, Carroll, Ching, Keith-Agaran, C. Lee, M. Lee, Rhoads, Souki and Takai voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1615-12) recommending that S.B. No. 2435, SD 1, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2435, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I would like to express my enthusiastic support for S.B. 2435, and commend my colleagues on the compassion they have shown this Session in seeking to improve the wellbeing of our community's humblest members. S.B. 2435 appropriates funds for the Vocational Rehabilitation and Services for the Blind Division of the Department of Human Services to contract for a telephone-based service to maintain a telephone-based audible information access service.

"Those who will benefit from this legislation are not the most strident lobbyists or alluring special interest groups. Rather, they are thousands of typical Hawaii residents suffering from impairments which render daily life significantly more difficult than it is for most of us. These humble individuals fully participate in the communities we seek to build, and ask for few exemptions. They contribute to their neighborhoods, labor at their work, and abide by the laws we pass; therefore, it is paramount that they remain up to date as to the happenings in that world they create alongside

us. Upon research, the Legislature has found it generally impractical to provide time-sensitive information like the daily news in specialized formats such as Braille, large print and audio recording. Even in a media environment where information is frequently available in many formats, portable and interactive access to audible information remains an important necessity for many.

"This bill benefits my own community especially, as Liliha is home to Ho'oponopono Services for the Blind, under the State Vocational Rehabilitation Services Program. Established in 1973, this program is a Federal-State partnership with the primary goal of providing vocational rehabilitation services to enable eligible individuals with disabilities to achieve gainful employment and economic self-sufficiency. Over the years, Ho'oponopono has successfully placed blind and partially-blind individuals in meaningful forms of employment, and thus enriched their lives beyond measure. With S.B. 2435 improving access to events surrounding them, these individuals will flourish in ways unprecedented, particularly in their ultimate success at the jobs Ho'oponopono strives so diligently to provide."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2435, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1616-12) recommending that S.B. No. 2779, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2779, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"On Stand. Com. No. 1616-12. Thank you, very much. I stand in strong support of this measure which is really a very important measure because it's part of the aging infrastructure that we're trying to create in the State. And really what this is, is a one stop shop for the elderly or people with disabilities to find their way to get to services that they need. I think it's going to be something very important to the future, with our growing elderly population.

"So I'd like to stand in strong support and hope that people will realize that with the numbers growing in our elderly population, we need to make sure our system is not fragmented. At the present, it's very fragmented. 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. 2779, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1617-12) recommending that S.B. No. 2213, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2213, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1618-12) recommending that S.B. No. 2750, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2750, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Morikawa rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. With extreme budget cuts in the past, government workers have been tasked to do more with less. Overtime is a necessity to the employer in order to address work that is required to be performed for 24-7 operations, to maintain public health and safety issues, to address staff shortages and emergency work. Employers authorize overtime. Employees cannot decide for themselves to work whenever they please. There are times that the employee wants to refuse overtime, but cannot because of the critical nature of the work. In other instances, an employee may elect compensatory time off instead of overtime cash payment. That time off is not computed as additional pay. If an employer authorizes overtime, they should pay any additional cost to help curb the unfunded liability. The employee should not be penalized.

"We passed legislation last year to begin addressing the unfunded liability, and before it's even implemented, we are trying to pass more legislation. SHOPO said it best, and I quote, 'If we do not know to what extent intentional spiking exists, or how it was allowed to happen, then we really do not know what the extent or cause of the problem is. If we do not know what the cause of the spiking problem is, then we cannot in good conscience say that this bill is the solution. And passing this bill would be irresponsible on everyone's part.' Thank you, Mr. Speaker."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takumi rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This is a complicated and a very difficult issue because of the fact that part of it depends on whether or not, there's no way to tell for sure, what people's motives are when they work overtime. I think this a reasonable compromise between those who would prefer that we have no pension benefit for overtime at all, and those who would prefer just to say it's just a management problem, and that management has to take care of it.

"So I don't think there's any question from the testimony we received in the Labor Committee and from the conversations I've had with stakeholders that there are people who do try to game the system and sometimes brag about it when they get to the end of their careers and go to the ERS in preparing their paperwork to retire. On the other hand, I concur with one of the previous speakers that said that you have to work overtime when you have to work overtime. And that's certainly true for many people too. So whether the line is drawn in exactly the right place, it's difficult to say. Is it a fair compromise? Yes."

Representative Yamane 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 Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, 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 Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching 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."

Representative Carroll 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. 2750, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 41 ayes to 10 noes, with Representatives Brower, Cullen, Hanohano, Kawakami, Keith-Agaran, C. Lee, Luke, Morikawa, Takai and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1619-12) recommending that S.B. No. 2248, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2248, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have brief comments with some serious reservations. This is about compassionate release of prisoners who are either, deathly ill, near ill, near death. And for a bill that's supposed to be compassionate, what we've done, at least from the last Committee hearing at Finance, is we have taken the compassion out of it. There are a couple of difficulties. Number one is, of the 4600 prisoners that we have, we have a very limited supply of doctors. And the way that the system is now, to get the compassionate release, it's only one of those doctors, who actually has to give you the slip and the evidence.

"The bill originally had it where in the conference you could actually bring a member of your family and an attorney to help state your case. That is no longer the case. So, the compassion to argue that this person's going to die in six months is no longer there, because it's one short staff. And two, it's just a unilateral decision, with the people in the prison. So if we could look at this in Conference a little bit more compassionately, it would probably work a little bit better."

"We talk about you know, wanting to give the prisons, bringing people home, number one. And then two, using other than incarceration as a treatment. Particularly for those people who are almost dead, this is an opportunity to be compassionate by putting the compassionate clause back in there. Thank you, Mr. Speaker."

Representative Fontaine rose in support of the measure with reservations and asked that the remarks of Representative Ward 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 Committee was adopted and S.B. No. 2248, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1620-12) recommending that S.B. No. 2584, SD 1, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2584, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you. I would like a ruling on a potential conflict. I'm a member of the Hawaii Army National Guard," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2584, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Third Reading by a vote of 51 ayes.

At 2:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2397, SD 1, HD 3
S.B. No. 2435, SD 1, HD 1
S.B. No. 2779, SD 2, HD 1
S.B. No. 2213, SD 2, HD 2
S.B. No. 2750, SD 1, HD 2
S.B. No. 2248, SD 2, HD 3
S.B. No. 2584, SD 1, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1621-12) recommending that S.B. No. 2655, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2655, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. And I won't bore people because I've spoken probably three, four, five times against this issue which is, as far as I've so many times with my Blackberry said that the people who sell me the insurance for \$7 a month, if I drop it to replace it. It gets stolen, I get it replaced. The people who are doing this now have a business license that costs them the normal rate, or nothing. This bill says it's going to cost you \$2,000 to sell this amount. However, I realize the last Committee zeroed out the \$2,000 and put it to a blank.

"The notion is that if we go back to normal licensure figures, it should be about \$100, or \$150. So basically the purpose of my speech is to say, if you're on the Conference Committee and I realize I'm taking myself off the Conference Committee, if we're going to have companies to do this, let's not let do the European model and shut out the competition by raising the bar up. By having all these entry requirement for funding. That's basically how the Europeans control the business community. You regulate, but first you put the standard so high. At \$2,000 to sell the insurance for a portable electronics, it's just too extreme. So I'll take myself out of the Conference Committee, but I would advise those who are on it, please keep it around \$100, \$150. That's the normal licensure figures that it should be before the industry. Thank you."

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in opposition to this bill. This particular measure attempts to create a market that is futile to the industry. In addition, the requirements and mandates encourage the creation of a monopoly and poses an anti-consumer premise due to its insurance term requirements (minimum 24 months) due by the insurer, who would in-turn issue and retain service (insurance) at a higher rate and require longer-term commitments by the insured.

"Additionally, the ambiguous fee amounts are suspicious to the intent of the bill. Though the bill includes provisions that provide the option for businesses to offer insurance, should they choose to do so, hefty fees would be incurred. This begs the question, if it is going to cost a business significant money to enact a service, where do they benefit? Mr. Speaker, it is at the cost of the consumer. Should businesses seek to capitalize on this measure and begin to adopt insurance services, only a few companies will be able to offer the service and even fewer individuals can additionally afford the insurance.

"S.B. 2655 puts more unnecessary economic hardship on the people of

Hawaii. The Legislature should not add a new form of insurance or regulation to the State code at this time, as there is no need for it. Additionally, if the Legislature cannot determine the costs our businesses and consumers will face, we should not be considering such a measure. 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. 2655, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Fontaine and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1624-12) recommending that S.B. No. 3062, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3062, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1625-12) recommending that S.B. No. 2939, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2939, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Mr. Speaker, just standing in strong support. Thank you. As a person who grew up going to St. Francis, my uncles helped people there, and I would go see my grandmother. St. Francis as we know it, St. Francis Hospital was a jewel, a jewel that many could be proud of, particularly in the Liliha community, with all the accomplishments of Dr. Livingston Wong and others. As you know, HMC went down this year. A tragedy for my district. And it's with that and some further written comments, Mr. Speaker, I won't take up on the Floor, that are probably quite obvious. But I say thank you. I am in strong support of this measure."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of S.B. 2939-Relating to the Issuance of Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii. St. Francis Healthcare Systems cares for more than 90,000 patients per year. As a nonprofit corporation, the sole goal of St. Francis is providing healthcare for our community, as it has done for eighty five years now.

"We must do everything in our power to extend aide to St. Francis Healthcare System. The issuance of these bonds will insure the facilitation of the continuity of care and services provided for our community. Additionally, S.B. 2939 would provide numerous job opportunities in light of our current fragile economy. 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. 2939, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1627-12) recommending that S.B. No. 2466, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2466, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 2466 – Relating to Long-Term Care Facilities.

"I rise in support of this measure which establishes a nursing facility sustainability fee and special fund which will be used to draw down federal funds to help the struggling long-term care providers. Many states have taken advantage of this process over the years, and Hawaii is late to come to the table. In addition an acute-care sustainability fee resides in another bill which will help save our hospitals. I urge the Members' support."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, with, support with reservations, Mr. Speaker. I understand that we are trying various ways to ensure that our long-term care facilities in our hospitals are healthy, here in the State of Hawaii. The problem I have with this bill that concerns me, Mr. Speaker is that it removes the entire reason why we're doing this in the first place. This draft basically deletes as a source of revenues for the nursing sustainability special fund, the federal matching funds received by the Department of Human Services. The entire idea behind the bill was to allow the drawdown of more federal Medicaid funds, to help nursing homes meet their budgets. Now this certainly has been removed from the bill.

"You know, if we're going to be successful in ensuring that our hospitals and our long-term care facilities are successful, we need to make sure that we complete our mission. And by removing the federal funds, Mr. Speaker, I'm very concerned that we're wasting an opportunity. Basically, we're telling the nursing homes, 'We need to charge you this additional fee to keep your entity healthy, to ensure that we don't have another hospital closure,' And this is part of the solution of the several-pronged approach to ensure that our hospitals are healthy.

"I don't know why this has been removed from this, Mr. Speaker. And I find it really ironic that we seem to constantly, at least today, we are saying that we're going to try do one thing to improve an industry. But in the very same breath, we're removing the opportunities that would complete our mission."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support for SB 2466, relating to long term care facilities. Mr. Speaker, the measure before you was proposed and supported by long-term care facilities, and the Hospital Association of Hawaii, Mr. Speaker. What you have before you creates a Nursing Facility Sustainability Fee which will be implemented. It is a provider fee, or tax, to assist State eligibility receiving federal Medicaid matching funds.

"Mr. Speaker, we are only 1 of 4 states in the entire union that does not have this type of mechanism to drawn down federal Medicaid matching funds. Mr. Speaker, this bill, before you has been discussed by the private providers, long-term care facilities, and they have spoken directly to us in support for the passage of this measure.

"The reason why they support this measure, Mr. Speaker, is provider fees would increase Medicaid payments at a time when constraints on our State budget have forced a reduction in payments and benefits. The additional federal funds we can obtain by creating this fee program will reduce the amount of loss incurred by hospitals and long-term care facilities, helping everyone, Mr. Speaker. These fees are created voluntarily by different categories of health care providers and are collected only from these providers. Mr. Speaker, this has been an ongoing discussion for the last several months with the keen eye of looking out for the long-term care facilities, long term benefit.

"So Mr. Speaker, in light of what happened with Hawaii Medical Center, in light of how we are being affected by reductions of federal matching

funds, it is imperative that we work hand in hand at the request and support of these private providers to move forward. Thank you, Mr. Speaker."

Representative Ward rose, stating:

"Mr. Speaker, would the Chair of Health take a question?"

At 2:54 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives Reconvened at 2:58 o'clock p.m.

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this measure. We need measures like this to keep our nursing homes sustainable. The amount of money that these facilities are getting from Medicaid, is so low, and is far from sufficient. So I am just standing in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2466, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1628-12) recommending that S.B. No. 2534, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2534, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. 1628, I rise in support, with just some very, very small reservations. You know, we have a school in our district, Likelike Elementary School, and we're trying to keep it open, the Senator from my District and I. We're hoping that people recognize schools in terms of the big picture of urban design. Real important. We can't just willy-nilly go around saying, 'Okay, we're going to develop that one. And we're going to move this.'

"Communities are actually like, they're collages where there's a school. There's business. There's residential. And it adds to the quality of life in our Districts. Every time I see this bill, where we want to start developing our schools. Some are very appropriate. Like I said, some *manini* reservations on this, where it's just like, let's be wary of, let's not go around trying to always close schools. I hope we look for other ways of taking care of our budget woes. Thank you."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Carroll 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. 2534, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Choy, C. Lee, McKelvey, Nakashima and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1632-12) recommending that S.B. No. 3053, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3053, SD 2, HD 2, pass Third Reading, 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 Hanohano rose to speak in support of the measure, stating:

"Mahalo, Ho'omalū 'Ōlelo, Ke kū nei au me ke kako'o loa. 'O kēia pila e ho'okumu ka 'aha kūka i loko ke ke'ena 'Aina a me Nā Kumu Waiwai. 'O kēia 'Aha kūka e lawe mai ka mana'o akamai e pili nā kūpuna. E holo mua kākou me ka mana'o i'o a me ka ha'aha'a."

"Thank you, Mr. Speaker. I rise in strong support. This bill creates an advisory council in the Department of Land and Natural Resources. This advisory council brings forth ancestral wisdom. We move forward with confidence and humility. Mahalo."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I wish to vote with reservations. I do respect what the previous speaker from the Big Island said, but there are some questions that need to be answered yet, as to some of the language in the bill. Possibly when it comes down and I get the answer, I would be voting 100% for this.

"My question is, regarding the term indigenous, and what's the meaning of indigenous. I know right now Hawaiian Homes would be considered as possibly indigenous land, and you need to have 50% Hawaiian to be there. But what about the rest of the land? So this is the kind of questions that I have, Mr. Speaker. 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. 3053, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Third Reading by a vote of 51 ayes.

At 3:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2655, SD 2, HD 3
S.B. No. 3062, SD 1, HD 2
S.B. No. 2939, SD 1, HD 1
S.B. No. 2466, SD 2, HD 2
S.B. No. 2534, SD 2, HD 2
S.B. No. 3053, SD 2, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1635-12) recommending that S.B. No. 3003, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3003, SD 1, HD 2, pass Third Reading, 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 Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano 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. 3003, SD 1, HD 2, entitled: "A

BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1636-12) recommending that S.B. No. 2981, SD 2, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2981, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Reservations, because it assumes that the interisland cable will be part of this."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2981, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1637-12) recommending that S.B. No. 1197, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1197, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1638-12) recommending that S.B. No. 2281, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2281, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Riviere rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Due to the length of the day today, I'll be short. But this is the one bill in the environmental package this year, that actually does move things along in the proper fashion. It allows projects to move onto Environmental Impact Statements, thereby skipping the EA, saving them a few months, and money. This is the sort of streamline we should be looking at. 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. 2281, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1639-12) recommending that S.B. No. 2787, SD 2, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2787, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1640-12) recommending that S.B. No. 2927, SD 2, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2927, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Riviere rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Conversely this is the sort of bill that we should not be passing along. SB 2927 is too wide open. It would allow, theoretically, unfettered development within a certain radius of transit, and stations. One could imagine a wall of 400-foot buildings in certain areas, blocking views, view corridors that the City purposely has established to provide proper planning. It could violate many rules and ideas that are important in the whole process.

"It is extremely fuzzy. What the definition of exceptional planning project may mean in the future. It could mean anything. Therefore again, we're going wild and woolly. And finally, I do not understand why this is a State concern. Why this is not something the City and County should be dealing with. Thank you."

Representative Kawakami rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. You know, this proposal adopts smart growth principles, principles that have been touted on by environmentalist groups, by developers, by people moving towards the smart growth movement of getting people out of their cars and being able to walk to work, and being able to take mass transit to get off of fossil fuels. These are smart growth principles that focus the energy of development around the urban core so that we don't need to go out into rural areas and develop our open ag lands.

"Mr. Speaker, this is everything that has been, I guess the buzz for the last ten years. Maybe more. I've been to a few smart growth conferences, and this is completely in line with what they tried to attain. Now this is a new concept, and this is why the State is stepping in. But if you take into account the counties' testimony in strong support of this measure, I think it's sending a strong message that they need to have the tools to be able to incorporate these new smart growth concepts into their planning departments. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am in opposition to this. I somewhat agree with the previous speaker of Kauai. He is right that we should be smart about our pattern of growth and we should adopt some transit-oriented development ideas and methods. But some of the rules that we're setting aside really, I'm wondering whether the end justifies the means.

"Some of these bills run rough shod over the City and County of Honolulu, and would allow things like a 650 ft. tower in the middle of Kakaako. The State is going to build this and completely ignore County density requirements, height requirements, and who knows what else. I just don't think it's a very wise idea to open the door so wide to these particular developments. There's got to be some more constraints. It's got to be a more project-by-project decision. But this is just opening the doors wide open to unfettered development. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition to the bill. Thank you. Mr. Speaker, you look at page 6 of the bill, and you look at the county exemptions. Any of these exceptional planning projects approved by the legislative body shall receive exemptions from the zone change process in compliance with zoning standards.

"So what we're doing with this bill is under the guise of smart growth or whatever you want to call it, creating these transit centers. They're going to be all over this Island. I don't know about the Neighbor Islands. I can't speak for them. But all over this Island, including for example, in Kailua. A transit center there could mean that all of the land use requirements or the land use protections for the Kailua area are going to be set aside. And these so called transit-oriented areas are going to be able to exceed any height limitations, any density limitations, and just move ahead and create a whole different look for our different rural and urban communities.

"The other thing that's quite interesting is that the decision makers, any county or any officials, or employees, no claim can be prosecuted or maintained against them. So they're home free. Make these decisions. Here's what the community has to live with. And the community has no legal recourse because the bill provides complete immunity for them. It's an amazing bill that has sort of surfaced as people have gone out to these different hearings that have been held by the different transit authorities. And all of a sudden, they're taking a look at maps that are related to right into their own local community, and they're saying: Wait a minute. What about the height restriction? What are you talking about? A hotel, right here in the beginning of Kailua town. What's going on with all of these proposed ideas? Who's behind this? Why wasn't it taken out to the community? Why weren't these things developed as part of the land use scheme, by the community from the grassroots up instead of being laid on now from the Legislature and giving absolute immunity to those government officials that are going to go ahead and implement this.

"So I am opposed to this measure."

Representative Kawakami rose to respond, stating:

"Thank you, Mr. Speaker. My second time, still in support. You know, I think there's some confusion. This bill doesn't allow just these big massive hotel developments to pop up overnight next to bus stops. It gives the county planning departments and the commissions, the tools to incorporate some of these new ideas into the decision making. The counties still have full purview over their approval of these projects. In fact they have 45 days, which you already are bound by in certain projects. And what happens if they can't make the decision within 45 days? They get an additional 10 days. And if that's still not enough time, they're going to disapprove it. It's still going to go through the public process.

"So, Mr. Speaker, there's some confusion on this, and I think if they read the bill, a lot of the clarifications can be found in the language of the bill. And for the record, for something that's going to run over the counties, I would like to point out: David K. Tanoue, Department of Planning and Permitting, in support. Councilmember from Big Island, Fresh Onishi, in support. Michael Dahilig, County of Kauai, in support. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm sorry. I rise in opposition to the measure. Thank you. You know, the bill intends to spark urban growth by facilitating all this development. And actually, I really appreciate what the Representative from Hanalei had to say about smart growth and making sure that we preserve open space. And you don't have urban sprawl, and all that business in the countryside.

"But my point is, number one, not only does this exempt government from environmental protection laws, and eroding the transparency. Don't forget, the urban core's an important place. There are a lot of things here in our Downtown, Kakaako area that are exceptionally important. It's the first thing people see once you're coming off Nimitz, right from the airport. We want to make sure that our development and how we plan it, and how we create that experience, has the input from those that actually live in the area. There are a lot of special things about this Kakaako area, and I certainly, I certainly hope in my lifetime I don't see a hotel there, looking like Vegas, with gambling.

"I'm going to read from some of what the Sierra Club has to say.

While we support the intent of sparking urban growth, the bill prioritizes the elimination of the public voice as a means to expedite growth. This bill requires action by the planning agency and legislative body to disapprove of a developer's application within 45 days. Big developments sometimes require additional discussion. This short of a timeframe, even assuming legislative bodies meet frequently enough to meet this schedule, only harms the public, creates bad projects that fail to adequately analyze traffic impact, infrastructure and community input. But moreover, exempting projects from all zoning requirements, is contrary to the concepts of smart urban planning. It builds distrust. It discourages investment in new buildings. With no assurances that view planes will be protected. Seedy establishments could happen under this.

"I really don't hope that this is just another thing to make the place look like some city that's not in keeping with the spirit of Hawaii. We have so much going for us. And you know our urban space, as well as our countryside. It's beautiful. Not far from here are many historic sites. Let's keep it where we're getting the best practices, the best input, from those who live there, as well as developers."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. Thank you, if anyone has been to Kona recently, you'll drive into the town and you'll wonder why they didn't have planning guidelines and planning districts, and think about smart growth, because it looks hodgepodge. It looks disconnected. It looks like there was no discussion about what are guidelines we want to live by.

"One of the things I really like about this bill, and that's why I want to strongly support it, is it says that any county or county agency participating in the program shall enact ordinance or adopt rules or regulations as necessary for the purposes of this section. I think if you really get into the nitty-gritty detail, it's talking about developing guidelines, strategies. What it is we're going to do if we go into transient-orientated, main street development. That actually gives them a framework and tells them, if you're going to move in this direction, you need to discuss all these things. And you need to do it in the area where you have the bus center or the transit center. It's very smart, that we're doing this, Mr. Speaker. I strongly support it. Thank you"

Representative Rhoads rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Assuming that growth continues on Oahu, population growth that is, we have a choice between, well on one extreme is we can just keep building subdivisions until there's one big subdivision from Wahiawa all the way up to Haleiwa. Or we can do something that's more in line with what this bill does.

"I think it probably does need a little more scrubbing, and hopefully that will happen in Conference so that the parameters are pretty tight. But the overall concept, I wholeheartedly support. It dovetails with rail. It dovetails with keeping enough of Oahu country so we can still enjoy that part of our environment. Thank you. I do support the bill. Mahalo."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you so much, Mr. Speaker. I rise in strong support of this measure. I think the City of Honolulu is in much need of open redevelopment and I welcome this bill. Furthermore, as far as this topic or this need for community input, although it's well intended, in my observation it almost always leads to that 'not in my backyard' concept. So, although we need this, I think we need to know that it also may have some unintended consequences. Thank you, Mr. Speaker."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. Thank you. I think again, the bill is underpinned by a worthy concept. If we're going to have a large public infrastructure project, then we should maximize it for the benefit of the taxpayers. I don't disagree with that at all. In fact, I understand how transit-oriented development can be done successfully. I lived above a metro stop for four years, in Washington DC in a suburb that was largely developed around a certain line of the Washington DC Metro and it's spur into Virginia. So, I think there are potential opportunities to do it well. I think that's what our constituents would want if we're making them on the hook for this.

"My concern though, is that as someone who has two freeways going through their District, the airport in their District, the harbor, Pearl Harbor in their District. My community knows what it is like to be brushed up

right next to major infrastructure and to see the consequences of both the good, and sometimes the bad of what it's like to be buttressed right next to that infrastructure. And my only hesitation with particular bill, I echo the Representative from Downtown, Chinatown, I do hope it gets tightened up. I'm uncomfortable with some of the exceptional planning projects and the abilities to be exempted from certain zoning requirements, because I do worry that there are the environmental consequences. But there are also the traffic consequences. And there are the quality of life issues, that particularly, for many of us who are from the urban core, do uniquely impact our constituents. So, for those reasons, I do support this bill, but have reservations. Thank you."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, in opposition. I want to of course say, again the process here, the intended purpose is excellent. And I think this is something that if we are going to be able to manage our development in a smart growth sort of way, 50 years down the road. However, I would note that we are a community, or an island of existing communities. Communities which have come a long way, building themselves and maintaining their own character and their own direction for growth. And while the bill empowers counties to come up with designated districts that would allow for these sorts of provisions that are here in the bill, I do think that there aren't quite the restrictions that some of these communities would like.

"There are a number of concerns as well, noting indemnity of the counties which raises potential constitutional questions. The Attorney General notes that the exemptions in the bill, with the specific language could be tightened up to specifically target county versus State zoning issues. Things like that.

"Ultimately we'll need to make sure that whatever happens and whatever direction we choose to go as we continue to focus development and growth, and where people, the next generation of us are going to live here, in Hawaii. We want to do it in a way that is sound, does not open up a number of communities that themselves are, in some sense, mature, and choose to be. So for those reasons I do have concerns. Thank you."

Representative Giugni rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Giugni's written remarks are as follows:

"This measure creates a process for developers to facilitate approval for residential and commercial exceptional planning projects. My concern is the process will circumvent existing land use zoning regulations, environmental review requirements, and State impact fees for schools and public facilities. This will not be in the public interest."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you, Mr. Speaker. The title of the bill is, Relating to Community Planning. And I do believe that based on what I read, it should be not relating to community planning, because what we're trying to do is basically exempt the community from the planning process. You know, I support rail. I continue to support rail. But doing these types of things, just to alleviate some concerns of the community, legitimate concerns as it relates to transit-oriented development in and around the rail line, to me, does a disservice to the people that support rail.

"I'll speak for myself as a Representative of Aiea, Pearl City, and I can tell you that our community at the very beginning generally supported rail. And I believe they continue to support rail. But there was some commitments made to our community in regards to access on Kam Highway, in terms of beautification projects and what they call community benefits, a community benefits package. Unfortunately, with the changes of both the State and county Administrations, those types of community benefits promised to our community, is up in the air.

"Now if we pass a bill like this, I suppose that one of the results and consequences of this could be in fact, the ramming down of the throats of people in our community about some of the things that are happening in and around the rail line. And as you may know, the rail line goes right through our community along Kam Highway, from the entire length of Pearl City on the West, all the way through Aiea on the East. In addition, Mr. Speaker, there's been much concern and discussion in our community regarding development right across the street from Pearl Ridge Shopping Center.

"Those of you may recall the Kam Drive-In, when we use to go and watch movies years ago. That is actually, right now, being proposed for a huge development, and many people have mentioned that as a transit-oriented development project, because it is so near to the transit stop at Kaonihiki Street and Kamehameha Highway.

"I shudder to think about the consequences to our community and the people that live in and around that project if this bill goes through. And if that particular parcel of land, it gets included in an exemption done by the City Council of Honolulu. I just don't think we need to do this. Again, I support rail. I support what we're trying to do. But I believe and continue to support the current laws that we have in place to provide community input and feedback as it relates to development. Thank you."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, smart growth development is an urban planning and transportation theory that concentrates growth in compact, walkable urban centers to avoid urban sprawl. It also advocates compact, transit-oriented, walkable, bicycle friendly land use, including neighborhood schools, complete streets, and mixed use development with a range of housing choices.

"Smart growth development values include long-range regional considerations of sustainability over a short-term focus. Its goals are to achieve a unique sense of community and place, expand the range of transportation, employment and housing choices, equitably distribute the costs and benefits of development, preserve and enhance natural and cultural resources, and promote public health. Mr. Speaker, I rise in support of S.B. 2927 because that's exactly what this bill does.

"There have been a lot of misrepresentations about this bill, particularly with respect to exempting community involvement. That is absolutely false. Mr. Speaker, the bill states, the counties can establish a transit-oriented development and main street redevelopment criteria which shall include rules or ordinances. The counties can then include that requirement of the application process requiring public participation via community meetings or neighborhood boards. If this process is not satisfied, an interested party may not submit the application, therefore the expedited application process does not exclude public participation.

"There have been other allegations that this bill will just open up the entire island to fast tracking of development. That is absolutely false, Mr. Speaker. Once again, the application process is not valid until the counties designate planning districts, whether that be transit stations, or main streets, and establish criteria which may include rules, regulations ordinances, etc.

"Mr. Speaker, the purpose of this bill is really to focus on smart growth in creating mixed use communities, by allowing mixed use, commercial, industrial and residential, you allow people to live and work within distances that promote walking, biking, and public transportation. In addition, you reduce infrastructure costs to your existing infrastructure, as well as you reduce traffic.

"Now there have been many emails we've been getting from certain community members from the Windward side, because they want to keep their community, their community. Let's be aware of something. S.B. 2927 would allow exceptions to current land use law, laws that would allow preservation of historic buildings and facades. Preserving our community starts with keeping our historic sense of place.

"If our infrastructure cannot sustain growth, then growth needs to be focused in other areas. This bill will not force growth where it cannot be sustained. This is one of the many checks and balances the county process offers and which cannot be avoided, nor exempted. This bill does not enforce any immediate exemptions. Instead, it only allows the counties, if they choose, to establish a criteria for transit-oriented development and main street redevelopment.

"The public is not cut out of the process. The Department of Planning and Permitting has already stated that the exceptional planning project will need to be presented in the community prior to being submitted for the permitted process, the counties will decide on their own criteria and how to implement on a case-by-case process.

"You know, Mr. Speaker. It's interesting we're debating this bill right now, because before me, I have an article that was just published on Friday the 6th, 2012 by the *Pacific Business News*, and the title of the article says, If Oahu's Going to Have Rail, Law Makers Should Pass Senate Bill 2927. And I want to read an excerpt from this particular article, because it's interesting. The *Pacific Business News* makes clear that they are not actually in support of rail, yet they are still in support of S.B. 2927, and I'd like to read from the article:

Rarely do developers in Hawaii get any kind of break when it comes to fees and other requirements. And while we often wish that local and state governments were easier to do business with, we do not have problems with reasonable laws designed to ensure the thoughtful use of our natural resources. At the same time, we think the state would not be violating this approach, even if it were, on occasion, to give developers some motivation for growth that helps achieve a well planned and highly desired outcome. That is why, despite our objections to the elevated rail transit system plan on Oahu, we are in strong support of Senate Bill 2927 ..."

Representative Tokioka rose to yield his time, and the Chair "so ordered."

Representative Har continued, stating:

"Thank you.

Which would waive development fees and ease some other requirements for developers who want to build residential, retail and office space, near rail stations.

Our first choice, as we've stated on numerous occasions, would be that the City and County of Honolulu find a better alternative to the elevated rail system it plans to build, but if we're going to go through with it, the legislature's attempts to encourage development along the 21 stations anchoring the 20 mile route, are not only appropriate, they are necessary.

Given the project's \$5.1 billion cost, we must do everything we can to encourage ridership and leverage the return on our soon to be enormous investment. As mainland cities from coast to coast have shown, one of the best ways to do this is by incentivizing transit-oriented development. We like the project by project assessment contained within Senate Bill 2927, which would allow the state to emphasize housing as part of its strategy for transit oriented development. Not only would that approach create much needed affordable options, housing concentrations typically result in commercial development, and if enough transit-oriented development projects occur, the flow of jobs will move out of Downtown and along the route of the rail system which would take even more drivers off the road.

"Accordingly, for these reasons, Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2927, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," passed Third Reading by a vote of 30 ayes to 21 noes, with Representatives Belatti, Brower, Carroll, Ching, Choy, Fontaine, Giugni, Hanohano, Keith-Agaran, C. Lee, Luke, Marumoto, Nakashima,

Nishimoto, Riviere, Saiki, Takai, Takumi, Thielen, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1642-12) recommending that S.B. No. 490, SD 3, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 490, SD 3, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. After that long period of time we spent discussing the other bill, I guess I should make mine very short. I'm speaking with reservations on S.B. No. 490. Are we on that bill now? I just want to make sure because I lost count after all of that discussion on the last bill. Thank you, very much.

"The two concerns I have, and it's quite ironic. You're providing \$2 million to try to provide some special areas in tourism where they can try to get more tourists here. But it's ironic because it's from the general funds and the Hawaii Tourism Authority. The Hawaii Tourism Authority is capped, so it cannot earn anymore. It goes back to the general funds. So what we do now is, we get money from the general fund and we put it right back in. So I think what we should do at some point in time is take off the cap so we won't have this kind of problem. Thank you very much, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support, with written comments. And just a footnote of hats off to HTA, the visitor industry that took us out of the recession. It's the visa waiver program particularly for the Chinese visitor that allotted this \$2 million. Regardless of where it comes from, it's going to go and leverage our industry. Thank you."

Representative Ward's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in strong support of this measure.

"Recently, the federal government instituted initiatives to increase international travel and tourism in the US. This bill would take advantage of the new initiatives by increasing the level of funding for the tourism special fund per fiscal year provided a certain amount of it be specifically used on expanded visa programs and increased travel opportunities for international visitors.

"These funds could be used to attract visitors from new and emerging markets, specifically those in Asia (China, Taiwan, others). The easing of the visa process for China allows Hawaii to further tap into a market with large growth potential. The number of visitors from China is expected to top 125,000 this year with each traveler expected to spend around \$380 per day, which is higher than any other country.

"Furthermore, the visa waiver status for Taiwan also opens up a fortuitous market for the state. This could lead to an influx of Taiwanese visitors to the state very similar to what happened after Korea received its visa waiver in 2008.

"This increased travel would help solidify and increase Hawaii's already successful tourism industry. The increase in visitors means more off-island money for the economy and State. It also means more jobs as these travel initiatives could help provide up to 154,000 jobs in the State.

"These initiatives should help the State economically recover and expand, but they may also have an impact on a larger, grander scale. The islands are already a unique place in the United States and world, but with increased international exposure, the State could become an even bigger player on the international stage, especially in regards to Asia. In time, the state could become the international focal point of the Pacific.

"I appreciate the opportunity to express my views and to voice my strong support of this measure. 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. 490, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Third Reading by a vote of 51 ayes.

At 3:36 o'clock p.m., Representative Aquino requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:37 o'clock p.m.

At 3:39 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 3003, SD 1, HD 2
S.B. No. 2981, SD 2, HD 2
S.B. No. 1197, SD 2, HD 2
S.B. No. 2281, SD 1, HD 1
S.B. No. 2787, SD 2, HD 1
S.B. No. 2927, SD 2, HD 1
S.B. No. 490, SD 3, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1643-12) recommending that S.B. No. 3048, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3048, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I wish to speak against this measure. Not because it provides an income tax credit for the hotels, which I think, is very timely and needed. But more because of the making permanent the 2% increase that we provided for the Transit Accommodation Tax a couple years ago. When we provided that increase, it was told to this Body here, and to the hotels that it was going to be temporary.

"It was going to be sunsetted in a few years. And now I'm looking at this bill to make it permanent. So this additional 2%, instead of going for marketing, will be coming into the general fund.

"I understand that for emergency purposes, you need to do this thing. But with this year's budget, I don't believe we need to. And more important is the ability, when you convince people to vote for a measure, that you keep your word. Your word is golden. So this is one of the reasons I am voting against this measure. Thank you."

Representative Herkes rose to speak in opposition to the measure, stating:

"In opposition, for the same reasons."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker in support, with the words of the Representative of Wailuku inserted as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. While I understand the words of the Representative from Wailuku, the measure in extending the tax is essentially, and mainly just to pay for the credit. So, I think it's just a fiscal responsibility issue. And if we can't do that, then the credit will be difficult as well. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, no vote on this measure. And a couple of comments. To sweeten the pie obviously, they spliced to make nice, some of the opposing issues by making nice. On the one hand, a tax credit. On the other hand, making permanent what otherwise was a temporary one. This is one of the few, how would you say, tax increases, because it makes permanent that which we have. And we have another one coming up in a couple of bills, but it's when we give our word that something is permanent.

"It's no wonder the political subculture, when someone says it's just a permanent tax like the one for the train, how many people really believe us when we do what we're doing now, by making permanent that TAT tax. And the same way with the rental cars. Mr. Speaker, we jacked it up to \$7.50 a day because we told the rental car agencies we're going to put the money to build on their premises at the airport. And again today, we took it out. We didn't do what we promised.

"I think our credibility's at stake with a bill like this. And like the speaker of Maui said, this is not what we should have done. And if we were going to do it, we should have been more honest about it. Thank you."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition. I guess the wonderful thing about living in paradise is that sunsets never come. They just always get extended. So it's a beautiful place to live, but it's a terrible place to put your faith that things are only temporary. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I will vote aye with reservations for much of the same reasons as the Speaker Emeritus. I do support the tax credit for hotel construction. I believe the construction activity and revenues derived from it will help pay for the tax credit. I do oppose keeping the retention of the hotel tax at the current high rate. I believe it's 9.5% percent. And be aware, if you're voting for this, you are voting for a tax increase. Thank you."

Representative Takai rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, just for the edification of Members and maybe those who were not here back in 2007. We did increase the hotel room tax by 1% over 2 years. So it went up from 7% to 8%, and 8% to 9%. And at that time, the naysayers said that it would cause the demise and the end of the Hawaii tourism industry. That never came to pass. In fact, we've been seeing record numbers of tourists visit us. So now we extend the increase of the TAT upon their rooms. We're setting new records every year since we began to emerge from the great recession of 2008.

"So I think this is the real background and honest truth of where this measure is coming from. Back then, we tied it to a 6-year financial plan, Mr. Speaker, so that it would go out to the year 2015. At that point in time, the Legislature will have a time to address that sunset. We're currently, in the current calendar year of 2012, entering to the fiscal year '13 cycles.

"There's two more years for the bill, the Act to be effectuated. So this is just being brought up for this Legislature to consider. The carrot, I guess for the hotel industry to receive a tax credit, both for new rooms, as well as to remodel their older rooms. So that's part of the discussion. I think there's some interested parties out there. So I ask that we move this measure forward and continue discussion. But there's still some time for an open, honest debate on this revenue stream, as well as the incentives for the hotel owners. Thank you."

Representative Johanson rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be

entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Brower rose to respond, stating:

"Thank you, Mr. Speaker. Still in support. And I would agree with the Finance Chair. That support of this measure is not, I wouldn't consider it to be that you're raising taxes. I would possibly consider that you are open to maintaining a tax that was set to be sunset in 2015. And since the amendment is fairly new to the bill, I do welcome more discussion in the next few days and few weeks. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with some reservations and a question. The bill is creating an income tax credit for hotel construction or renovation, but yet we can't continue a credit for homeowners that want to put in photovoltaic systems. At least we can't continue it at the same level.

"I just would like to ask the Chair of Finance if he would yield to a question. If you want to call a recess, I'll go ask him a question. Why one, but not the other. One's homeowners, the other's hotel constructions."

At 3:47 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:49 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. 3048, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AND TOURISM STIMULUS INITIATIVES," passed Third Reading by a vote of 37 ayes to 14 noes, with Representatives Belatti, Cabanilla, Carroll, Choy, Fontaine, Herkes, Luke, McKelvey, Nakashima, Riviere, Souki, Takumi, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1644-12) recommending that S.B. No. 2739, SD 2, HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2739, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1646-12) recommending that S.B. No. 2226, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2226, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. This is a tax increase. It's real. It's now. It's going to be an increase in the cost living for everyone in the State of Hawaii who is near, or at least dear to buying online, anything that comes into the State. And I know that the logic of this is that it's the Use Tax that came about decades ago, which I submit if it was a Use Tax

today, it wouldn't be implementable. It would have never pass an august body such as this.

"But this is another way of saying it's a tax increase and it's due. And the other response is it's unfair to the local retailers. I say that being that we're in Hawaii and we are brick and mortar, we can sell to the rest of the world our products with our name, with our brand as easily as anybody else can sell to us, Mr. Speaker. And having been a retailer in Waikiki for 15 years at the Royal Hawaiian Hotel, we used to send stuff to the mainland and we never paid the GET tax. Hawaii has that same opportunity as everybody else. But this is a tax increase. It's now, and I vote no on it. Thank you."

Representative Choy rose to speak in support of the measure, stating:

"In strong support. Mr. Speaker, yes I agree with the Minority Leader. It is a tax increase, if you're a tax cheat. And if you cheated on your taxes all this time, and never paid your Use Tax, and you have to pay this new tax, then I guess, it is an increase. So yes, sir. I do agree with you. But tax cheating should not be a planning technique. It should not be used against all of us who pay our taxes. So this is not a tax increase for the honest tax payers. But it is, for the tax cheaters. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Well with that, Mr. Speaker, I rise in opposition to this bill. The bill proposes to make a law. The bill proposes to increase, create taxes for consumers, for our Hawaii residents, for consumers, specifically for our electronic and catalog purchases. Something of which we've had lots of debate on.

"Testimony provided by Amazon during a recent hearing said the bill would not be an effective source of revenue. Let's face it. This is a source of revenue. It's one more, let's get some money. It says that it would sever the relationships with Hawaii-based advertisers, exempting the repercussions of this measure. It also says it will reduce tax collections as local businesses with affiliate relationships would lose that revenue.

"The point is, I guess, my concern, my number one reason for rising in opposition, is that this affects my people, the people of my district. Mr. Speaker, I've said before on this Floor, we are not like the mainland. Let me repeat it. We are not like the mainland. And one thing that always comes clear too, if you like to go shopping, is that being the farthest from any landmass in the world, we don't have that interconnected railway system of the contiguous 48 states. So they can just, you know, go ahead and take shipped goods and all that kind of stuff. So when you go shopping on the mainland, you have a huge choice of stuff to buy. Yeah, ship everything in here, until some people decide they're going to go on the internet. What they want to get. What they want to get, and have choice.

"Choice, that's a nice thing because it's connected to freedom. Freedom and choice. Like you choose your doctor. You choose your doctor. You choose other things. Choice. So they've got to go on the internet to get what they want. But when they go on the internet and they purchase, and I appreciate the Representative from Kauai who introduced the Resolution to address this comment that I made on the Floor, previous. A couple months ago. That you're paying top shipping costs.

"So sometimes, I've heard arguments, 'Oh that this is for the brick and mortar guys. This is, you know. It's anti-business not to tax the internet because after all, you know, they've got to pay taxes on it and price differential and all that.' But actually it's just raising prices on our people. That's all it's doing.

"I would like to share with you, if you don't mind, one of the testimonies from Miles Tanabe of the Island of Kauai. Miles says,

As a small business owner and Kauai resident, in the rural county of Kauai, I rely on out-of-state catalogue retailers and businesses that use the internet to supply much of my uniforms, the specialized equipment, and the supplies I sell. So actually, you see, small businesses are using the internet. Small businesses like those in the County of Kauai. This type of interstate commerce allows companies like mine to be able to obtain items that cannot be found in the County of Kauai or within the

State of Hawaii, and as such we have no other choice, than to shop on the internet.

"Our people. Our people, Mr. Speaker, shop on the internet. They want to get certain things that you just can't get in Hawaii. A lot of things you can't get, because of the way we're located so far away. And I appreciate, like I said before, the Resolution introduced to address what I said on the Floor. I said that we're paying higher shipping costs. So what's it all about, is it's about a money grab. Or is it about taking care of making sure people have choices, so they can have the highest quality of life for our people. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support with some very brief comments. I will not adopt the words of my good Vice Chair, but I do have concerns over the last comments about choice. That this takes away choice. That somehow, by having fairness, about paying just a .5%, or 4%, or whatever it is, GET, like you would at any retail store in Hawaii, that now you don't have the choice.

"The internet isn't going anywhere, Mr. Speaker. It's still there. People can get online. All we're saying is, pay the GET like you would if you bought it here. The prices are still going to be much better. This doesn't stop the good gentleman from the Neighbor Islands from purchasing the uniforms. It's just if like you would at a brick and mortar. All it's saying is, pay the GET.

"And we can say, 'Hey, you know what? Let's go on the internet, 100%. No need. Just go 100% internet.' Well, you can imagine what the cumulative picture of that would be? And also that would be a job killer, Mr. Speaker, because then what would be the next progression? You'd lay off your staff, right? And I think Amazon is not the company whose testimony, with all due respect, I would look to. I would look to that of the Retail Merchants Associations, of our neighbors and friends, who own stores.

"I use the internet all the time. I love it, you know. And I pay my GET on what little I buy off of it. And you can go on the internet tomorrow. Now for resellers in the State of Hawaii, they are being unfairly victimized by Amazon. And I think the blame should be pointed at them for pressuring these small people out of it. But to say because there's no resellers in the State of Hawaii that you won't be able to go to Amazon, or to other internet sites is not accurate.

"So, Mr. Speaker, I'm just sad that Amazon continues to do this nationally. And that we have to continue to have this debate. I hope Congress acts in one form or another so we can stop having this debate. I just feel bummed out, right now, pardon my French, that we're having this conversation about, well this is a new tax. This is something that's going to really take away people's choices. They won't be able to use the internet anymore, which is not true.

"I'm siding with the mom and pops on this, because I think it is unfair, that they have to be responsible for collecting the tax. But yet, an entity that's far away on the mainland is somehow given a free ride on that. And that's why I support this measure. Thank you."

Representative Ching rose to respond, stating:

"Sorry, Mr. Speaker. I'm still in opposition. With all due respect to the Representative from Lahaina. You know, one of the most fallacious arguments I remember in logic class, which I did pretty well in, actually, believe it or not. It is a fallacious argument. We call it fallacious in logic. Where you take something all the way to an extreme. You create a straw man and say, 'Boy, if you're for protecting and not raising this tax, therefore you're against all of this.' Taking it to the extreme. It's a typical argument, but it's still categorized as fallacious.

"I rise and say, in fact my whole point, in bringing this gentleman, Mr. Tanabe's testimony, and I ask that it be submitted into the Journal, was that I'm defending small business people. That's my point. And I'm saying

truthfully, as he says in his testimony, that excessively high rates apply to Alaska and Hawaii. I'm just saying that it's raising taxes on our people. Their quality of living. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in opposition to this bill. This bill proposes to increase/create taxes for consumers, specifically for electronic and catalogue purchases; something of which, we have engaged in much debate.

"Testimony provided by Amazon during a recent hearing confirmed that this bill would not be an effective source of revenue, as Amazon and similar companies would sever their relationships with Hawaii-based advertisers to be exempt from the repercussions of this measure. This would reduce tax collections as the local businesses with affiliate relationships would lose that revenue.

"The revenue that the State seeks would be a result of the newly collected tax at the expense of consumers, or Hawaii residents. This bill is actually anti-small business in the sense that it does not encourage free enterprise and many small businesses rely on internet sales. This bill encourages a mainstream of commerce through large corporations, while the innovation and creativity of local small-business owners is compromised, due to the extravagant costs. As a result, this bill would encourage more residents to become victims to the declined economy.

"Previous testimony for HCR37, Mr. Miles Tanabe, a small business owner and Kauai resident put it best when he said, 'As a resident and small business owner in the rural county of Kauai I rely on out of state catalog retailers and businesses that use the internet to promote their products, to supply much of my uniforms, specialized equipment and supplies. This type of interstate commerce allows companies like mine to be able to obtain items that cannot be found in the county of Kauai or within the state of Hawaii. As such, we have no other choice than to shop through mail order catalogs or on the internet.'

"Mr. Speaker, this bill increases the cost of living for our residents, and the small businesses that rely on internet purchases. Hawaii consumers already pay inflated prices, while limiting consumer choice and therefore compromises the quality of life for our residents. Shipping costs, out-of-state taxes and extra packaging will be exacerbated costs next to the increases on internet taxes to consumers.

"The goal is simple; we must protect our residents from additional tax burdens. Their costs are already exponentially higher than retail, due to the shipping costs related to the geographic location of our home. Let us not compromise choice, quality of life, and heighten the cost of living for our residents through increased taxes AND shipping. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I know I said I wasn't going to stand up, but I did introduce that Resolution for Mr. Tanabe, and it was for a different subject.

"I'm sorry, Mr. Speaker. I'm in support, by the way. It was for a different subject. It was talking about shipping to Hawaii and Alaska, and the advertising from companies talking about shipping to Hawaii. When I did talk to him about the tax at that time, he told me he didn't have a problem with that, as long as it was equally applied. So I just wanted to set the record straight. Thank you, Mr. Speaker."

Representative Fontaine rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I'm standing in opposition. I hope that when this measure goes to Conference that Members will look at the US Supreme Court's Quill decision which basically stated that states are prohibited from requiring sellers to collect sales tax in states where they lack a physical presence. So this bill may be unconstitutional, and there may be issues with that. That will need to be researched. 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. 2226, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 39 ayes to 12 noes, with Representatives Brower, Ching, Fontaine, Hanohano, Johanson, Marumoto, Nishimoto, Pine, Riviere, Takai, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1647-12) recommending that S.B. No. 2238, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2238, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1648-12) recommending that S.B. No. 2457, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2457, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you. On Stand. Com. Rep. No. 1648, S.B. 2457, I rise with reservations. My only reservations with this bill, and I do think that we need to address the procurement process, is with respect to the exemptions allowed to the Governor and the Mayor. I just think it's a little overly broad delegation of powers to the Chief Executive. Thank you."

Representative Fontaine rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Rhoads 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 Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her 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 Committee was adopted and S.B. No. 2457, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1649-12) recommending that S.B. No. 2947, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2947, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 51 ayes.

At 4:04 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 3048, SD 2, HD 1
S.B. No. 2739, SD 2, HD 1
S.B. No. 2226, SD 2, HD 2
S.B. No. 2238, SD 1, HD 2
S.B. No. 2457, SD 2, HD 2
S.B. No. 2947, SD 2, HD 2

At 4:04 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:12 o'clock p.m., with Speaker Say presiding.

At this time, the Chair stated:

"Members, at this time we are on page 23. We've got 4 more pages to go, which is fine. But at this time, we will be taking out of order, Stand. Com. Report No. 1658-12, S.B. No. 2789, SD2, HD2."

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1658-12) recommending that S.B. No. 2789, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that notwithstanding the recommendations contained in Standing Committee Report No. 1658-12, that S.B. No. 2789, SD 2, HD 2, be recommitted to the Committee on Finance, seconded by Representative Evans.

Representative Pine rose to speak in support of the motion to recommit, stating:

"Just in support of the motion, Mr. Speaker."

The Chair addressed Representative Pine, stating:

"Can you confine your remarks just to the motion to recommit."

Representative Pine continued in support of the motion, stating:

"I think in times when we, perhaps see legislation that may out-step our bounds, and may isolate a certain group, and separate them from others, I think it's imperative and important, and proper that we recommit a bill such as this."

The Chair then stated:

"Thank you. Any further discussion before calling for the voice vote? The Chair would like to state for the record, for all of you in the legislative process, we have a process where measures like this are recommitted back to their respective Committees.

"But also understand that we have two Chambers; the House and the Senate. I truly hope that the House, we will recommit this particular measure, but the Senate, who made a Floor Amendment to this particular measure with a House Bill, will be giving us the opportunity, and the Administration the opportunity, of having a vehicle in Conference this coming Thursday. They will be making their decision.

"But they did a Floor Amendment this morning, and the Floor Amendment has a defective date. So I hope, and I truly wish, that they will send the House Bill back for further discussion."

Representative Ward rose and stated:

"Mr. Speaker, point of information. Was the Floor Amendment similar to the one that we saw earlier?"

Speaker Say: "No, it's just a defective date."

Representative Ward: "I see. So nothing as to what ..."

Speaker Say: "Nothing as to substance. To clarify it to all the Members of this Body."

The motion was put to vote by the Chair and carried, and S.B. No. 2789, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was recommitted to the Committee on Finance.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1650-12) recommending that S.B. No. 2745, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2745, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1651-12) recommending that S.B. No. 2001, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2001, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1654-12) recommending that S.B. No. 2335, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2335, HD 2, pass Third Reading, seconded by Representative Evans.

Representative C. Lee 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. 2335, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1655-12) recommending that S.B. No. 2678, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2678, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ichiyama rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. May I have a ruling on a potential conflict? I'm a Board member on the Japanese American Citizens League. Thank you," and the Chair ruled, "no conflict."

Representative Ichiyama continued in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support. This bill proposes to provide State support in the preservation of the Honouliuli Internment and prisoner of war camp site and establish an advisory group to leverage funding to develop an educational resource center at the site.

"On March 1, 1943, the Honouliuli camp opened to house several hundred Americans of Japanese ancestry. In an effort to demoralize any pro-Japanese sentiment, a vast majority of detainees were community leaders, including members of the Territorial Legislature, Senator Sanji Abe of the First Senate District in Hilo and Representative Thomas Sakakihara of the Hawaii First District. For two and a half years, these internees endured extremely difficult living conditions in a remote internment camp and none were ever charged with any crime.

"Today, all that is left of the Honouliuli Internment Camp are concrete slabs and a stone path, with no indication that this was the site of a grave injustice against local Japanese Americans. The development of this site

as a historical center will help shed light on a dark time in the nation's history and commemorate the experiences of those who were confined in internment camps. It is my hope that this site will serve as a symbol of strength and solidarity, signifying our promise that we will never forget the Japanese American incarceration in Hawaii, and reaffirm our commitment to civil and human rights.

"Thank you very much, Mr. Speaker."

Representative Har rose to speak in support of the measure, stating:

"In strong support."

Representative Cullen rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support for S.B. 2678. Mr. Speaker, I rise in support of this measure because the State is taking a step towards preserving the Honouliuli Internment Camp Site established during World War II.

"Mr. Speaker, the site is a part of our district and it serves as a constant reminder for the next generations of the injustices that war brings to not only our nation, but also to our communities. I have visited the site and have seen the efforts already started. This measure will allow those efforts to continue. This measure continues Hawaii's rich and unique history within our world."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2678, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HONOLIULI," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1656-12) recommending that S.B. No. 2782, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2782, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Fontaine 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."

Representative Riviere rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, reservations. Part 1 and Part 2 I believe were pretty good and not controversial. Then Part 3 got thrown in. This is the part that would have the Job Corps for several hundred people, which is a great idea. It's a worthy idea. We could use them up in the watersheds. The problem and my reservation revolves around the opposition by DLNR, because they're afraid that other parts of their Departments will be gutted. In other words, the professionals that they have on permanent staff will be displaced for temporary help of unskilled. So for that reason, I have some reservations. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"With reservations and the words of the Representative from the North Shore. And in addition, because of opposition on Part 3 from the University of Hawaii Research Corporation, the Land and Natural Resources Department, and several environmental groups whose funds will be affected. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano 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 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. 2782, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1659-12) recommending that S.B. No. 2116, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2116, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative M. Lee rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose to speak in support of the measure with reservations, stating:

"Support with reservations. My reservations basically focus on the exemption from the Ethics Code of these people under the Charter Schools. I hope we can resolve this in the end. Thank you."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Support with reservations for the similar reasons as the Representative from Pearl City."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just with a clarification for the purpose of those who are noting reservations. This is actually Senate Bill No. 2116 that deals with the implementation and transition for the Charter Schools. So it's not actually the bill that the Representative from Newtown was talking about. 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. 2116, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Souki voting no.

At 4:21 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2745, SD 1, HD 2
S.B. No. 2001, SD 1, HD 2
S.B. No. 2335, HD 2
S.B. No. 2678, SD 2, HD 2
S.B. No. 2782, SD 2, HD 2
S.B. No. 2116, SD 2, HD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1660-12) recommending that S.B. No. 2535, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2535, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Morikawa rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morikawa's written remarks are as follows:

"This bill is another step to legislate a function of the Department of Education and the Board of Education. When Act 51 was enacted, the Department and Board of Education should have started its implementation. It seems like the Legislature is doing what the Board of Education should do, which is set policies. The Legislature's primary responsibility or power is that of budgeting, which can influence or mandate education programs. It is time for the new appointed Board of Education to do what they should ... make education in Hawaii better."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition with brief remarks, Mr. Speaker. I know that this bill on mandating certain bell schedules and other instructional issues is well intended.

"The reason why I'm against the particular bell schedule portion of this bill is, when Campbell High School's Principal, many years ago, who is my former High School teacher, Dr. Awakuni, got together with teachers and parents, as well as student leaders, with the commitment to bring excellence to the High School, they all realized that they needed to change their bell schedule to fit this quest for excellence. And so in their own creative way, they came up with their own unique bell schedule that actually increased instructional time in their own way. But it perhaps would not work for another school.

"By mandating specific schedules, it really takes away the creativity and the individuality of a particular school who wants to succeed. I know that this bill was intended for those schools that aren't succeeding. But should we handle that in a different way. Because in a sense, by targeting this bill towards those schools that aren't succeeding, we are actually going to hurt those many schools that are being creative and innovative in the process, and succeeding."

Representative Fontaine rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I'd like to have the words from the previous speaker entered as my own, and just a brief comment. I'm just concerned, again, that this would reduce the flexibility of schools. And it removes community involvement in the process, which I think some of our constituents would consider that to be kind of a top-down micro-managing approach by the Legislature to do that.

"Mr. Speaker, in my county, there is one school in particular I believe, Hana School, that actually only has four days of instruction, and they have one day of developmental time. And it varies, depending upon as you go out throughout the county, there are various needs to having bell schedules a certain way. So for those reasons, that's the reason why I object to this measure. Thank you."

Representative Manahan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm sorry, but I have to rise with reservations on this measure. I just don't feel that this would take into consideration students who sometimes are immigrant students who need some more time, or need that flexibility. But I also feel that this is just one of those measures that should be addressed by the Department, and not the Legislature. So for those reasons, I'll be voting with reservations."

Representative Johanson rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise in opposition to SB 2535, relating to instructional time in public schools. I understand the desire to standardize instructional time across the State, but I am concerned that the standardization proposed in this bill does not take into account certain intra-school and inter-school dynamics. This bill may limit schools' flexibility and adversely impact the progress and achievements they are making.

"We have many successful schools across the State that are meeting AYP and continue to have positive educational developments. The standardization proposed in this measure may adversely impact these high-performing schools. I do think it is a worthy intent to try and ensure that students all across Hawaii have the same amount of instructional time, but I do not believe this is the most ideal way to accomplish this end. For these reasons, I stand in opposition."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Pine be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I oppose SB 2535 which is another bill asking the Legislature to handle an issue better addressed at the local level and which again hedges on the commitment we made to extend Hawaii's school instructional years. This bill abolishes the goal of providing 1080 hours of instructional time to students per school year. This opens the door to significantly lowering the number of instructional hours they receive, which is already quite low in comparison with the national average. It requires the Board of Education to develop multiple standard bell schedules for elementary, middle, and high schools, with the exception of charter schools and multi-track public schools, and amends the public education instructional time law.

"Simply standardizing bell schedules will not meet the bill's desired outcome of providing equal quality education to all of our public school students. Schools determine their bell schedules based on their unique needs, and the current process of determining bell schedules through dialogue between the schools' administrators, teachers, and parents is a process that local communities value. There is a myriad of reasons why standardized bell schedules would throw schools, especially those in rural areas, into chaos including, but by far not limited to: the great distances that teachers, students, and parents must travel to get to and from schools in rural areas, the fact that cafeterias and buses are sometimes shared between multiple schools, and the inability to adjust school schedules to allow for additional instructional time and extracurricular activities as needed.

"In my community we have a mixture of elementary and middle and high schools along the same transit corridor. It's folly to mandate the same bell schedule and risk different aged children leaving campuses at the same time – some in their vehicles while younger kids are walking home.

"Finally, I feel this legislation circumvents teachers' right to collectively bargain for fair working hours and especially fair pay for the hours that they put in. Standardizing bell schedules could mean that teachers work longer hours than they currently do, but this bill makes no mention of compensating them for their additional labor. These are issues that must be open to negotiation, and should therefore not be legislated."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Manahan rose, stating:

"Mr. Speaker, I will be voting no."

The motion was put to vote by the Chair and failed to carry, and the report of the Committee was not adopted, and S.B. No. 2535, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL TIME," did not pass Third Reading by a vote of 19 ayes to 32 noes, with Representatives Aquino, Brower, Carroll, Chang, Ching, Choy, Cullen, Fontaine, Giugni, Hanohano, Har, Hashem, Ichiyama, Johanson, Kawakami, Keith-Agaran, C. Lee, M. Lee, Luke, Manahan, Marumoto, McKelvey, Morikawa, Nakashima, Pine, Riviere, Takai, Thielen, Tokioka, Ward, Wooley and Yamane voting no.

At this time, the Chair stated:

"Madame Clerk, for Stand. Com. Report No. 1660-12, the Chair counts that there are at least 27 no votes at this point in time, so this measure is defeated on the Floor of the House. Am I correct?"

The Clerk responded:

"That is correct, Mr. Speaker."

The Chair then addressed the Chamber, stating:

"Let's have some proper decorum, please. Why are you elated? This is just a vote, where the Committee sent this particular measure out in trying to address the budget deficit. This was going to save the State of Hawaii a lot of money in the Department of Education budget.

"This particular measure has been defeated."

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1661-12) recommending that S.B. No. 2545, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2545, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I rise in support with reservations. This measure proposes to create the Executive Office on Early Learning. I don't have a problem with that. In fact, I support that because we need to address the issue of educating our young people. The concern that I have is really in section 3. And those of you unfamiliar with the bill, I'll just note that, that section proposes to eliminate the Junior Kindergarten, effective the 2014-2015 school year.

"Mr. Speaker, this is coming up because there was some misunderstanding, I believe on the part of the Department of Education. They had thought that we had eliminated Junior K last year. I had mentioned to them that I didn't think so. So I made a request to the Attorney General's Office, and in a response from the Attorney General dated December 14th, they clarified that in fact, Junior Kindergarten is alive and well in the Hawaii Revised Statutes.

"My concern is this. I do support elevating and requiring 5 year olds to start Kindergarten when they are 5. Those of you who have been here for quite awhile, know that I have been advocating this for most of my legislative career. I see no reason why our public schools should be no different from some of our best private schools in mandating that requirement. In fact, I think that part of our problem with competing not only on the State level, but also on the national level, is the fact that many of our children are one year younger than their counterparts in either in private schools or schools on the mainland. So we needed to make that change. We needed to mandate that children be 5 years old when they start Kindergarten.

"The problem was implementation of Kindergarten and Junior Kindergarten a few years ago. And as the Chair of Education has noted on the Floor quite a few times, there is one-third of the schools that follow the mandate. There is one-third of the schools that didn't follow the mandate.

And one-third of the schools that kind of did a hybrid where they basically put Kindergarteners and Junior Kindergarteners in the same room.

"My concern is that we needed to, or the Department of Education needed to, label the students appropriately. They're either Junior Kindergarteners, or Kindergarteners. Now this is not a big issue for many of you, but it is a big issue from my perspective, because just last year, we codified into law the Interstate Compact on Education for Military Children. And in that Compact it said that any child who starts a particular grade level, in a particular school, in a particular state, and then moves to another state, is allowed to transition at that grade level.

"With some of the schools, the one-third of the schools not following the requirements as set for by law, some of the kids were moving from Hawaii to other states, at a lower age. And that was a problem.

"The problem with this bill is that it entirely eliminates the Junior K program. Now some will argue that the bill also specifies that the Executive Office on Early Learning, by the 2014-15 school year have an implementation plan and projected financials in order to address the seamless transition of these Junior K kids. But I asked in Committee, what does that mean? What happens when they submit their implementation plan to the Governor, and the Governor submits it to the Legislature? What happens if the Legislature doesn't act? The answer was, these kids, these Junior Kindergarteners will have nowhere to go. And I don't believe that that's our intent. Our intent is to create a seamless transition for these kids who are not 5 years old, come the 2014-15 school year. And this bill doesn't do it.

"So I would hope, since there's a flawed effective date, that when it comes back, as a Conference Draft, that we will see the elimination of the Junior K drop, unless there's a requirement tied into the creation of something else that we can hold our hats on, and say once and for all that there will be something for these children. Otherwise, I can almost guarantee you that two years from now, or maybe even next year, we'll be coming in with another bill, extending this lapse date, or eliminating the lapse date because of concerns throughout our community.

"I don't know if you've heard it, but I've heard it from a number of parents already in our communities, wondering what was going to happen to their kids, because their kids were going to be hopefully going into the Junior Kindergarten program in 2014-2015. But now it's clear based on this bill if it passes, that they'll have nowhere to go. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you. I thank the Representative from Pearl City requesting we go back to this, because I really agree with him. I'd like to amplify a little bit on his remarks. I agree with everything that he has said. I have a real concern that we are eliminating Junior Kindergarten, and leaving a lot of children in the lurch. There's no substitute for Junior Kindergarten.

"So what would happen is that we are requiring Kindergarteners now to start when they are 5 1/2 years old, starting in the 2014 year. You must be born in the first 6 months of the year. And then if you are late-born, then you have to wait another year. Kindergarten is not mandatory in this State, and some people will keep their children out. Well, they will have to keep them out until they are old enough. But if they don't put them into a Pre-plus, or Head Start preschool, and there's no Junior Kindergarten. Some children will not be starting until they are fairly old, and it does not help their development. They will be behind as far as being ready for school. So I really question the wisdom of dropping Junior Kindergarten. It's good that we're starting the Pre-plus Program, and that we're allowing them to use school facilities.

"In asking the Governor's Office, will the Pre-plus people handle Junior Kindergarten or 5 year olds, the answer was, 'Well, it's sort of a condition that if they're using the school facility, that they will take in the 4 1/2 and 5 year olds. But in talking to the Good Alliance people, they said the Pre-plus Programs have no money to take care of this older group of children. So we'll have to come back next year and really work on this to make sure

there is something, good education, available for our young children before they start Kindergarten. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I speak in favor, but with a reservation. I understand the need for early childhood education. I ran a Head Start Program for 18 years. And I can see the great results you get from students as you watch as they grow. However, the State of Hawaii presently, in our budget, we don't have the money. And I think I heard the last speaker say, where's the money? And that's my same question. We still have programs that are running at about 50% capacity. We have the ag, which could use 50% more. We don't have enough inspectors. I could go on, and on, and on, and on.

"So, again Mr. Speaker, Finance Chairman and Members, where is the money? You cannot be taking away from special funds all the time. At some point in time you've got to make a major decision. If you're going to keep on adding, if you want to put this State into a quality situation, you run quality programs. So that's the only reservation that I have. I want to see where the money is going to come from. Hopefully, not from the highways. And hopefully not from the TAT. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose to respond, stating:

"Thank you, Mr. Speaker. I just request to insert a letter that I wrote on November 18, 2011 to the Attorney General, and his response on December 14, into the Journal. Thank you."

Representative Takai's written remarks are as follows:

[Note: This space intentionally left blank.]



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

November 18, 2011

The Honorable David Louie
Department of the Attorney General
425 Queen Street
Honolulu, Hawaii 96813

Dear Attorney General Louie:

Senate Bill 2068 SD2 HD1 CD1, enacted as Act 183, Session Laws of Hawaii 2010 (Act 183), amended the age requirements for entrance into kindergarten at Hawaii's public schools. According to Act 183, beginning with the 2013-2014 school year, a child who will be at least five years of age on the first day of instruction may attend a public school kindergarten. This appears to have caused a great deal of confusion in the early childhood community.

Some, including the Department of Education (DOE), believe that Act 183 relieves the DOE of its responsibilities for providing early childhood education through its Junior Kindergarten Program by completely eliminating the program itself with the start of the 2013-2014 school year. I respectfully disagree with that assessment and believe that the DOE must continue to provide for both junior kindergarten and kindergarten.

Although Act 183 amended the age requirements for entrance into the Kindergarten Program, it does not appear that this change absolves DOE of its responsibilities to provide the Junior Kindergarten Program as well, as evidenced with statutory language continuing to mandate this requirement. Specifically, section 302A-411(a), Hawaii Revised Statutes (HRS), states:

"(a) The department shall establish and maintain junior kindergartens and kindergartens with a program of instruction as a part of the public school system;..."

Moreover, section 302A-411(b), HRS, states:

"(b) The department shall establish a two-tier junior kindergarten and kindergarten program to support the range of developmental abilities of children in junior kindergarten and kindergarten. Schools shall not move students between junior kindergarten and kindergarten, except in cases where the movement is warranted and based on appropriate assessments determined by..."

2011102802 Representative K. Mark Takai
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Letter to the Honorable David Louie
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Furthermore, I would like to ask for some clarification on whether a child who turns five after August 1, 2011, and before January 1, 2012, or whether a child who turns five after August 1, 2012, and before January 1, 2013, can officially attend a public school in Hawaii as a kindergartener? Under a common sense interpretation of current state law, assuming that August 1, 2011, is the first day of instruction, a child who is at least five years of age on August 1, 2011, will be allowed to enroll in kindergarten at a public school in Hawaii while a child who turns five years of age on August 2, 2011, will not be allowed to attend kindergarten at a public school in Hawaii. However, a child who turns five years of age between, and including, August 2, 2011, and December 31, 2011, can officially attend junior kindergarten at a public school in Hawaii. Also based on current state law, if August 1, 2012, is the start of the 2012-2013 school year, and is also the first day of instruction, then a child who will be at least five years of age on August 1, 2012, will be allowed to attend kindergarten at a public school in Hawaii. A child who turns five years of age on August 2, 2012, however, will not be allowed to attend kindergarten at a public school in Hawaii. Again, it would appear that the child who turns five between, and including, August 2, 2012, and December 31, 2012, would be eligible to enroll in junior kindergarten.

Please contact me at 586-8455 if you have any questions. I look forward to hearing from you.

With warmest aloha

K. Mark Takai
K. Mark Takai
State Representative
3rd House District

KMT: omo

Letter to the Honorable David Louie
November 18, 2011
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Some cite that word "may" contained in section 302A-411(c), HRS, as a reason that DOE no longer needs to provide junior kindergarten as an option for parents. Specifically, section 302A-411(c) states:

"(c) Beginning with the 2004-2005 school year, a child who will be at least five years of age on or before December 31 of the school year may attend a public school kindergarten. Beginning with the 2006-2007 school year, a child who will be at least five years of age on or before August 1 of the school year may attend a public school kindergarten. Beginning with the 2006-2007 school year, a child who will be at least five years of age after August 1 and before January 1 of the school year may attend a public school junior kindergarten. Beginning with the 2013-2014 school year, a child who will be at least five years of age on the first day of instruction may attend a public school kindergarten."

However, it is my belief that, as used in this subsection, the word "may" is applicable to the parent of a child and is intended to provide the greatest flexibility to a parent in determining their child's early educational needs and whether or not they want their child enrolled in kindergarten or junior kindergarten. Dependent upon when a child attains the age of five, a parent "may" choose to enroll their child in either a kindergarten or a junior kindergarten at a public school in Hawaii.

I've been a long-time advocate of requiring children to be five years old prior to the start of their kindergarten year. I've also been a long-time advocate for junior kindergarten programs that provide for adequate educational services for children who turn five after the start of school and before January 1. The problem with the Junior Kindergarten Program is that only one-third of the schools in the state followed state law and adopted some variation of the Junior Kindergarten Program.

The purpose of this letter is to formally request an opinion from your office regarding this issue. Can you please provide an opinion on whether DOE can eliminate the Junior Kindergarten Program with the start of the 2013-2014 school year? Your opinion on this issue alone is of great importance to approximately 5,000 Hawaii families with children who will turn five after the 2013-2014 school year starts and before January 1, 2014.

Additionally, I request your opinion, based on current state law, on whether a child who doesn't turn five by the start of the 2013-2014 school year can be allowed to attend kindergarten in 2013. This opinion is necessary if junior kindergarten is still a legal option in 2013. Your decision on this issue may affect member states of the Interstate Compact on Educational Opportunity for Military Children since a four-year-old child being accepted into kindergarten in Hawaii will need to be recognized by mainland school districts if the family relocates to another state.

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NEIL ASHCROFT
GOVERNOR

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
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DAVID M. LOUIE
ATTORNEY GENERAL
RUSSELL A. SUZUKI
FIRST DEPUTY ATTORNEY GENERAL

DEC 27 2011

December 14, 2011

Hon. K. Mark Takai
State Rep., 34th House Dist.
State Capitol, Rm. 305
Honolulu, Hawaii 96813

Dear Representative Takai:

This responds to your letter to the Attorney General dated November 18, 2011 requesting advice from the Department of the Attorney General (the "Department") as to the Hawaii Department of Education's ("DOE") obligation to provide both a Kindergarten Program and a Junior Kindergarten Program, and the age requirements for entry into the programs, as required under section 302A-411, Hawaii Revised Statutes ("HRS"), as amended by Senate Bill 2068 SD2 HD1 CD1, enacted as Act 183, Session Laws of Hawaii 2010 ("Act 183").

I. Questions Presented:

- (1) Whether the DOE can eliminate the Junior Kindergarten Program beginning with the start of the 2013-2014 school year?
- (2) Assuming the DOE must continue providing the Junior Kindergarten Program after the start of the 2013-2014 school year, can a child who is not yet age five by the start of the 2013-2014 school year attend kindergarten?
- (3) Whether a child who turns five after August 1, 2011, but before January 1, 2012, can attend a public school in Hawaii as a Kindergartener? Similarly, can a child who turns five after

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August 1, 2012, but before January 1, 2013,
attend Kindergarten?

II. Analysis and Advice:

We present you with the following advice based on our review and analysis of HRS Chapter 302A and Act 183.

Question 1

In answer to question 1, it is the Department's position that Act 183 does not permit the DOE to eliminate the Junior Kindergarten Program beginning with the start of the 2013-2014 school year.

Prior to the enactment of Act 183, HRS section 302A-411(c) read as follows:

Beginning with the 2004-2005 school year, a child who will be at least five years of age on or before December 31 of the school year may attend a public school kindergarten. Beginning with the 2006-2007 school year, a child who will be at least five years of age on or before August 1 of the school year may attend a public school kindergarten. Beginning with the 2006-2007 school year, a child who will be at least five years of age after August 1 and before January 1 of the school year may attend a public school junior kindergarten.

Thus, beginning with the 2006-2007 school year, children who were age five by August 1 have the option of attending public school kindergarten, whereas later born children who are going to turn five in the first-half of the school year have the option of attending public school junior kindergarten. Children turning five on or after January 1 of the school year have to wait until the following school year to begin kindergarten.

Act 183 amended HRS section 302A-411(c) by adding the following sentence at the end of the above-quoted paragraph

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regarding the age requirement for regular kindergarten starting with the 2013-2014 school year:

Beginning with the 2013-2014 school year, a child who will be at least five years of age on the first day of instruction may attend a public school kindergarten.

The amendment is silent as to junior kindergarten. The amendment also uses "the first day of instruction," as opposed to "August 1," as the cut-off date for eligibility.

At the outset, we do not read the statute as allowing a parent to choose between kindergarten and junior kindergarten. If the Legislature intended to give parents such a choice, the statute would have simply provided that any child who turns five prior to January 1 of the school year can choose to be placed in either program. Instead, the statute provides quite clearly that children who want to attend public school and who are five by August 1 (for school years 2006-2007 through 2012-2013), or by the first day of instruction (beginning with the 2013-2014 school year), are placed in kindergarten, whereas children who turn five after August 1, or after the first day of instruction as applicable, but before January 1 are placed into junior kindergarten. There is nothing in the statute that gives parents the right to choose which program to have their child placed in. Thus, a student that is five by August 1 (for school years 2006-2007 through 2012-2013), or by the first day of instruction (beginning with the 2013-2014 school year), cannot choose to be placed in junior kindergarten, and an eligible student who is still four years old on August 1, or on the first day of instruction as applicable, cannot choose to be placed in regular kindergarten. Such an interpretation makes sense since the obvious aim of the statute is to help the later born students, who may not be as developmentally ready as their earlier born peers, succeed in school. Accordingly, the parents of eligible but late born children, born after August 1 (for school years 2006-2007 through 2012-2013), or after the first day of instruction (beginning with the 2013-2014 school year), but before January 1, have the choice to either start their child in junior kindergarten,

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or wait until the following school year when the child will be five at the beginning of the school year and more ready for regular kindergarten.

We do, however, agree with you that the statute does not permit the DOE to eliminate the Junior Kindergarten Program beginning with the start of the 2013-2014 school year. While the statute, as amended, is silent as to junior kindergarten starting in 2013-2014 school year, there is clearly nothing in the statute authorizing the DOE to eliminate the Junior Kindergarten Program. To the contrary, and as you have pointed out, HRS sections 302A-411(a) and (b), which were unaffected by Act 183, expressly requires the DOE to provide both kindergarten and junior kindergarten.

Furthermore, HRS section 302A-411(c) continues to provide that:

Beginning with the 2006-2007 school year, a child who will be at least five years of age after August 1 and before January 1 of the school year may attend a public school junior kindergarten.

Act 183 did not affect this language and so it continues to be controlling with regard to junior kindergarten. Therefore, it is the Department's position that HRS section 302A-411, as amended by Act 183, does not permit the DOE to eliminate the Junior Kindergarten Program beginning with the start of the 2013-2014 school year.

Question 2

As noted above, it is the Department's position that the DOE is required to continue providing the Junior Kindergarten Program after the start of the 2013-2014 school year. It is also the Department's position that if a parent wants to have their child attend public school in the 2013-2014 school year, and if the child is not age five by the first day of instruction, but will turn 5 by January 1, the child will be placed in junior kindergarten. There is no option for a four year old to choose to be placed in

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kindergarten. If the parent wishes to wait until the following school year when the child will be eligible for regular kindergarten, the parent has every right to do so.

Question 3

The same analysis for answer to "Question 2" above applies here. A child who turns five after August 1, but before January 1, 2012, can attend a public school in Hawaii, but only as a junior kindergartener. Similarly, a child who turns five after August 1, 2012, but before January 1, 2013, can attend public school only as a junior kindergartener. Again, regular kindergarten is not an option for eligible students who are still age four at the beginning of the school year. These younger students must be placed in junior kindergarten because of the assumption that they may not be as developmentally ready for school as their older peers. However, if the assumption is proven wrong for a given student who does well in junior kindergarten, that student can be promoted to first grade like any other regular kindergartener. See HRS 302A-411(b).

We hope this letter adequately addresses the questions raised in your November 18, 2011 letter. Please do not hesitate to contact me should you have any further questions.

Very truly yours,

Gary S. Sugauma
for Gary S. Sugauma
Deputy Attorney General

APPROVED:

David M. Louie

David M. Louie
Attorney General

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Representative Giugni 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. 2545, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1663-12) recommending that S.B. No. 2804, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2804, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Jordan rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. May I have a ruling on a potential conflict of interest? I currently sit as an alternate on this particular Interagency Council for Homelessness," and the Chair ruled, "no conflict."

Representative Jordan continued to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I would like to note my reservations, and a few comments, please. I am objecting to Section 7 of this particular measure, and hopefully as it moves into Conference, we will be able to discuss that issue in this measure, and support this measure from the Administration. Thank you, very much."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, I rise in support. Mr. Speaker, in 2011, the homeless population in the State of Hawaii was approximately 7,000. I've got a rhetorical question for you Mr. Speaker. Have we been efficient in addressing homelessness in our State?"

Speaker Say: "Yes, we have."

Representative Mizuno continued, stating:

"Rhetorical question. A good political answer. I would beg to differ. Mr. Speaker, I've got another question. Will we end homelessness in Hawaii? And, before you answer, I can share the answer. I know you're pretty fast at the draw, Mr. Speaker. But, the prior State Coordinator on Homelessness had said this on numerous occasions, that we will end homelessness in the State of Hawaii. It would be politically incorrect to say 'No, we wouldn't.' And the answer is, no. No, we will not end homelessness in the State of Hawaii. In fact, we can come back 20 years from now, and we'll still have homelessness in the State of Hawaii.

"The correct answer is, will we substantially reduce homelessness? And will we be efficient and effective in addressing homelessness? That answer is, Yes. Yes, we can. We're not doing it right now. Why, Mr. Speaker? I give the non-profits, the advocates, State, fed and county agencies, an 'A' on effort. I give them a 'D' on their end game.

"There's no end game. Mr. Speaker, there are a buckshot of services. Everyone is trying to do the right thing, but they lack one thing. One word. I can sum it up. It's complex, but it's a simple answer. Coordination. We're not coordinated.

"Mr. Speaker, when we have the federal government, the State, county, the non-profits, the churches, faith-based organizations, and businesses, all come to the table and work as one, we will be very effective. And we will substantially reduce homelessness. Until we get to that point though, we're not doing a good job. That's why I support this measure. 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. 2804, SD 2, HD 2, entitled: "A

BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1664-12) recommending that S.B. No. 2568, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2568, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"On Stand. Com. No. 1664, it's the Homeless Return to Home Program appropriation. And while it's been changed now to 'permits' rather than 'requires', as I said earlier, we don't want to be known as a place where crime pays. But then you have to start to wonder, 'Gee, does it pay to be homeless?' Because if there's no way to, and I don't see there's any foreseeable way, to double check that these people who we want to send back home, won't just get back on a plane and come back.

"This could become a great system for sabbatical. I'm sorry, Mr. Speaker. Where one state is paying for them, maybe, to get over here. And then we are paying for them to go back. There's got to be a better way to have a process by which we don't have people take advantage of this. Thank you."

Representative Jordan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Although there are a lot of doubts or even ridicule to this measure of returning homeless to the mainland, I feel that this is one tool that we need to explore and implement. There are over 7,000 homeless people in Hawaii. And some of us want to hang on to every homeless person here in Hawaii, because it offers federal funding, State funding, and all kinds of funding, that it now becomes one source of livelihood to certain people, whether it be mental health or outreach services.

"That is not right to the taxpayer, Mr. Speaker. There is beauty to this bill. Every un-housed, homeless person takes away over \$35,000 a year. Mental health services cost about \$2,897 a month. And that doesn't include if they ever get sick.

"This bill doesn't mandate anybody to go back to the mainland. It is only, for those who want to go back, that have been stranded to our islands. We are surrounded by water, Mr. Speaker. It's not like the mainland, where you can take a bus, a Greyhound, and go somewhere. It costs a lot of money to go there. But, it only costs about \$400 to fly to the West Coast. However, it's costing our State over \$6,000 a month, on a good day. Not to mention if they ever get incarcerated or hospitalized.

"There are checks and balances in here, and I trust the people that will implement this, that they will do the right thing. This is not going to be a sabbatical. You have to be homeless. If it costs you to be in a homeless shelter to have a sabbatical, I don't think so, Mr. Speaker. I think this appropriation would be for the best use for those people who really need to be re-united with their families. It's a good bill, Mr. Speaker, and we need to reduce the number of homeless population in this State. Thank you, very much."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose to speak in support of the measure with reservations, stating:

"With reservations, and a brief comment. The Chair of Human Services said, the one thing missing in homelessness, and why it will last forever and ever, is coordination. I would say, Mr. Speaker, there is one proven solution to homelessness, and that's the family. Family is the best homelessness cure. And this nudges up, gets close to, suggestively, if you re-unite families, you've got a chance at it.

"So with that reservation, I think it's worthy experimenting with, piloting, see if it works, because re-uniting with the family, and the reason why there's so many homeless is because they've broken off those relationships. Hardened relationships have cast them out, either if there is drug use or other arguments that have ensued. And we've got to do something to bring that family back together. This is a gesture in that direction. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in support. Mr. Speaker, this bill is a pretty simple bill. The concept is relatively easy to understand. We're returning homeless. Let me break it down in three simple steps. We are reducing homelessness in the State of Hawaii, Step 1.

"Step 2, we are protecting our finite resources for local homeless. Why has that become an issue? Because approximately 30% of our homeless population is from the mainland, or out of our country. Compact citizens – Marshall Islands, Pohnpei, Chuuk, the State of Micronesia.

"Third, we ensure that these individuals will go to a home. A support system, a strong support system, as was suggested by the Minority Leader. Three simple points.

"On July 2, 2010, we sent our first homeless person through this program back to Seattle, Washington. Gregory Reece. He came over here on a job offer that fell through, and his father who had lung cancer couldn't afford a ticket back home for this young man. We sent him back.

"Mr. Speaker, since July 2 of 2010, we have sent back 16, 16 individuals. And not one has returned to Hawaii. Not one has abused this program, this system. And the State has not paid one cent for this program. It's all volunteers.

"Mr. Speaker, I'd like to highlight a story of a homeless mother and daughter, homeless daughter. Because I think it displays the intent of this measure. You see, in May of 2010, a 32 year old female from Houston, Texas, found her way in Honolulu, Hawaii. It was a traumatic experience, and we didn't really question her. We thought she may have been trafficked. She suffers from an intellectual disability, Mr. Speaker.

"Because of the fine work from Honolulu Police Detective Erick Tanuvasa, he befriended this woman. And after talking to her, he looked her up on the missing persons registry. He was able to ascertain that she was from Houston, Texas, and he contacted Yughette's mother. Her mother, Cheryl Walter, who used all her disability pay to fly out to Hawaii to get her daughter back. In doing so, Mr. Speaker, Cheryl Walter became broke. She didn't have any money to pay even for her change of flight fee. They didn't have money to get Yughette, her daughter, back to Houston, Texas.

"I shared this with the Chair of Housing, and we put a public plea out. Hawaii News Now I believe, sent it out an hour after we put it to the press, and within 45 minutes we had two callers willing to donate for the entire flight home. It was a success story. Mr. Speaker, I don't think I would do justice to Cheryl Walter, or to her daughter Yughette, if I tried to display in words the heartfelt thanks of Cheryl Walter. And so if I may, I'm going to share with you a brief statement by the mom, Cheryl Walter, who stated:

I was willing to become homeless to be with my daughter. I have no regret using my entire disability pay to come to Hawaii to find my daughter. I couldn't eat while thinking my baby is without food or shelter. I think what I did would be what any mother would do for their baby.

Yughette is ready to come home after this most difficult ordeal. I have used up all my money finding my daughter and staying in Hawaii this past week. Therefore, words can never display my heartfelt thanks to the people of Hawaii for their kind generosity in purchasing the one way ticket for my daughter, and for covering my change of flight fee.

When I searched for my daughter, I met so many homeless children. I realized their families should come for them like I have for my daughter. I am so excited about going home with Yughette that I couldn't sleep last night.

"Mr. Speaker, this is how we effectively address homeless in our State. One person at a time. One family at a time. One community at a time."

Representative Tsuji rose to yield his time, and the Chair "so ordered."

Representative Mizuno continued, stating:

"Again, Mr. Speaker, 16 individuals have gone back and reunited with families. Not one has come back. And we've made sure that each family was willing to accept that homeless individual, to offer them a solid support system where they can go to school or get employment. That's why this works. For those reasons, I support this measure. Thank you, Mr. Speaker."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker, I think it's necessary for me to clarify. I am in support of this. I've supported the Representative from Ewa on this in years past. So again, I think that's wonderful, and I applaud the Chair of Human Services for his accomplishments. It's wonderful. And it's absolutely true. One person at a time. Each one is unique. Each one is an individual. Different types of reasons for being homeless. So it's just the slight reservations that, should this someday be abused, it would not be a good reflection."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2568, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Keith-Agaran voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1665-12) recommending that S.B. No. 3025, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3025, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Morikawa rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morikawa's written remarks are as follows:

"The County of Kauai is a political subdivision of the State of Hawai'i and subject to State and federal fair housing laws; affordable housing required by zoning ordinances pursuant to HRS 205 (State Land Use Law) and Ordinance No. 860 (the Housing Policy for the County of Kaua'i) is to be for the general welfare of its citizens – all citizens; the proposed bill would allow that housing to be assigned to a specific racial subset on request; if this resulted in the majority of affordable housing being built on DHHL lands, this would expose the County to potential litigation under the federal fair housing laws. Open-ended/unlimited – credits can be requested for all existing (past) and future (planned) DHHL projects – no completion or construction is required prior to the date of the bill's repeal.

"This bill allows ALL affordable housing required by County law for development to be requested by DHHL, and the County would have to comply. This would also allow any developer to satisfy ALL of its required affordable housing on DHHL lands, not in proximity to the development or its impact – for example, a North Shore developer could end up providing all its affordable housing in Kekaha rather than in the

Hanalei District (For its Lihue development, a developer built over 600 units for affordable sale in Lihue/Puhi – what if these had all been committed to Anahola instead?) The bill allows application of affordable housing credits to DHHL developments regardless of income qualification of lessee households.

"The bill if enacted would have the effect of undermining the Housing Policy Ordinances of all counties, in that it would separate the "nexus" (legally required connection) of the impact of the market development on the availability of affordable and workforce homes in the area. This bill would have the potential for significantly reducing the availability of affordable homes for households in the 80%-140% Kaua'i median income."

Representative Kawakami 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. 3025, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1666-12) recommending that S.B. No. 2737, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2737, SD 1, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Marumoto 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. 2737, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1669-12) recommending that S.B. No. 2941, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2941, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise with enthusiasm and support, and written comments, except for a couple of brief introductory notions. Mr. Speaker, there is a section in this bill that is all about our future. It's about aerospace. I've said many times on this Floor, NASA is in love with Hawaii. NASA is in love with the Big Island. There's no closer simulation of any planet, or Mars, or the Moon than we have on Mauna Kea. That is a gold mine in terms of the lunar research park that will be put there. The high-paying jobs, the complementary of University of Hawaii, good futures for not only our children, but for attracting people such as Google, for the aerospace industry, NASA, and for a lot of those and Lockheed, and other places.

"Mr. Speaker, this is a win-win. This is a job creator. This is really the future of diversifying our economy, and quite frankly, the private sector is now left with the ball that basically NASA has been taken out of the public sector, and has cancelled all of its future space exploration. The ball is in our court. Mr. Speaker, I appreciated being in your office, and meeting with the Lieutenant Governor from Alaska who basically said this. Hawaii is known throughout the nation, as well as the world for what it's doing in space exploration. A lot of our colleagues may not know that what we're doing, even though it's small, is exceptional in terms of all the other states.

"But Mr. Speaker, he said this. And it was very compelling. That we almost are compelled to stand up to the plate to do what we're doing, with the Big Island, for space, for the sake of the nation, and for the sake of the

world. That was rather compelling, that the Lieutenant Governor said. So for those reasons, I'll submit the rest in writing. Thank you."

Representative Ward's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in strong support of this measure.

"This bill, among other things, authorizes the establishment of aerospace high technology enterprise zones and aerospace high technology parks. The establishment of aerospace high technology enterprise zones including an aerospace pilot program will help boost the economy overall and especially in related sectors and industries.

"The zones allow 'qualified businesses' to receive tax credits and may be exempt from GET and use taxes. The benefits of the zones and parks should help attract aerospace and lunar transportation companies and other related industries. Many of these companies would be high technology and research and development based meaning attractive, high quality, and high paying jobs that could reward talented Hawaii residents.

"A park on the island of Hawaii would also benefit UH Hilo by offering educational and career opportunities to students and creating an influx of research dollars through its proximity to the school.

"The bill would help PISCES and in turn its proposed International Lunar Research Park. This park is intended to attract companies from the aerospace, technology, and energy industries along with capital investment. The lunar park will boost the number of high technology and high paying jobs. The use and expansion of the park will also benefit the service and support industries and possibly the tourism industry in Hawaii.

"The park has already received extensive national and international interest including space agencies, NASA, Google Lunar X-Prize foundation, and other groups and companies from the aerospace and technology industries. The zones and park will also place Hawaii in position to take advantage of the future of the aerospace industry.

"In the lunar park aerospace companies may take advantage of the unique landscape in Hawaii that allows them to test and develop automation, robotics, and other aerospace related equipment and technology. These new technological developments will help drive the industry.

"Space tourism is still in its infancy but is also a possibility in the future for Hawaii. There is also a resolution this year that encourages the state to propose to the FAA to be selected as a site for unmanned aircraft testing.

"I appreciate the opportunity to express my views and voice my support for this bill. Thank you, Mr. Speaker."

Representative Choy rose to speak in support of the measure, stating:

"Thank you Mr. Speaker in strong support. You know, 4 years ago when I first came here, I didn't even believe in this aerospace to high technology, economic diversification. But my good Chair had educated me, and as the Minority Leader said, and as my good Chair led, this particular initiative is very, very important for Hawaii. And it has to do with location.

"Location, location, location. And we do have the best location for this particular project. We are in competition with other states. But because of our location, we are poised to take a leadership role in aerospace. And I'm really, really in support of this particular bill. Thank you, Mr. Speaker."

Representative M. Lee rose in support of the measure and asked that her written remarks and the remarks of Representative Choy be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 2941 – Relating to High Technology.

"I rise in support. This bill allows an aerospace high technology park in the agricultural district and designates pilot aerospace high tech enterprise zones in Hawaii County. When dealing with aerospace issues, location is paramount. Hawaii Island has areas much like the moon which will be helpful to the development of this niche industry which can do so much for Hawaii's future. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2941, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 51 ayes.

At 4:57 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2545, SD 2, HD 2
S.B. No. 2804, SD 2, HD 2
S.B. No. 2568, HD 2
S.B. No. 3025, SD 2, HD 2
S.B. No. 2737, SD 1, HD 2
S.B. No. 2941, SD 2, HD 2

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1671-12) recommending that S.B. No. 2030, SD 2, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2030, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads 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. 2030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1672-12) recommending that S.B. No. 2235, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2235, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just note my reservations. I'd like to point to the testimony of the Chair of the Public Utilities Commission that has grave concerns regarding the inadvertent consequences of this measure on health and safety issues. Thank you."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I think the Representative from Upcountry, Maui has made a lot of compelling arguments on measures that are similar to this, and I'm persuaded by them. The only thing that I am concerned by is any governmental process that has an automatic action irrespective of the number of days. Thank you."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Lee rose in support of the measure with reservations and asked her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations of Senate Bill 2235 – Relating to Communications Technology.

"I rise with reservations. Although in principle this bill has a good purpose, my community of Mililani has concerns about any and all antennas introduced or modified and wants to have a voice in approval. Concerns voiced have been disruption view planes, noise such as humming, and unresolved health issues. Mainly, the community really wants to have a voice in placement and use of broadband structures. Perhaps more education on the value of such technology would result in better understanding of the need."

Representative Wooley rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wooley's written remarks are as follows:

"If SB 2235 becomes law, it will require the State and counties to approve, approve with modification, or disapprove all broadband-related permits within sixty business days. Such mandated deadlines result in inappropriate approvals and inadequate projects reviews and for that reason I do not fully support the passage of SB 2235."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise with reservations to this measure. This bill requires the State and county to decide and act upon a broadband related permit within 60 days of the application submission. If not decided upon, the permit will receive automatic approval.

"While I am afraid of the aesthetic sore that these broadband works and utility poles may cause, that isn't the only problem I have with this bill.

"I feel the Sierra Club, Hawaii Chapter, said it quite well in testimony against HB 2325 HD1 [House bill almost identical to the Senate bill]. 'The 'automatic approval' of any project is simply poor policy. Permits should be granted on their merits, not by mistake or government inefficiency. No community should suffer because government failed to perform.' I wholeheartedly agree with this view of the process. Why should people, our community, suffer because the government failed to act? Why should our community be at the mercy of a time restriction when what is decided could have a sizeable impact? What happens when there is a time limit on the automatic approval process? What is the result if the State drags their feet, purposely or not? Poor choices, poor results, and adverse effects on our people and community.

"Why should government be, in a way, rewarded for inefficiency, failure to act, or for unscrupulous purposeful delays? Shouldn't we, as Representatives, err on the side of caution and protect those we serve? Shouldn't we be looking out for what they want and not creating shortcuts for the government?

"We should remember; there is a means to the process; it isn't just about the ends. I appreciate the opportunity to express my concerns and to voice my reservations to this measure. 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. 2235, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS

TECHNOLOGY," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Fontaine, Riviere, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1673-12) recommending that S.B. No. 2958, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2958, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1676-12) recommending that S.B. No. 2434, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2434, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I rise in support with reservations. When this proposal came up to create the Hawaii Health Insurance Exchange, I supported it. And I guess at this time I would like to request a ruling on a potential conflict. I sell health insurance," and the Chair ruled, "no conflict."

Representative Takai continued to speak in support of the measure with reservations, stating:

"Thank you, very much. As you know, I sell health insurance. Some people have said that it's crazy that I supported the creation of this because it's really going to put people like me out of business. And the reason why they said that is because we're creating our own Health Insurance Exchange to address the 100,000 or so uninsured residents who can't afford health insurance currently. And I support that, and I continue to support it.

"Unfortunately, we've been receiving some emails to the effect that what we have created is actually pushing the discussion, deliberations and decisions of this Exchange towards the insurers. And I think they raise a great point. They mentioned that the interest of Hawaii's consumers are not being served when there are insurers on the Exchange Board and they are allowed to vote on decisions involving setting up the health insurance marketplace for these particular consumers. And again, these are consumers that right now, can't afford current health insurance.

"They are concerned, and I agree, about the inherent conflicts, financial conflicts of interest, and the lack of transparency and accountability to the public as it relates to how we created the Insurance Exchange Commission. So as we move forward, and I know this bill is ready for final passage if the Senate agrees, and it'll go straight up to the Governor. But if this does go into Conference and we have an opportunity to further review the makeup of this Insurance Exchange, I would hope that we would keep these concerns in mind as we move forward. Thank you."

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition of S.B. 2434 SD1 HD3 – Relating to the Hawaii Health Insurance Exchange, which requires the Hawaii Health Connector to conduct an assessment before establishing a program to serve the individual and the small group markets. It establishes a navigator program and clarifies the conduct of board meetings. It also establishes staggered terms for board members and clarifies board compositions and the role of the Department of Human Services in determining Medicaid eligibility.

"Chapter 414D limits navigators to nonprofit entities and excludes trade, industry, and professional organizations that can conduct navigators. Thank you."

Representative Fontaine 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 Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on SB 2434 regarding the Hawaii Health Insurance Exchange. Regarding the Hawaii Health Connector program, I honor the intent of the measure to streamline the process of comparing and purchasing health insurance. However, I am concerned about the financial sustainability of the Hawaii Health Connector program, particularly because the grant that is being used to fund this endeavor expires in 2014 and there are no guarantees of renewal.

"I do recognize and honor the provisions in the measure designed to increase transparency for the Hawaii Health Connector Board's public meetings, notices and records. Organizations such as the AARP brought up their concerns with potential conflicts of interest pertaining to the makeup of the Health Hawaii Connector board, mainly the inclusion employees of health insurance providers on the board, which would be a direct conflict of interest as the board should be aimed at reducing consumer insurance rates while the employee would be looking at increasing costs and profits for his employer.

"These concerns were somewhat addressed in revisions made by the House, however, I still have concerns about the Board working to overcome significant hurdles with regards to transparency and accountability to the public, as they are funded by State revenue, but operate almost semi-autonomously and with limited transparency to the public. For these reasons, I stand in support with reservations on this measure."

Representative Marumoto 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. 2434, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ching, Marumoto and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1678-12) recommending that S.B. No. 2424, SD 2, HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2424, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Although I stand behind the intentions of S.B. 2424, please allow me to express my reservations on several

components of the bill. S.B. 2424 adds powers and duties to the Director of Labor and Industrial Relations regarding the registration and regulation of professional employer organizations. It authorizes various penalties for noncompliance, amends definitions and bond level requirements, and establishes the professional employer organization special fund.

"I support the overall direction of this bill, as it streamlines operations for simplified administration, by combining two separate chapters in the Hawaii Revised Statutes relating to professional employer organizations. As noted by the Department of Labor and Industrial Relations, it proposes single fees, rather than initial registration fees and biennial renewal fees. Divided fees open chaotic loopholes, whereby entities could avoid paying graduated renewal fees by changing their corporate name to pay a much lower new registration fee. Furthermore, concentrating oversight into a single organization increases accountability, to ensure a more orchestrated – and diligent – regulatory process.

"Nevertheless, let us proceed with caution. Proposed registration requirements could serve as effective barriers to new entrants in the market, so we should keep in mind DLIR's ameliorating amendments. Furthermore, if we are to empower a new fund, we must recall – as the Tax Foundation of Hawaii elucidates – that the creation of numerous special funds in the past has eroded the integrity of state finances: 'Moneys in special funds are neither subject to the general fund expenditure limitation nor to the close scrutiny that general funds are subject to in the budgeting process. Special funds that earmark general fund revenues cannot be justified as they restrict budget flexibility, create inefficiencies, and lessen accountability. Further, as evidenced by recent legislative sessions, special funds have been raided in the search for additional revenues.'

"In realizing S.B. 2424, we must guard our initial intention to streamline and simplify administrative processes. We must not, in seeking accountability, apply provisions that cripple processes extant. Thank you."

Representative Fontaine 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. 2424, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1679-12) recommending that S.B. No. 2671, SD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2671, SD 1, pass Third Reading, seconded by Representative Evans.

Representative Fontaine 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. 2671, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

At 5:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2030, SD 2, HD 1
S.B. No. 2235, SD 2, HD 2
S.B. No. 2958, SD 2, HD 2
S.B. No. 2434, SD 1, HD 3
S.B. No. 2424, SD 2, HD 2
S.B. No. 2671, SD 1

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1683-12) recommending that S.B. No. 755, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 755, SD 2, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Rhoads 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."

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising to speak against Senate Bill 755. Mr. Speaker, this bill has been portrayed by a Pritchett cartoon titled, *Damn the Environmental Laws, Full Speed Ahead*. And basically I think that what he has done with a single cartoon is capture exactly what this bill does.

"You take a look at the Committee Report, which is very well written. I have to give credit to the Vice Chair of Water Land, who I understand was the principal author of the Committee Report. And it goes on about how the purpose of the bill is to promote economic development by temporarily removing regulatory restrictions. Regulatory restrictions refer to environmental laws. To the expeditious construction of certain State and county projects. In other words, those pesky environmental laws get in the way of moving ahead with State and county projects, so let's temporarily, for about a 5 year period, set them aside.

"And then the Committee Report goes on and talks about how, don't worry about it, because there are federal laws, basically, that cover all of these different areas. And it goes through and lists them all. The National Environmental Policy Act, NEPA. Federal EIS, FAA permits, etc. Federal Clean Water Act, Clean Air Act, Federal Water Pollution. It goes on and it lists them. Federal National Historic Preservation Act, Federal Marine Mammal Protection Act, etc., etc. It goes on and lists in detail, all of the different federal laws that really are going to cover these projects that are then going to be exempt from State law.

"But actually, the federal laws don't cover everything that Chapter 343 does, which is our Environmental Impact Statement law. They don't cover everything that Chapter 343 does. And basically, they only cover projects with federal funds. Now, we don't always do things on a State and county level with federal funds. So when you're talking about State projects without federal funds, then we're exempting those from environmental protection. And yet the federal laws won't come in and cover those projects.

"In addition, your federal, and this I believe that our Big Island Representative will care very much about this, as will others in this Body. The federal laws are weak on cultural issues. Our State laws aren't. Because they're particular to Hawaii, and we realize the importance of cultural issues.

"There isn't duplication, Mr. Speaker. So when you talk about pesky environmental laws, the Committee Report seems to make it sound as if everything is in duplicate. Why do we have to have it in duplicate? Why can't we just eliminate the State portions?

"The Committee Report seems to appear to say, it's all duplication, so we don't really need it. Well I've explained to you, if it's a State project without federal funds, then we're not talking about federal law that will come into play.

"But you don't have to do things twice. There's certainly the way that the agencies have worked together to make sure that you don't have the duplication. There's another issue that is of great trouble. And that's when you turn to Part 5, to temporarily authorize a streamlined process for exempting State projects from Chapter 343. That issue, that bill, was never

heard in the Senate, to my knowledge. And yet it is coming forth here in Part 5 of the bill."

Representative Johanson rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Mr. Speaker, it's a bill that says basically as Pritchett put it in his cartoon, *Damn the Environmental Laws, Full Speed Ahead*. And then it shows some legislators sitting in the boat that is titled, S.B. 755. The legislators are saying, 'We're exempt. Rules are for others,' as the boat goes moving ahead.

"It's an amazing bill, Mr. Speaker, that captures all of the exemptions in one vehicle. And then in a Standing Committee Report, and thank you for the correction. In the Standing Committee Report, it tries to justify in 9 pages, saying it's duplication. You don't need it. It's all taken care of. It's taken care of by other laws. Well, that's incorrect. And then the basic issue is, do we want to exempt State and county projects from the SMA, the Special Management Area, and from Chapter 343?

"And what is the justification for doing that? If it's just a valid thing to do, why are we only doing it for 5 years? Why don't we say instead, 'Okay, 30 years ago, and 37 years ago, those two laws were put into place.' If we're finding them to be inconvenient, why don't we just eliminate them? Why this 5 year hiatus? Why not just say, 'Humph. Too much trouble. Too much problem. Get rid of 343. Get rid of the SMA, Special Management Area, and let's let the projects just go ahead. We won't have a 5 year hiatus. We'll have forever.'

"And then as to the cultural analysis that we like to have go on in our State. That's an inconvenience. Just eliminate that requirement. And basically this is what the bill does. Damn the environmental laws. Full speed ahead. And I think that that should be the revised title of the bill, Mr. Speaker. Thank you."

Representative Kawakami rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, I feel compelled to read from a recent report, *Construction - Neighbor Islands Continue to Slide, Oahu Improves*.

Neighbor island construction continues to slide with no relief in sight. In December it was nearly 13% lower than the prior year with the greatest weakness on Maui. The UHERO economic team said it will present more detailed picture in their forthcoming 'Hawaii Construction Forecast.'

Public Construction Contracts Down 67%

Perhaps the darkest news from the building trades came from public sector where public contracts awarded for the first three quarters were off a staggering 67%.

"Furthermore, Mr. Speaker, DBEDT reports of the first quarter in 2012, a report on county economic conditions, reported that unemployment went up in all counties except Maui. However, listen to this. Hawaii County lost 500 jobs, 400 of which were in construction. Maui County lost 850 jobs, 350 of which were in construction. Kauai County lost 450 jobs, 150 of which were in construction. As far as unemployment benefits that were being claimed for the State of Hawaii, the highest percentage, at 28.2% of all of those claims, came from construction. 3,867 construction workers, not able to put food on their tables for their families.

"Just recently, Mr. Speaker, at the end of last Session, you gave the Freshmen an assignment. You told us that we'd been gone. Go back home. Reestablish yourselves with your community. And go and talk to the people. And we have. I have been invited to some Christmas fellowship luncheons with the Building Industry Association, all under \$25. And we met with some of the union officials. And we've heard them. When we asked them, what do you guys need? From the Carpentry Unions, they asked us to look for redundancies, inefficiencies. They asked us to look at

being a more effective government. And they asked us to get them back to work.

"It is heartbreaking. Once you get to the ground level with these people, and you hear their plight. Mr. Speaker, I learned a lot. I learned a lot from going out into the community. From going to my daughter's classroom, and seeing that some of these kids that are children of these unemployed construction workers, not knowing if they are going to eat Saturday and Sunday. So they created backpack programs. Can you imagine that? They have organizations that fill backpacks full of food, because we don't know if these kids are going to eat over the weekend. When we furloughed teachers, people were complaining about the loss of educational time. But for a lot of these unemployed construction workers, they were worried that it's one more meal their kids are not going to get to have during the week.

"I feel very insulted that we are portrayed in that way. That we are portrayed as, damn the environmental laws. That we are portrayed as hating the environment. I love the environment. I'm the one who takes my kids to the beach. I'm the one who takes my kids up *mauka*. A lot of these construction workers are the ones down at the beaches, barbecuing, enjoying the environment that we all love. Would it be fair to be portrayed in a cartoon, the opponents of this bill, with their feet stomped on the unemployed construction workers? That's very unfair. I think it's very inaccurate, and that's where we stand on the bill. And to claim and be proud of that cartoon is something to me, that's just appalling, Mr. Speaker.

"But you know, recently, we got to hear from Director Bill Aila. Why should it take so long to resurface a drag strip on Mana? There are very few things to do on Kauai. One of the most beloved places on Kauai is that Mana Drag Strip. And he posed the question, why should it take so long? An existing drag strip with simple resurfacing.

"Mr. Speaker, we're not asking to just wipe out environmental law. I think we all appreciate the environmental laws that are set. But when people ask us to take a look at redundancies and inefficiencies, that's what we're doing. When people come to us crawling, and saying, please put us back to work. We're tasked with that. So unless you have a solution to get these guys back to work, it's a hard claim to make. And to say that we hate the environment because we are supporters of this bill is like me saying, you guys hate the ..."

Representative Morikawa rose to yield her time, and the Chair "so ordered."

Representative Kawakami continued, stating:

"It's like my saying that you guys hate the construction workers that are unemployed. And I don't believe that. But those claims are very unfair, Mr. Speaker. Thank you."

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support and some comments. Mr. Speaker, in addition to the comments that we just heard from the previous speaker, I'd like to ask if I could have the words of the Representative from Kauai to be my own in the Journal. And furthermore, just to remind this Body that a lot of those people who lost those jobs, have also lost their homes. Thank you."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. I think it's really polarizing to categorize this as a jobs or environment bill. I just think the premise is misguided. Everybody wants to see people get back to work. Everybody wants to see people do well. The economy has not been cooperative. It has been a tough several years. So, likewise as some people are offended by certain comments and insinuations, I don't believe it's fair to say that anybody is supporting people staying out of work.

"There are problems that are fundamentally wrong with this State, as far as the economy, getting people back to work. There is timing. There's

financing constraints. The money markets have dried up. Believe it or not, the financial crisis of several years ago is still reverberating in all aspects. So there's not much money for construction projects.

"As far as the thought of going back and talking to your community, I've got to tell you, I talk to my community all the time. Every two weeks I've got a newsletter, I've got an article in the North Shore news, and people are very, very behind the position that I present on this Floor. There is no question that the public, if the public were aware of this, and if this were coming up for a public vote, it would not pass. There is no question in my mind. There are other elements going on here. There are people that would like to vote no. They might not. And so everybody is going to vote their conscience. I'll grant that everybody will vote as they will.

"I think you cannot avoid a couple of simple facts. This bill does allow the Governor to wave his magic wand and exempt projects. It does exempt SMA permits and shoreline setbacks for certain State government projects. It does exempt all permits and requirements for submerged lands. We've talked about this again, and again throughout the last few months. These are bad policy decisions.

"There are processes for exemptions. And when we write into statute that the Governor may, and just for those people who say, 'Gosh, those guys never read the bill,' I take exception to that. We do read the bills. Here's one. The Governor may establish the list of exemptions without necessity of approval from the Environmental Council, or compliance with the procedures established by the Environmental Council. Or adoption of the rules under Chapter 91.

"The Governor, therefore, has greater awareness of what may or may not constitute environmental impacts. We have an agency for that. That is specifically what they do. They work with agencies. It's called the Office of Environmental Quality Control. They have exception lists. DLNR is often mentioned as an agency having a problem. DLNR has worked with the Office of Environmental Quality Control. They have agency lists. They have lists for fencing that they're going to put up in the watershed. Yes, the exemption list could take up to several months to get, but that list then is useful as guidance for each project as they go along.

"If you build a restroom facility in the middle of Downtown, it may not have much impact. But if you build it in the middle of a marsh, it may have a completely different impact. Somebody should take a look at that. The people that are so opposed to these rules, what I call the heinous omnibus. The people are opposed because we're allowing us to close our eyes. Close our eyes. Don't worry about it. It's going to be fine. The State would never do wrong. Which brings up the other question of, if the laws are so bad, why not just void them and go back?

"So we are at a watershed moment, folks. This is the year where everything turns. On one side, you have what used to be, environmental protection. On one side you've got some arguments to say, 'Let's repeal them.' Everything can use refinement. Streamlining can always be improved. There are processes that are in place, and I just think this is reckless to do this. So thank you all for listening, and please have a nice day."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, I speak very strongly for this measure. To the Members here, this is a very important bill. You've got a lot of people on the bench. Airports need to be improved. DLNR needs to be improved. And at the same time we can protect the environment. There's over 70% of our working people are on the bench. Electricians, labor, carpenters. This bill is to provide a balance, to allow the airport to come up to standards that we can be proud of this airport, as an international airport, which needs much improvement right now. Right away.

"DLNR and the harbors need a lot of improvement. A lot of these structures are falling apart. So let's not talk about delay. Let's get to work right now, Mr. Speaker.

"And may I make another point. There's a certain Member here that has a function at 5:30 and he's going to be late for his function. Thank you, very much."

The Chair then stated:

"Well, I apologize, we're going to go all the way through, and with the exception of the elected official who has a function. He may leave, but he may not be able to cast his vote."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I understand what people are saying when they say, 'Oh we need jobs.' There's a saying the Chinese say. They say, 'When you drink water, remember the source.' It's the key. It's the key. Remember the source, that which gives us our wealth. Our wealth is dependent on our beauty. Everyone knows that. Everyone knows that.

"So what this bill does is it undoes the environmental laws. The health of our people, economy, future, dependant on our natural beauty. And whether it's the ocean, the green space, the historical site that draw the residents and tourists to our State, it is that overall magnificence that makes us unique. It's the source.

"So when you are passing a bill like this, you're allowing open season, open season on the treasures of the land. It becomes then open season on the health of our people. And it infringes on the vitality of all that makes us wealthy, and makes us healthy.

"These environmental laws are not put in place to stop development. They're just there to balance it. Balance. That is also a Chinese concept. Definitely, health by the Chinese philosophy of Chinese medicine is balance. They say you will get unhealthy if there is no balance."

The Chair addressed Representative Ching, stating:

"Representative Ching, I can appreciate your philosophical statements that you are making, but on this particular measure, can you address the different parts."

Representative Ching continued, stating:

"Well, I was just going to quote the Chapter of which this attacks. Because that Chapter talks about, it actually uses the word, balance. And in fact, it's in the same email from the cartoon that the Representative of Kailua said. It actually is a quote. And so that's why I used the term 'balance.' Chapter 343. Economy and environment. And it was those that drafted that Chapter that understood that we always have to keep this unique balance.

"So while I understand, we want our people to get back to work, we have to remember the source that gives us our health, our wealth.

"I wanted to also insert some of the comments, maybe I will not speak so long then, of the Sierra Club. They pointed it out well in your show, Mr. Speaker, that you and Mr. Aila, and Mr. Harris, and the Representative of Waialua were on. I highly encourage all of the House to watch, because I think it brought out the points. But that's what we have to look for. And if we're at a better reputation, perhaps, for business, this also impacts jobs. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition to this bill, as this bill creates exemptions from environmental laws of our natural resources.

"The health of our people, economy and future of this state is necessarily dependent on our natural beauty. Whether it is the ocean, green-open spaces, or the historical sites that draw residents and tourists to our humble state, it is the overall magnificence that makes Hawaii more unique among the rest. When you allow an 'open season' on treasures of the land it then becomes an 'open season' on the health of the people and infringes on the vitality of our tourism industry.

"These environmental laws were not put in place *per se* to stop development, but rather to balance it, and do it intelligently. A Chinese concept of balance teaches us that balance encourages good health and prosperity. The preamble of HRS 343 states that the support of the economy and environment should be balanced.

"May I add the words provided in testimony by the Office of Environmental Quality Control (OEQC) where it is said this bill, "... sets a bad precedent, provides a separate set of rules for the public and private projects, and is not in the best interest of the public or the environment." OEQC also states that there is a current, established procedure which already provides a straight forward, easy to implement exemption list process for actions/projects that are likely to have no or negligible environmental impacts.

"Mr. Speaker, I do not oppose all development; however, I am against thoughtless, brash disregard for the environmental laws that protect our land. We must put forth a concerted effort to remember in part why we love Hawaii – it is the aloha and the beauty.

"As an aside, if our Legislature is eager to get construction employees "off the bench", as a Representative of a historic district, I am curious as to how this Chamber has never passed tax credits for the revitalization of dilapidated areas. Why not encourage vibrant restoration of older structures? Thank you, Mr. Speaker."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. It's 5:30, we've been here a lot of hours. All day. But Mr. Speaker, I have to ask for your forgiveness because I did say I wasn't going to stand up, but I feel compelled to, for the second time.

"I think some of the things that were said earlier, some of the things that were brought up were the counties. I think if you read the bill now, the counties are not part of this bill. And I think what's important to take into consideration is, if the counties were that concerned, why didn't they come and testify? They did not come and testify. In fact, when you talked to them in the Capitol while they were here, they support it. Because they're piled up with work. And if they can't get their projects out in their respective counties, then those jobs are not going to get done, Mr. Speaker.

"So Mr. Speaker, I'd also like to ask a point of information. Can I insert comments from a Representative who hasn't spoken yet?"

Speaker Say: "No."

Representative Tokioka continued, stating:

"Okay. Well then, I'd like to insert the comments as if they were my own from the Representative from Wailuku, North Kauai, and from Hana. Thank you, very much," and the Chair "so ordered." (By reference only.)

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. Mr. Speaker, I just want to take this from a completely different tact, no pun intended. Because to me, that's not what this is about. It's about creating jobs. And that to me actually, really says that this is about, well, we've got to put people back to work. So that's why these rules are being looked at and why we're looking at using the federal rules. That's not what I look at it as.

"What I look at it is trying to find, as the previous Representative spoke about, balance. Because there is an option already for the Governor, Mr. Speaker. It's called the State of Emergency. It's been used before, for things. I found it interesting that the Representative from North Shore talked about a bathroom in a marshland. If you have a State of Emergency proclamation by the Governor, it suspends everything. 4E, 343. And according to the Committee Report, Chapter 343, Cultural Impact Statements will still be required. Under a State of Emergency, no they will not.

"We have a case with the Kahului Airport right now, where it has to be repaved. Now it's been discussed on the Floor before, well they've issued the SMA permits before for the Kahului Airport, so no harm. Well I just got an *ex parte* communication from the Department of Transportation saying that the feds have put us on notice. That if we don't get this project completed in time, they will not encumber the funds. The runway will not be repaired, and that airport will probably get shut down. That would probably invoke a State of Emergency Proclamation which will suspend everything, Mr. Speaker.

"What this seeks to do is to use the federal laws that are in place, to make sure this review takes place. But we can expedite these essential projects, which are for the critical health and safety, Mr. Speaker.

"I want to give you a real world example of, and I have to disagree with the previous statement that the federal laws are weak. This is real world, Mr. Speaker. We have an emergency maintenance dredging project for the Lahaina Harbor, because of sand that has blocked the channel, causing the waves to shoal. We've been put on notice, too, that if a boat cracks up on the channel that they will shut the harbor down. Well, the State wanted to come and do the emergency dredging. And under the current rules, an emergency dredging would be an EA. And because it's maintenance, the existing channel, it wouldn't be required any kind of review or mitigative actions. The feds came in, Fish and Wildlife, and everybody else, and said there will be mitigative actions. Several.

"The first thing they said is, 'You will not re-dump the sand back out in the middle of the ocean. You will take it to a qualified county landfill,' which the State did. The second thing that they said is, 'You will put in silt curtains and other mitigative devices to ensure the water quality is not impeded, and that boat traffic and access to cultural resources in the area will be protected,' Mr. Speaker.

"The contractor for this project has done projects all over the State of Hawaii, and this is what I've found kind of ironic. He said, 'I have never had to go through these kinds of mitigation efforts for a maintenance dredging.' They just did a job on another island recently, and they didn't do any of that, Mr. Speaker. But all of this was required under the federal laws.

"I personally think of a State of Emergency as the big hammer that everybody fears. I think we are headed to the total unbalance between one side, the State of Emergency, and the other side, which is nothing. And then when the airport gets shut down, when the harbor gets shut down, when the boat crashes, then what happens is the backlash, against the environment. Then you start seeing some really nasty stuff coming out.

"And I do share the thoughts of the Representative of Kauai, and I take great offense at this demonization of people who are trying to support this as a way to meet a compromise, a halfway to get these things done, but still make sure there's oversight and mitigation.

"I go surfing every weekend, Mr. Speaker. I'm in the water. I don't want to get sick. I don't want to catch fish that's going to make me go 'bleagh' all over the place. Come on. I get offended. And what? Unleash the bulldozers? You're going to unleash the bulldozers? That's the last thing I want. And especially, it hurts me to hear that we're going to destroy our historical treasures? That's the last thing that I would want, Mr. Speaker. It's imperative that we protect them. But if we don't find some ways to allow these emergency things to proceed, if we don't look at trying to find some middle ground here, and I'm glad that parties are still talking, then we are going to be pivoting between extreme, to extreme, to extreme. And that would be a very big tragedy.

"And I think, Mr. Speaker, we should all remember the bumper stickers we see on our car saying, 'This ain't the mainland.' Because that's what really just makes me sick to my stomach, this polarization. Accusations by special interest groups and others that are turning this into a microcosm of Washington DC. And I just hope that Members, I respect the comments that were raised here. I respect the concerns that were raised, and I share them too. There is much work to be done."

Representative Choy rose to yield his time, and the Chair "so ordered."

Representative McKelvey continued, stating:

"And I will conclude. Thank you Vice Chair. And so that's why I stand to speak on this measure, Mr. Speaker. Because I believe that this is a way to try to alleviate the concerns. But to get these critical things done without replying to the heavy hammer of the State of Emergency Proclamations. And I would just hate to see a tragedy turn around and become the whip, the driver for the initiative to get the public behind really undoing the environmental laws and Cultural Impact Statements. That would be a tragedy. Thank you."

Representative Keith-Agaran rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support. I do have some slight reservations that I'd like to express in written comments, but I do want to commend the Representative from Royal Kunia for the hard work that she put into this bill. Thank you."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I write to express my reservations on House Draft 3 of S.B. 755.

"With regard to Part II of the bill (Sections 2 and 3 of SB 755 HD3), I have no doubt that the closure of Kahului Airport would be a disaster for Maui County, its economy and for the general public. Consequently, I am willing, with reservations, to support a temporary exemption for airport structures and improvements from the special management area permit and shoreline setback variance requirements when the structures and improvements are necessary to comply with FAA regulations.

"Part III (Sections 4, 5 and 6 of SB 755 HD3) temporarily authorizes the Department of Land and Natural Resources and Department of Transportation, with the approval of the Governor, to exempt certain projects from the special management area permit and shoreline setback variance requirements. I assume that under the Federal Coastal Zone Management Act, the Office of Planning may still have jurisdiction beyond the consultation mentioned in the bill – to insure that nearshore values will be considered, protected, and, when necessary, condition the project with the mitigation of impacts.

"My major concerns, as this bill moves to Conference, is Part IV (Sections 7 and 8 of SB755 HD3) which permanently exempts all work involving submerged lands used for State commercial harbor purposes from any permit and site plan review requirements for lands in the conservation district. This part does not sunset.

"Hawaii is an island state and has recognized the importance of our watershed and nearshore waters for maintaining both the aesthetic and recreational quality of life for our residents and visitors, and for the sustainability of all life in these islands. Hawaii has almost uniquely in our union imposed development restrictions on conservation district lands in order to conserve, protect, or preserve the important natural resources of the islands. As described in the Department of Land and Natural Resources (DLNR) website:

the Conservation District is divided into subzones, each with a limited number of permitted identified uses. Depending on the subzone and the project, you might need site plan approval from the DLNR, a departmental permit, or a board permit and an approved management plan. The Conservation District has five subzones: *protective*, *limited*, *resource*, *general* and *special*. Under Hawaii's law, the four subzones are arranged in a hierarchy of environmental sensitivity, ranging from the most environmentally sensitive (protective) to the least sensitive (general). Each subzone has a unique set of identified land uses. The subzones define a set of *identified land uses* which may be allowed by discretionary permit. These are outlined in Chapter 13-5 Subchapter 3 of the Hawai'i Administrative Rules. Chapter 13-5 Subchapter 4 of the Hawai'i Administrative Rules, lists the varying types of permits required for each land use. A project might require a site plan approval from the DLNR chair or their representative, a departmental permit approved by the chair, or a comprehensive review and permit from the DLNR board.

Unique circumstances might allow for a temporary variance or an emergency permit. Projects with the greatest impact might also require public hearings and/or an Environmental Assessment or Environmental Impact Statement.

"While Hawaii's commercial harbors were likely developed prior to the creation of Hawaii's unique State land use district "zoning", there remains value in a State review of expansion projects. Commercial harbors are identified as an allowed Public Use requiring a board permit in even the Protective Subzone. See HAR Section 13-5-22(b) (P-6 uses). I assume that Part IV does not apply to work requiring a permit for commercial harbors in the protective subzone.

"I believe Part IV applies to dredging submerged lands in the Restrictive Subzone since the administrative rules allow such a project beyond maintenance dredging of a harbor through a board permit. See HAR Section 13-5-24(c)(R-5 uses). While exempting maintenance dredging—which requires a site review presently—may have some merit, I am cautious about expansion of a harbor basin which may implicate Hawaii coastal and nearshore waters that would benefit from a thorough review through the conservation district use application process.

"Since I am concerned about the efficient and timely completion of work on the Kahului Airport runway, which may be supported through Part II, I will vote in favor of the present bill. The permanent exemption in Part IV raises graver concerns in my mind."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition."

Speaker Say: "Please proceed. I thought you were a businessman."

Representative Ward continued, stating:

"I'm aghast. Well in fact, that's what I'm going to talk about. It's the structure of the argument that I want to change. But first I want to identify with the remarks of the Representative from Kauai.

"It was gut-wrenching to hear about what his constituents are telling him about being on the bench. Are my kids going to get food? Is my life really going to continue in any normal way or fashion? Mr. Speaker, I cry. And I have cringed when I get the statistic in front of me, that 57% of Hawaii's families can't send their kids to school with lunch without a subsidy from the federal government. 57% of the people of our State. Something is amiss with the economy, Mr. Speaker, and some of that is symbolic of what is in this bill.

"The sector that we're trying to get back on its feet is not the government sector. And this bill is all about the government doing it. Put us back to work, government. 70 to 80% of all the jobs come out of the private sector, Mr. Speaker. This bill is exempting the government with the promise that we're going to live happily ever after. Government can't create wealth. CIPs can prime, but they are not the long-range solution to the problem that we have with the low-incomes that we have in our jobs, the low-paying jobs that we've got. And if people don't have the jobs, of course we have to give them something temporarily. But this bill says, the Government, by exempting itself for these State projects, is going to be the elixir. And I think that's the wrong way. It's an economic problem, Mr. Speaker. Not an environmental problem. And I think we've got to look at the structure of that. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of the bill. It seems that there has been kind of a lot of misinformation and misunderstanding regarding this draft, House Draft 3, that needs to be cleared up. For those of you who have DVR or I think it's still on Olelo's website, the Finance hearing on April 2nd was a great educational tool. So let's kind of go through some of the points or comments that have been made about the bill.

"Is SB 755 a blanket exemption? No. The House proposal narrowly, clearly states which projects are temporarily exempted and specifies the

type of exemption. Furthermore, exempted projects will still be subject to numerous federal regulations, including but not limited to the Clean Water Act, the Clean Air Act, the Endangered Species Act, the National Environmental Policy Act, all requirements, rules and regulations of the EPA, the Federal National Historic Preservation Act, and the Federal Marine Protection Research and Sanctuaries Act. Furthermore, other State or local regulatory requirements include Chapter 6E, 46, 174C, 342B, 342D, 342E, 342F, and a Cultural Impact Assessment as per 343. So there are a lot of other requirements, and I know the Members across the aisle like to streamline government.

"Second, will SB 755 degrade our State's environment and natural resources at the expense of much economic growth? No, I don't think so. The purpose of the bill is to temporarily remove specific regulatory restrictions in order to expedite certain State projects. Exemptions of this practical nature will not only jump-start projects and foster job growth, but also reduce redundancies in State and federal regulations.

"And also to the point of what the Representative from East Honolulu said that, these are government jobs. Yes. But people have to remember, private sector invests in large part because of government infrastructure. Would you have hotels if you didn't have an airport? Would you have certain stores or warehouses if you didn't have highways, roads and bridges? Probably not. In fact ... Well anyway, I'll try and keep it short.

"And for those of you who fear SB 755 will trigger an environmental exemption free-for-all, let's clarify the misrepresentations that have been made.

"First, every single project that would move forward on this bill will still be subject to a multitude of other environmental laws. Even if the exemptions in this bill are allowed to go through, there are a number of safeguards for the environment should these projects move forward.

"Second, public participation remains, notwithstanding the exemptions. There has been a lot of false information pontificated. I like that word. About how these exemptions take away the public's right to participate in these planning projects. Yet, if you understand the numerous environmental laws that these projects will continue to be subject to, public participation and therefore transparency is still in place. For example, NEPA, or the federal EIS process, solicitation of public input or agency input is required, if an EA or EIS is required.

"Finally, in no way are we degrading or eroding our environment by passing this bill, due to many, many, many other environmental laws that will continue to be in place, which these projects will be subject to. We are simply streamlining the environmental redundancies that exist in our laws.

"Mr. Speaker, this bill is not a matter of eroding environmental protections. Further scrutiny of the actual bill shows that this measure is able to preserve the status quo, the current level of environmental protections. This is a matter of eliminating repetitive and wasteful government review.

"Job creation is a desired side effect of streamlining our review process across all levels of government. By reducing bloated and redundant environmental review, we are stretching taxpayer dollars and spending them wisely, while preserving all levels of environmental review. These are the very same taxpayer dollars that are hard to come by, even during our recovery.

"This legislation is pro-environment because it consolidates the ranks of our infrastructure, our public welfare sectors, and our economic sectors to ensure the preservation of the public trust."

Representative Manahan rose to yield his time, and the Chair "so ordered."

Representative Chong continued, stating:

"Thank you. Our constituents, via our State Constitution, have entrusted us to uphold the public trust of the environment, and we have faithfully preserved all of these environmental protections via SB 755.

"This is not a matter of repealing or weakening Chapter 343. This is an integration into existing mechanisms, both at a federal and State level of review. Anything else is a wanton mischaracterization. And that's why I support it.

"And if I could also add, Mr. Speaker. As I have stated in prior speeches, the streamlining is important not just to better use our tax dollars, not just to get more projects out and more construction workers back to work, but also for the simple fact that it clarifies, I think, what environmental approvals are for. I have seen many cases where people who don't want a project or a development nearby use the environmental permitting process in legal tiddlywinks to kill another project nearby. They know there's no environmental impact, but yet they use the process to kill the project. And it's ironic that we want to protect the environment, but we have no problem abusing the laws when it suits us. Thank you."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, in opposition. It has been a long debate on this, and this certainly won't be the last of it. But I did want to highlight just a couple things and put my vote on the record. It is a fallacy to believe that this is purely a jobs versus environment bill, and that the two are mutually exclusive and cannot exist together. That we cannot have adequate protections and a streamlined system of processing and so forth that ensures the continuation of the values that we hold in our State Constitution that protects the environment itself. And at the same time, get things out in a timely matter to make sure that people can get to work, particularly in a down economy, and keep that money rolling through the economy.

"There has been, if you look at the history of it, and I have been through about a list of 180 public works projects. I wish I had it compiled and done today so I could insert it into the Journal. But the biggest holdup in time has not been by and large, in the environmental review process and jumping through those hoops. Rather it has been within the departments itself. For example, in the Department of Transportation or other departments where you have approvals that need to be processed by the departments. These things are supposed to happen within short windows, often 60 to 90 days, a few months, and they've languished for years in many, many cases. And this has been compounded on top of the fact that, and to the credit of the various Administrations that have come and gone, a repetitive review.

"At the change of an Administration you'll have a whole list of projects that are in the works, in the pipe, going. And all of a sudden it will be held up. Even our Governor now has said, he's held up on stuff purposely to review it. And that's fine, but again, that's not the fault of the environmental review process, nor anything within there.

"We have a whole lot of suggestions that have been made both from the construction industry, from our different government departments and agencies that administer these processes, and our functioning as the purveyors of the process itself. And many of these have come up for review, time and time again, year after year, and we've seen them over and over, and yet so very few of them we have actually taken and adopted into law. And many of those are simple things that eliminate redundancy, that provide adequate funding and adequate staffing to make these processes both viable and able to follow through in a timely manner. That is where the holdup really is, in the large scheme of things.

"Now we're in a time where there's a whole lot of economic slowdown. Obviously there are tons of people who are out of work. But to assume that this is going to be the kick-start, and the one-size-fits-all, be-all-end-all solution to that, I think is very short-sighted. Because in the end, what you've found again is that the other side of the equation, if not being stuck in departments and other regulatory processes, things get held up in the courts again, as the Majority Leader had pointed out. And that's a result of often, on average about 1 or 2 times out of 50, due to something legitimate that was either ignored in the review process, or was an oversight or something legitimate that actually benefits the community to have it sorted out.

"And we cannot lose sight of that, because for every 5 or 10 projects that go, that have no real legitimate impact, that go through that process, there's going to be one every now and then that does. And that's going to be the one that, of course, ends up in the news and has all kinds of other things attached to it that create extra work, extra time for developers, costs the State money, costs them money, and that's something that we can't ignore.

"And so I want to be very careful when I say that, we do need to review the way that things move through the process. We need to review our departments and make sure that they're doing their job adequately, but we cannot assume that this is going to be the be-all end-all, and for that reason I don't think that we should be necessarily taking the process apart just yet. There's a lot more that we can do without going to the extremes and the lengths that we are today."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. I just want an additional comment in creating the argument of what this is all about, and that's quoting the famous Hawaii Senator from East Honolulu, Senator Slom. He said, if this is all about the economy and jobs, why don't we just exempt all the private sector projects? This is only exempting the government projects. A lot of the building permits, a lot of the jobs, and a lot of the creation are in the private sector. Not the public sector. So why are we excluding them? If we really want to do a wild job creation blitz, the private sector has been excluded. I think it's a pertinent question. Thank you."

The Chair then stated:

"Representative Ward, your statement is well taken. I believe at the *Island Insights* with Representative Riviere, the Members of this House and I do not have the courage to expand it to the private sector. If you were so sincere about having that as what the Senator from the other Chamber had stated, you could have proposed a Floor Amendment, and maybe the Majority Caucus would have supported you on that particular Floor Amendment. But at this point, there is no courage among the Members of this House, and that's why we are having a very lively discussion on just State projects."

Representative Har rose to speak in support of the measure, stating:

"In support, Mr. Speaker. There has been a lot of discussion, Mr. Speaker, and I'd like to just clarify some of the factually incorrect information that has been espoused on the Floor today. First of all, this is not a 5-year exemption. This bill allows for a 3-year period exemption with the exception of Part 5. And it does make clear that the Legislature's intent for the Governor's list is only to exempt those projects on the list for 3 years. If in fact the construction has begun before the sunset in 2015, then yes, those projects can be extended just to be finished, completed. But this is not a 5-year exemption as was stated on the Floor.

"Another Representative noted or alleged that federal laws do not cover Chapter 343. Members, Chapter 343 is the State's environmental protection law. And it was enacted in 1974. Interestingly, in 1979, after doing a legislative history, the House Judiciary Committee made substantive amendments to Chapter 343. Specifically they noted, Senate Bill 1591, House Draft 1, makes substantive amendments to reduce the duplication of effort which occurs at the State, county and federal levels of government, when the environmental review requirements of both the National Environmental Policy Act and Chapter 343 apply to the same project. Under the provisions of this bill, State and county agencies are required to cooperate to the fullest extent possible with federal agencies in order to expedite the review process.

"So interestingly, the Legislature, when making this amendment, recognized in 343-5F, that there was going to be in fact duplication, redundancy in these processes. And as a result, specifically stated that these redundancies should be eliminated. And unfortunately through the evolution of Chapter 343, as the Majority Leader noted, there has been certain abuses of 343. And all we're trying to do in this measure is make it clear that, again, that exists currently on the books right now. And interestingly at the Finance hearing on April the 2nd, the Director of the Office of Environmental Quality Control in fact admitted, and I quote,

'There is no reason to do two reviews of NEPA and HEPA,' end quote. So again, he himself acknowledged that, to the extent there will be an overlay, there should not be two sets of review that are done.

"There was also an allegation made regarding, that once federal funding is not involved, no federal environmental laws will kick in. That is absolutely incorrect. Mr. Speaker, again, depending on what kind of project you are talking about, whether you're touching the water, whether you're dredging, the fact is, you're going to have Army Corp of Engineers permits that kick in. Whether it's 401 for dredging. Whether it's 404 for water. Those all will kick in, regardless of whether federal funds are going to be used.

"In addition, I would draw to the Members' attention, for State permits, although it's on the website for the Office of Planning, there is a State permit guide. And it basically is very clear, that all State or federally funded projects will be subject to any of the requirements applicable, even if SMA and SSV are exempt. Also if Chapter 343 is exempt, all projects will be subject to these permits. And I would ask my colleagues to go online and look at the State permit guide, because again, it ensures that there will be that overlay, as well as those safeguards to ensure that our environment is going to be protected.

"You know, Mr. Speaker, there has been so much discussion about balance today, and so it behooves me to talk about some of the balance that has been discussed. I think at the end of the day, everybody in this Body cares about the environment. It's just the way in which we interpret things, and I think that's where we're at issue here. And so I don't believe that anyone here, I think we take great umbrage, those who supported this bill, to say that we are somehow are eroding our environmental laws. And there was talk about balance from certain Members, about the environment. And that's exactly what we are doing. We are ensuring that those environmental safeguards are in place. But now there's a different type of balance that needs to be discussed.

"Mr. Speaker, every year we as Representatives, we love to go home to our districts, and we love to talk about CIP. We love to talk about, 'Well, I brought home this money for our district. And this is what I brought home. And this is how much money I got for this school.' And interestingly, if the Members ..."

Representative Coffman rose to yield his time, and the Chair "so ordered."

Representative Har continued, stating:

"Thank you. If the Members would note, there are so many projects that we have all gotten funding for. And people are always asking me, why does it take so long for government to get things done? Why does it take so long?

"I was looking at a list of projects that have been issued CIP. Kailua High School, natural science building, subject to Chapter 343. Baldwin High School, softball field, subject to Chapter 343. Campbell High School, eight-classroom building, Chapter 343. Number One Capitol District Building, courtyard revitalization and other improvements. It went through the whole process of an environmental assessment. And again, we keep saying that we want to brag about these CIPs, and we want to say that government is getting things done. And then when push comes to shove, why aren't things being done?

"The interesting thing here is, according to the *Comprehensive Annual Financial Report*, as of June 20, 2011, the State of Hawaii had \$1.4 billion in General Obligation Bonds authorized but unissued, and \$6.2 billion in Revenue Bonds authorized but unissued. The total authorized but unissued was \$7.6 billion. Additionally, Mr. Speaker, the Governor's supplemental budget proposes another \$300 million in General Obligation Bonds, and at least \$900 million in Revenue Bonds for highways, harbors and airports.

"So it's great that we're issuing all these bonds, but when is the work going to be done? And again, we can continue to talk about inefficient government, redundancies. And we can continue to talk about, oh, somehow we're degrading the environmental laws. But I think the fact here

is that we have made sure that every environmental safeguard has been protected. And all we're actually trying to do is reiterate what the 1979 Legislature said in Chapter 343-5F, which was to eliminate those redundancies, and make sure that again, the agencies are cooperating with the feds.

"And so Mr. Speaker, at this point, I really, truly believe that we have effectively refuted all of the misrepresentations and false information espoused by the opponents of this bill, and therefore opposition to this bill leads only to one of four conclusions. A) Opponents have not read the bill or simply have not read the Committee Report. B) Opponents do not understand the numerous environmental laws that are safeguards out there to ensure that our environment is still protected, and they do not understand that they're still in place. C) Opponents support redundant, duplicative processes and therefore inefficient government, thereby supporting increased costs of government projects for all of our constituents. Or D) All of the above. Mr. Speaker, I'll let you decide. Thank you."

Representative Pine rose and stated:

"I'm just rising for a point of information. I want to explain Campbell High School's classroom building. First of all, is going to be opening soon. The reason it had to go through Chapter 343 is because it is right next to a residential community and other environmental issues that would have been problematic should it not go through that process."

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I would like to insert written comments. I know we have been talking about this issue for quite some time. But I want to just make clear to the Body here that the reason that we are fighting so ferociously over this issue is because we believe that the environmental laws will not apply in this circumstance. I think the previous speaker tried to categorize people, but the reality is, those laws have been on the books for almost 40 years. And the claim that somehow the federal laws are going to protect us when the State laws don't apply, doesn't make any sense.

"Many of our laws are actually, we've had federal delegation, so for example, the Clean Water Act laws are done through the State. Federal EPA is not going to come in on one project and take over. It simply doesn't make sense. These laws have been on the books for a very long time, and I think that streamlining and making the process combined is already happening. I think every agency but DOT already has a streamline process so that you're not doing duplicative work. You're just doing one plan. Thank you."

Representative Wooley's written remarks are as follows:

"As an advocate for increasing jobs, streamlining the permit process, and the protection of Hawaii's environmental and cultural resources, I cannot support a bill which threatens the very foundation of each one of these. If passed, this bill would apply to State construction projects at airports, harbors, schools, and other State-owned properties. Those projects currently require a Special Management Area permit because of their proximity to the ocean, but if SB 755 becomes law, SMA permits would no longer be required. This bill would also allow the Governor to choose State projects he feels would have little or no impact on the environment and would therefore be exempt from environmental assessments and impact studies.

"It is the Legislature's and Administration's priority to streamline construction projects by bypassing environmental assessments and impacts and thus forgoing the public's right to comment on the developments in their communities. SB 755 proposes economic recovery, but the consequences of inadequate planning, could have irreparable effects. For that reason, I rise in opposition of SB 755 because of concerns about the exemption of State projects at the cost of Hawaii's environmental review process. Good planning requires the integration of environmental, of cultural considerations into the plan."

Representative Riviere rose to respond, stating:

"Thank you, still in opposition. I guess we're setting the record straight. And I guess this really comes down to a matter of perception. We can all see the same thing and describe it differently. So I'm glad we have this opportunity to air this out here, and I really hope nobody's carried any hard feelings. This is just a matter of principle that we fight for, and then we cast the votes.

"I still, I mentioned earlier today that sunsets never seem to come. So the 5-year sunset, the 3-year sunset, whatever. Okay, call me skeptical. I just think that temporary things often get extended and then made permanent.

"Regarding the comment about the two reviews, and there was an attribution to a certain testifier in Finance. I do remember that interview and I do remember the conversation that yes, the federal EIS is somewhat different than the State EIS. Yet they are an overlay and they are to be done, and can be done, and should be done as essentially the same work. Where the reports are different, there has to be additional work. So there's a little bit of difference.

"The cultural assessments are a little but more, as they say, robust, in the State version. So what I'm getting at is there's no reason to do two EISs. Where they overlap they can be done, and you make photocopies, that's not so hard. It's up to the agency to expedite and do the report. So when an EIS takes 5 years, whose fault is that? It's the agency who's not moving that along.

"GO Bonds. There's a lot of money waiting out there. I have mentioned in previous debate about something about SMA permits for the Kahului Airport. There's \$34 million of projects waiting to be done, and they have been waiting to be done since the SMAs were cleared in 2009. So I'm giving examples of inefficiencies in the system. The environmental process could be sped up. The procurement could be sped up. The actual implementation, the planning. I would argue that the planners are far behind. Maybe they're overloaded. There's too much work going on for them. But there's a whole cornucopia of elements that come into a project. So making the scapegoat those crazy and duplicative environmental laws, I think is so misguided. And I guess we'll cast the vote and see what happens. Thank you."

At 6:03 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:04 o'clock p.m.

Representative Saiki rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Oshiro rose in support of the measure 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 rise in support of Senate Bill No. 755, Senate Draft 2, House Draft 3.

"At the outset, I would like to incorporate the words of the Representative from Kapolei and the freshman Representative from Hanalei as if they were my own. From my perspective, the points they raised reflect the intent of your Committee on Finance in recommending the approval of this bill on Third Reading. Regarding the words of the Representative from Hanalei, his plain, but powerful statement of truth reveals his clear appreciation for his constituency and their needs and desires, and aspirations.

"I firmly agree with my colleagues across the aisle that we have a duty to protect and preserve our precious *aina* for future generations, but we have an equally important responsibility to promote the health, welfare, and economic prosperity of our citizenry. Where the difficulty presents itself is finding balance between these two very important obligations.

"As stated by the Representative from Hanalei, the Great Recession continues to threaten the livelihood of workers, their families, and entire communities. Hundreds of construction workers are still without jobs, despite the fact that just last year this Legislature approved \$2,858,762,000 in all means of financing for capital improvement projects for fiscal biennium 2011-2013.

"The Budget Act of 2011 was intended to get people back to work. Conference Committee Report No. 143, Regular Session 2011, states:

*"Your Committee on Conference also finds that the need to invest in local infrastructure to help stimulate direct and indirect job creation is highly critical at this time. **Expedience in the creation and maintenance of local construction jobs, as well as jobs for architects, engineers, and other consultants associated with capital projects, will generate more disposable income, which will in turn circulate throughout our economy.**" [Emphasis added.]*

"House Bill No. 200, Conference Draft 1, the bill which became the Budget Act of 2011, was approved by your House of Representatives UNANIMOUSLY. Let me state that again, it was approved UNANIMOUSLY.

"As a matter of policy, both the Majority and Minority were united in emphasizing the need to expedite the creation of construction jobs through the State's capital improvement program.

"Yet, it is evident that even with our best intentions, the labyrinth of regulatory bureaucracy has hindered job creation in our State. Hundreds of millions dollars in appropriations approved sit on the books while our Departments are stymied by numerous duplicative and in certain instances, totally unnecessary reviews. Why must an environmental assessment have to be performed if we all know at the outset that a project will need the more intensive environmental impact statement?

"My colleagues on the other side of the aisle have tried to depict the supporters of this bill as being anti-environment. This mischaracterization is pejorative, inflammatory, and totally unfair. As one who calls Wahiawa and North Shore, Oahu home, I have always done my best to protect our rich agricultural lands, and preserve our clean ocean waters and sacred ancient sites -- specifically, Lake Wilson, the Galbraith Lands, and Kukaniloko.

"As noted in the Committee Report to this bill, and in the words of the good Representative from Kapolei, there are more than adequate safeguards within federal, State, and county laws to ensure that our environment is protected even when the projects authorized under this bill for fast-tracking proceed.

"What this bill represents is BALANCE – respecting our fragile environment while promoting the economic sustainability of our people. Mr. Speaker, this is a reasonable bill. This is a responsible bill. And with the support of my fellow colleagues, this bill will get our citizens back to work without damaging the *aina* we so dearly love.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 755, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 32 ayes to 19 noes, with Representatives Belatti, Brower, Ching, Fontaine, Giugni, Hanohano, Johanson, C. Lee, M. Lee, Luke, Marumoto, Nishimoto, Riviere, Saiki, Takai, Takumi, Thielen, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1684-12) recommending that S.B. No. 2742, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2742, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE

HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1685-12) recommending that S.B. No. 3010, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3010, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition, to Senate Bill 3010, Senate Draft 2, House Draft 1, Relating to Transportation.

"The current draft of this bill attempts to exempt eleven Department of Transportation Projects—bridge projects—from historic preservation law and various environmental laws—a total of 20 different chapters or parts of the Hawaii Revised Statutes. We are told that the exemptions are necessary because the bridges are "Structurally Deficient".

"Time we are told, is of the essence! The implication is that these historic and environmental laws—such as chapter 343, Environmental Impact Statement law—get in the way. But during the House Committee on Finance, David Penn, Environmental Center, University of Hawaii challenged the need for this type of measure. It was indicated that HRS chapter, 343, Environmental Impact Statement law, was not the problem, and that when Chapter 343 is run properly, it can make a program run more efficiently.

"Sierra Club has testified: This bill is a terrible idea, and bad policy. They [Sierra Club] stated, "If government cannot follow basic regulations to protect health and safety, why should a private developer? Ultimately this creates a slippery slope to the significant detriment of our communities and Hawaii's fragile environment." And they are right. It is easy for any construction agency or any developer to claim that environmental laws get in the way. Part of being a savvy developer or an efficiently run agency means planning ahead to avoid conflicts with environmental laws.

"Further, Historic Hawaii Foundation believes that the bill exemptions are "unnecessary and could put significant historic properties at risk." Even further, HHF states that "Exemption from this [the historic preservation process] would mean that the historic and cultural significance of the bridges and their settings may not be fully considered during planning, design or construction."

"Are we willing to forego that heritage just because DOT has a problem in coordinating its resources and complying with the law? I hope the answer is no.

"I am aware of DOT's desire to see these projects proceed, but there must be a better way to facilitate the repairs of these bridges. If DOT needs to proceed, there is the possibility of exemptions under existing law. I appreciate the opportunity to express my concerns and to voice my opposition to this measure. Thank you, Mr. Speaker."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Jordan rose to speak in support of the measure, stating:

"In support, Mr. Speaker. On this list there are three bridges that will affect my community. Two of them we have been working on for over 10

years now. Talk about community participation. Yes, as a resident of my community, I have participated on that dialogue. Three weeks ago we had the opportunity of getting the second to the last permit, and we would be able to start in September. And a body across the street decided to hold off decision making on that. Therefore delaying my project another 18 months.

"How important are those bridges? Well, to 3,000 people, if one of those collapse, it'd be very important because they couldn't go home. That's why this measure is so important. These are shovel-ready projects. And I think we should have everybody support these projects too. As my fellow Representative from Kauai had pointed out earlier, get our guys back to work. Get these projects moving. My project has \$15 million in federal funds. I don't know where we're going to be in the next few years with that. So, in support. Thank you very much."

Representative M. Lee rose to speak in support of the measure, stating:

"I rise in support. Mr. Speaker, I want some written comments included in the Journal. Mainly this bill is about safety, and as I've said before, if I have to err, it will be on the side of safety. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Senate Bill 3010 – Relating to Transportation.

"I rise in support of this measure to expedite the rehabilitation and replacement of certain State-owned bridges with temporary exemptions. One such bridge is the Franklin D. Roosevelt Bridge over Kipapa Gulch on Kamehameha Highway. Built in 1933, this bridge has been the site of many fatal accidents and other injuries. The old bridge has a distinct curve with two narrow lanes and no distinct shoulder. Recently it has been declared to be at risk for supporting heavy weights, and signs placed limit the weight of certain vehicles. An exemption had to be made for buses.

"Since 1933, the population of Central Oahu has mushroomed and this bridge carries lots of traffic, providing the second access to Mililani Town. I urge the Members' support."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I am also standing in support. A brief comment. Mr. Speaker, many of these bridges are major arteries throughout our communities. One of them that was added was the Franklin D. Roosevelt, the Kipapa Bridge. At times when the H-2 may be closed, that is the only artery from the North Shore to town. And so Mr. Speaker, as we move forward looking at these bridges, please know that these bridges connect communities, and connect families. Thank you, Mr. Speaker."

Representative Riviere rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Riviere's written remarks are as follows:

"I oppose blanket exemptions of environmental protections. This bill exempts virtually every State environmental regulation for certain bridges for a certain period of time. We do not have to look any farther back than 2011 to see the mistakes that were made in highway construction by exempting proper disclosure and public input. Last year, DOT rushed through a shoreline hardening project on Honoapiilani Highway near Ukumehame, based on a Governor's exemption. Sadly, the road was not relocated inland as had been planned, beach access is no longer possible because there is nowhere to park and the hardened shoreline has increased beach erosion nearby. It would have been wiser to take a little more time and build the project correctly."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I stand in support of SB 3010, which will speed up the construction of eleven bridges that are currently in the design phase, thereby preventing potential hazards to the public that are posed by the presence of deficient bridges by reducing State and county requirements. This should help to mitigate delays like those affecting the Makaha bridge. Taxpayers should not have to endure these kinds of delays.

"The Department of Transportation intends to comply with all State requirements during the construction of these bridges; this bill will simply eliminate regulations that require time consuming environmental processes that can take up to fifteen years. If this bill passes, the DOT will be able to have construction underway within five years. This temporary measure is needed to ensure the safety and wellbeing of our community by eliminating some of the red tape that is preventing the Department of Transportation from advancing the quality of infrastructure available."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3010, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 38 ayes to 13 noes, with Representatives Ching, Fontaine, Giugni, Hanohano, C. Lee, Luke, Marumoto, Riviere, Saiki, Takumi, Thielen, Ward and Wooley voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1686-12) recommending that S.B. No. 1276, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1276, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1689-12) recommending that S.B. No. 2394, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2394, SD 1, HD 3, pass Third Reading, seconded by Representative Evans.

Representative Johanson rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with brief comments. I just want to preface very quickly that I have every intention of supporting the section that has to do with lending practices for military members. I don't think anybody wants deceptive and unfair practices there, and we need to protect them as consumers. My main point of opposition is the second part of the bill which has to do with the buying up of distressed residential properties. I've supported many of our measures aimed at curbing this, but I just worry that this overall poses significant systemic risk to the State in buying up some of these distressed properties and ultimately to our constituents. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition with also brief comments. Mr. Speaker, as a Vietnam Veteran, I'm very proud to associate, support and really push for the first part which is basically giving counseling for military personnel regarding difficulties with their mortgage. How to budget and how to actually make abusive lending practices not part of their lifestyle, or at least defending them from it.

"However, the second section is, you know they say if it looks like a duck, walks like a duck, smells like a duck, sounds like a duck, it's probably a duck. And this is toxic mortgages. And so it brings up the old State Bank and buying toxic mortgages. Mr. Speaker, if we get into buying and selling of houses, we have no experience. We have no money to do this. This is high-risk. But you put it right next door to the military families, so you make it a sweet-sour kind of a combination and it leaves a bad feeling. So I'm going to love one section, hate the other, and because of that I'm going to have to go down on it, because it looks too much like a State Bank."

Representative Ching rose to speak in opposition to the measure, stating:

"In opposition with the words of the Representative from Moanalua, as well as the Minority Leader incorporated as my own. In support of the first section, but having concerns with the second section. So additional written comments too, please."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in opposition to this bill. Mr. Speaker, please allow me to preface by saying the original draft of this bill was most likely constructed with good intent, however; with the recent amendments to this bill, I can no longer support it. This bill establishes a special fund where the Legislature and private contributions are able to purchase loans (or parts thereof) of distressed residential properties – or those facing foreclosure. This measure encourages the use of public monies to benefit these distressed consumers and lenders."

"While I supported the original draft of this bill, my concerns are based on the following testimony provided by the Hawaii Housing Finance and Development Corporation, as they are the primary organization to fully implement this bill. They said, "Any property subject to legislative approval of sale or gift of land in accordance with section 171-64.7, HRS, is not eligible to participate in the program. This provision makes the program unworkable. Under the terms of the program, HHFDC would acquire the fee simple title to the property and re-sell it to the homeowner. However, except for lands "subject to resale restrictions set forth in section 201 H-47 and that were acquired by the Hawaii housing finance and development corporation either at a foreclosure sale of under a buyback as authorized in section 201 H-57", lands to which the HHFDC in its corporate capacity holds title is subject to section 171-64.7."

"Hawaii Bankers Association also expressed their reservations by saying that this bill doesn't make sense. "This distressed residential properties program is a wholesale bailout of lenders who made bad loans. It creates a State of Hawaii portfolio of toxic mortgages. The State will be basically becoming the mortgagor."

"The Hawaii Association of Realtors testified, "We are concerned about the impact this measure will have on Hawaii's bond rating. Specifically, the provision that the Hawaii Housing Finance and Development Corporation (HHFDC) issue ... revenue bonds, which is exempt from the debt ceiling and taxes, may impact Hawaii's bond rating and needs to be carefully considered."

"Mr. Speaker, while I support the idea of protecting our residents (both military and civilian) from bad lending practices, the second portion of this bill creates an additional burden to the taxpayers, and I believe the State of Hawaii cannot afford this bill. Thank you."

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker, I rise with very strong reservations, and again the same concerns. I love the first part, but the second part I totally disagree with. I was going to make a Floor speech, but I will instead, because of time, I will submit it as written comments." [Note: Representative Fontaine later changed his vote to a no vote.]

Representative Fontaine's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition on Senate Bill 2394 Senate Draft 1, House Draft 3, Relating to Consumer Protection."

"Prior to House Draft 2 and House Draft 3, the bill was a very positive bill. It was simply a mechanism to incorporate federal law into Hawaii, to help protect military service members and their families from abusive lending practices."

"However, the House Consumer Protection & Commerce, added another part to the Bill. While maintaining the positive aspect of the original bill, the HD2 and the subsequent HD3 added a new part to establish a distressed residential properties program."

"This program sees the creation of a new special fund within Hawaii Housing Finance & Development Corporation (HHFDC)."

"The fund may be used to purchase, in whole or in part, existing loans, of distressed residential properties."

"Bill states that sales of property under the Program do not require legislative approval."

"I am concerned that that the sources of funding appear limitless—not that there is unlimited money out there, but that the bill's proponents are willing to look just about anywhere for money to fund this program."

"The bill states that funds may consist of:

- Appropriations made by the legislature.
- Private contributions.
- Repayment of loans and interest.
- Other returns and money from other sources."

"Further, the bill authorizes HHFDC to issue up to \$10 million in revenue bonds for this program."

"It also appropriates an unspecified amount of general funds and general obligation bonds."

"I am concerned about the fiscal implications for the State. We would be buying toxic mortgages with taxpayer money. This is simply unfair to taxpayers."

"Further, the Hawaii Association of Realtors stated: We are concerned about the impact this measure will have on Hawaii's bond rating."

"Further, the bill states if the mortgage lender declines to contract for purchase of the existing loan, then HHFDC may acquire the existing loan by condemnation. This appears to be an abuse of eminent domain powers, as there is a questionable "public use".

"I cannot in good conscience give my full support to this bill. It places too much at risk. In the name of compassion, it ironically puts our State and its residents in a financially disadvantageous position and grows the size of government."

"Ultimately, this is not compassionate. For these reasons, I vote no on this measure. Thank you, Mr. Speaker."

Representative Thielen rose to speak in opposition to the measure, stating:

"Similar comments, Mr. Speaker. The first part is wonderful. The other is not. In opposition."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Herkes rose to speak in support of the measure, stating:

"In very strong support. Most of the mortgages entered into in the last 10 or 15 years are no longer held by the originating bank. Those mortgages have been sold and resold multiple times, often into securitized trusts. These transactions occurred with such great speed, carelessness, and in many cases outright fraud and illegality, the final order of the mortgage debt may be, if challenged, have trouble proving it. It has the legal authority to collect on the loan and foreclose on the property. In order to gain the most profit, the banks look at many factors, including the strength of their legal standing, the rate of the borrower default in this troubled economy, and the cost of foreclosure. Many of these banks have decided to cut their losses, and they sell their loans to hedge funds for 30 to 60 cents on the dollar."

"The mortgage purchase program and Senate Bill 2394, HD 3, would capitalize on this secondary market for the benefit of Hawaii's homeowners. And it is targeted to assist homeowners facing hardship,

whose mortgages are held by banks who have trouble showing they have legal standing to foreclose. Eligible homeowners would have to be living in their homes as a primary residence, and have received a default notice from their bank, or denied a loan modification under a federally-sponsored program. A Hawaii State agency would evaluate homeowners applications which detail their financial condition and ability to pay a modified mortgage loan deemed reasonable by the State.

"If the homeowner cannot demonstrate the ability to pay the State, the homeowner's application will be denied. If accepted for further evaluation, the State would give the bank 30 days to provide documentation and an explanation showing it has legally acquired ownership of the loan. The bank's response would be publicly recorded. The information provided by the bank would enable the State agency to assess the value of that loan. In addition to discounts, it may negotiate based on the bank's paperwork. The State's offer would allow it to offer a modified loan through principal or interest reduction, payment restructuring, etc., to the homeowner.

"If the bank refuses to sell its loan to the State, it may assert eminent domain power to acquire the loan. Just compensation would reflect the quality of the bank's documentation, showing that it actually owns the loan. The homeowner would undergo housing counseling, and be guaranteed residence in the property as long as all the requirements of the new loan are satisfied. In exchange for the modified loan, the homeowner must agree to transfer title to the house over to the State, along with a limited power of attorney on matters with the bank regarding the loan.

"Once the obligation with the State is satisfied, the homeowner would regain title to the home, and the power of attorney would expire. The homeowner would be prohibited from selling the home for a period of time, and after the loan is satisfied, and upon resale must contribute a share of the appreciation back to the State agency to enable it to assist other homeowners in similar circumstances.

"If the homeowner defaulted on his or her new loan with the State, the State would not have to go through foreclosure proceedings because it already holds title to the property. Thereafter, it can land-bank, revitalize, rent out, or sell the property. This is especially favorable to the State when they are able to obtain the house for a fraction of the homeowner's prior mortgage loan balance.

"This program is designed to protect the health, welfare and safety of Hawaii's citizens by ensuring clear title to residential property, reducing the hardship on families and communities resulting from wrongful or avoidable foreclosures, safeguarding the courts and recording systems from illegal, improper or fraudulent filings, stabilizing the housing market, reducing blight and deteriorating property values, and preserving the existing stock of residential housing.

"Mr. Speaker, this is truly a win-win for Hawaii's homeowners and the State, and you can be assured that this Representative is clearly on the side of the homeowners, and not the offshore banks."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations on this measure. I'm in support on Part 1 of the bill. My reservation is not about purchasing distressed properties. But my reservation is the use of funding from the HHFDC. HHFDC has a very clear mission, Mr. Speaker. That is to build or renovate affordable housing. And it has very limited funds, Mr. Speaker. Affordable housing is something that our State needs. And this measure will bring down the allocation for HHFDC.

"Furthermore, in the use of this funding, it doesn't say if there is a price limit for the residence that will be purchased, or the income requirement. So at least, if you are going to use HHFDC money, let's put some income requirement and some ceiling on the house that it will purchase. Otherwise, we are taking funding from those people who critically need housing. And for those reasons, Mr. Speaker, I ask my colleagues here to think about the people that need affordable housing. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to this particular measure. The program as outlined by the Chairman of Consumer Protection, it sounds like he has great compassion for families who hold distressed mortgages and who are in financial trouble. But I'm concerned about the financial viability of the State, and if these people are not able to make the payments on their modified mortgages, and then the State has to condemn their property and take it over as a landowner, I don't know how long that the State would allow their tenants, or the former owners to stay on the property. If they cannot qualify for a loan, or if they cannot repay a loan that they've made, at what point does the State sell the house from under them, or allow them to stay without paying?

"There are so many questions to this issue that I just think it is an unwise investment for the State of Hawaii, for the taxpayers to make. I prefer the federal program which will help bring down the principal of the loan, and will allow the banks to work out a modified agreement. In this way, the homeowner retains title to the home, and perhaps can work out a program. And then the State money, our money, is not at risk. So I ask the Conferees to please consider all aspects of this thorny problem. Thank you."

Representative Fontaine rose and stated:

"Mr. Speaker, I'm going to rise and change my vote to a no vote on this. I wasn't going to speak, but after hearing the Chair from CPC speak, I felt I was compelled to make a few comments.

"The concern I have is that the sources of funding appear limitless. Not that there is any unlimited money out there, but the bill's proponents are willing to look just about anywhere for money to fund this program. And a new special fund in HHFDC. The bill states that funds may consist of appropriations made by the Legislature, private contribution, repayment of loans and interest, other returns and money from other sources.

"Further, the bill authorizes HHFDC to issue up to \$10 million in revenue bonds for this program. It also appropriates an unspecified amount of general funds and General Obligation Bonds. I'm concerned about the fiscal implications for the State. We would be buying toxic mortgages with taxpayer money. This is simply unfair to taxpayers. During the testimony from the Hawaii Association of Realtors, they stated that they were concerned about the impact that this measure will have on Hawaii's bond rating.

"Further, the bill states that if the mortgage lender declines to contract for the purchase of the existing loan, then HHFDC may acquire the existing loan by condemnation. This appears to be an abuse of eminent domain powers, and there is also questionable public use. I cannot in good conscience give my full support to this bill. It places too much at risk in the name of compassion, and it ironically puts our State and its residents in a financially disadvantaged position and grows the size of government. So I will change my vote to no. Thank you Mr. Speaker."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. A couple of things. First, may the record reflect the words of the Chair of Consumer Protection as my own? I just want to make some clarifying points here. I think just yesterday the Hawaii Housing Finance and Development Corporation, HHFDC, announced a new Down Payment Assistance Mortgage Program for first-time homebuyers. This is a State program, Mr. Speaker. They've been around for about, I think 25 years or so. I think created during maybe the Waihee Administration. But HHFDC assists local folks in becoming homeowners.

"Through this new program they announced yesterday, they have \$43 million in Hula Mae funds that are available to help folks put up a down payment and enter into a 30-year mortgage at a very low rate. Actually, they're competing against some of the larger offshore banks.

"Servicing these programs would be some of the local banks here, including American Savings Bank, Bank of Hawaii, Castle & Cooke Mortgage LLC, Central Pacific Bank, First Hawaiian Bank, and Honolulu

Home Loans, Incorporated. So the Hawaii Housing Finance and Development Corporation is certainly in the program of providing housing, affordable housing, for local Hawaii residents. In fact, according to their press release, the Hawaii Housing Finance and Development Corp currently has a production plan in place to facilitate delivery and preservation of more than 5000 workforce and affordable housing units over the next 5 years.

"Since 2006, the Hawaii Housing Finance and Development Corp, HHFDC, has delivered 3890 workforce, affordable housing units in Hawaii.

"Third thing I need to point out is that, as the Chair of the Consumer Protection Committee illiterated in his remarks, this program is a revolving fund. It's not a bank, Mr. Speaker. I'll give you an example of how it can be funded, either through General Obligation Bonds or Revenue Bonds. Or even if I were to get one half of one percent of the money that we now ship out of state to Bank of America, or Morgan Stanley, one half of one percent of the amount of money that goes out of state to the foreign national banks, that would be more than enough to capitalize this program and save several hundred homes at a discounted rate in a bulk purchase pool, based upon current values.

"I think maybe what he failed to mention, and I'll mention right now, is that there's this current 9th Circuit Court of Appeals decision that's binding upon the State of Hawaii, that imposes upon all foreclosure proceedings under Hawaii, a strict liability standard, under the Unfair and Deceptive Trade Practices Act, HRS 480-2. That means they need to comply strictly with every step and condition of their contract. And failure to do such in the proceeding of foreclosure will nullify and void the foreclosure proceedings. That means for some of these banks that hold these notes right now with this questionable title because of the MURs or mix-up, they may have a hard time selling and getting true title on their properties.

"So I think some of these properties are over-valued. And it may be of interest to them to finally get some clarification for the investors and their holdings on these questionable titles.

"So I see this proposal right now before us, Mr. Speaker, as a win-win proposition that could serve both the needs of the local banks, the homeowners in trouble, as well as the rest of the industry here. And for these reasons I ask for the Members' support. Thank you."

Representative Ward rose to respond, stating:

"Second time in opposition. Clearly we need to increase our housing supply. We need to increase our housing ownership, Mr. Speaker. If you look at the numbers, 55% ownership in Hawaii, and 70% on the mainland. 45% of people Hawaii are renters. 55% own their house. Even the mainland is not high at 70%. As you know, when we went to Taiwan, we were told specifically, 90% of the Chinese in Taiwan own a house. So we obviously need to help housing. We need to help it. Now is this the method, is the question. Is this the way that we take it and run with it?

"And if we use eminent domain, Mr. Speaker, that scares me. Eminent domain is the ultimate claw of the government reaching into the private sector, grabbing something, supposedly for the public good. Can you imagine eminent domain going in and around all the communities of the State of Hawaii? That's going to scare the daylights out of the private sector. Government can come in and take the house.

"And lastly, for this cheap 30 cents on the dollar. We hear car lot sales. 'Come to our lot. You can get a car for \$800.' Well there are maybe two of them, and the rest of them that are market. So this sense about buying houses for 30 cents on the dollar, 35 cents on the dollar. That is, I think a bit of a bait and switch, and I think we shouldn't get sucked into. This is taxpayers' money that we represent. This is a very risky proposition. This is the time when the feds and all the other agencies are moving to do this. I think we should take a breath. Stand back. Stay out of it. And let it resolve itself. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you. I just wanted to note just a few, slight reservations."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support with brief comments. Mr. Speaker, I'm going to be referring to an article in the *New York Times* which was posted today, April 10, regarding new stances on forgiving mortgages. Mr. Speaker, the acting Director of the Federal Housing Finance Agency, Edward J. DeMarco, just stated that in some circumstances, it might make economic sense for the government-run companies to reduce borrowers' mortgages, taking a hit to modify the loan, but also making it less likely that homeowners will default. Mr. Speaker, this federal director also stated that economists have suggested that principal reductions, if granted judiciously to underwater homeowners, would help the economy.

"In a February whitepaper, the Federal Reserve supported principal reductions from the government-sponsored enterprises as one option for helping the housing market. Mr. Speaker, our federal representatives have noted the fact that it may, and should be looked at cautiously, moving forward regarding government-supported options.

"Mr. Speaker, in the *New York Times*, on February 15, 2012, it was reported in an audit of 400 recent foreclosures completed in the San Francisco County area showed that 84%, Mr. Speaker, 84% of the files contained what appeared to be clear violations of the law. Mr. Speaker, there has been an ongoing issue regarding mortgage foreclosure and settlement.

"This innovative program is designed to keep local people in their home, Mr. Speaker. There have been ongoing issues regarding how to fund the principal. We've looked at very creative ways to do that, trying to limit the liability of the State. However, Mr. Speaker, how do you put a price tag on a person's home? Mr. Speaker, how do you look into a family's face and say that you didn't try to keep them, their family, their children in the home that they hold so dear? Mr. Speaker, I ask the Members to continue this discussion as we try to work on these issues preventing these hardships to our families, to our communities. Thank you, Mr. Speaker."

Representative Pine rose to respond, stating:

"Mr. Speaker, I just wanted to explain my reservations. Like most people, I strongly supported the original intent of the bill, and that was to help military families. A couple of concerns. My family is very involved in the construction industry, and so is my community. \$10 million can go a very long way in repairing our vacant properties that the State does own that needs repair in our public housing. But this is only going to, and really in our market. \$10 million is only going to help maybe 20 homes. But \$10 million to repair existing vacant public housing units could help hundreds of them, if we do what they're trying to do right now, which include volunteers and public-private partnerships.

"So who are we really helping and how many people are we really helping? And that's my reservation. We're not really maximizing our thought process here. And we're not thinking smart. In this economy, we need to think how can we make this taxpayer dollar stretch as far as we can. And so that's really my reservation, is that I really don't think this is a solution. It's kind of scary. When you talk about taking over people's properties. I don't even know if that's a good thing for us to get involved in. Because who gets to determine when we possess your home, like how a bank does. We're going to start doing that?

"So I really hope that by the end of this Session that this bill will be restored to its original glory, where we can all agree that we believe that we should do everything we can to actually go after those institutions that are trying to hurt our military families."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition. The first part is great. It's fine. The bill is fine. The second part got hooked on a great idea. Well, the road to hell is paved with good intentions. But there are a couple of important facts. Facts are

immovable. You can't change them. We can't pass a law that would make the sun rise in the West so that the people in Lanikai can have sunsets. That's not going to happen. You can't pass a law to cause things that are not possible. The Attorney General, in the Finance Committee, testified that this bill calls on HHFDC to issue the full faith and credit of the State of Hawaii in condemning these mortgages. And he noted that they have no such authority to be putting the full faith and credit of the State of Hawaii out in this program. So that's question number one. Fact.

"Within a couple of days of the hearing, everybody on the Finance Committee got this letter. It says, in response to some questions from the hearing, number one, can the State use Section 101-71 of HRS to condemn mortgage loans from lenders who decline to have their contract bought out? Answer, no.

"Question two. Have any other states enacted similar measures? And is there any federal or state case law addressing this issue? No. Question number three.

"Now folks, we have a lot of great ideas. This is the marketplace of ideas, as has been said so many times. But you have got to be in reality. Last year we created a mortgage foreclosure mediation process. We applied two million bucks. We created a new agency. We got 26 mediators standing by. Zero people have entered this. You have to deal in reality, folks.

"So lastly, there was questioning at the hearing. What happens to the shortage? If the mortgage value, if the loan balance is \$400,000, and we magically, with an authority that doesn't exist, seize that mortgage at \$300,000, the question then is, what happens to the other \$100,000? Well the lender is entitled by federal tax law to issue a 1099 statement to the recipient of this gift that then becomes taxable income. So the question, which was really well asked, was well who's going to pay the income tax on that forgiveness? On the project that we can't do because it's not legally and physically possible.

"So folks, this Part 2, as much as everybody's heart is there for the homeowners, is impossible. So please, restore it to helping the military folks who need the help. 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. 2394, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Ching, Fontaine, Johanson, Marumoto, Riviere, Thielen and Ward voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1690-12) recommending that S.B. No. 2115, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2115, SD 2, HD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, please. And it's the reservations I had on an earlier bill. I believe, perhaps the Representative from Pearl City is the same way. It's being exempted from the Code of Ethics. Thanks."

Representative Takai rose to speak in support of the measure with reservations, stating:

"I rise in support with reservations. I think people need to take a look at this bill. This bill basically codifies into law new language for Charter Schools. And I don't want to get into the details of all of this, but one of the concerns that I had, and I mentioned it earlier on a wrong bill, is the exemption from State law, mainly the exemption of the Charter Schools to Chapter 84, which is the Ethics Code.

"We've heard recently, numerous instances of Charter Schools going rogue. And some of their leaders and staff kind of stepping over the line, so to speak. And I think that having this language in here sends a very bad signal to people out there very much concerned about how our Charter Schools are doing. There's a lot of exemption language in here. Page 51, exemption from additional State laws including 103D, and Chapters 91 and 92. And I do know that there's some exemptions already provided to Charter Schools.

"But the biggest concern that I have in regards to this bill is, we first did Charter Schools maybe about 10 years ago. And the Representative from Kaneohe was the Chairman, and I was his Vice Chair. We looked at Charter Schools and reluctantly supported it with significant provisions in terms of caps. HRS Chapter 302B-4 continued to provide for caps, and there are no caps in this current bill in front of us.

"So I do know that this is a work in progress, I got assurances from the Vice Chair of Education that it still is. But I must note that there's a lot of people that have been working on this particular bill, and it just surprises me that in the last Committee, namely the Committee on Finance, those members that participated in this task force still have significant concerns as it relates to this current draft.

"So I don't know what we're going to do, Mr. Speaker, but I think that it needs a lot of work. I'm hoping that in the Conference Committee process, we'll be able to resolve that work. But I will reserve my final vote for Final Reading. Thank you, Mr. Speaker."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in strong support. First I would like to thank both the Chair of Education and yourself, Mr. Speaker, for giving me the opportunity to work on this, and to help shepherd this through. The work on this bill began a long 7 months ago with the convening of a task force that involved lots and lots of stakeholders. What I want to point out is that the measures of accountability that are codified in this law, which is actually a re-codification of the Charter School law, is very robust. The critical piece is the reorganization of the current Charter School Panel into a Commission with statewide chartering jurisdiction authority and oversight of Public Charter Schools.

"An important part of this monitoring and oversight is going to be the annual reports by the authorizer for each of the Public Charter Schools which is not in the current bill. In addition to the annual reports, there is a 5 year renewal process of all charter contracts. And finally a third critical piece of the overall re-codification is the clarification of charter contracts and the spelling out of what is going to be the performance framework within each of the charter contracts.

"So Mr. Speaker, there's a lot of work that's been done. There is a lot more work to do. One regret I have, and I do want to take note of the Representative of Newtown's concerns, about the ethics exemptions, is that, unfortunately, during the task force hearings, the Ethics Commission as represented by the Executive Director, actually removed himself from participation in our task force. We would have loved his participation in this. The exemption language that was put in for the Ethics Code at pages 58 and 59. If you look at that, it mirrors in fact the way that the exemptions to the procurement law, which are currently in statute for Charter Schools. So this is a work in progress. There is a commitment that we're going to clean up exemption language for the ethics.

"And one last point I would say, Mr. Speaker, is that the intention of the amendment for the ethics exemptions was not to actually exempt them from any ethics requirements. The bill in fact does say that they should have ethics policies and procedures in place, but that they would just not be subject to the Chapter 84 ethics requirements. So Mr. Speaker, thank you again for the opportunity to be able to work on this, to be able to take this to Conference, because I think that this will be a bill that can be something that we can all be proud of at the end of the day. Thank you."

Representative Keith-Agaran rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, just note my reservations in support. And I will be watching this bill as it goes through Conference. So based on the representations from the good Representative from Tantalus, I'll vote with reservations."

Representative Nishimoto rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Nakashima rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine 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 Har rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, first of all I really do want to acknowledge the recommendations of the Charter School Governance Accountability and Authority Task Force. I know they did a lot of good work and there are a lot of good provisions in this bill. But I need to be clear on why I am rising in opposition.

"There is a poison pill in this bill. And it has been acknowledged by the Vice Chair of Education and many others including the speaker from Pearl City. But the fact of the matter is this. Let's read the language. Charter Schools and their employees, the Commission and its employees, and the authorizers and their employees, shall be exempt from Chapter 84, provided that they shall develop internal policies and procedures for gifts, confidential information, fair treatment, conflicts of interest, and contracts consistent with the goals for the State Ethics Code pursuant to Chapter 84.

"Mr. Speaker, as many of us recall last summer, there was a whole series of articles done in the *Star Advertiser* regarding abuses in our Charter School System, which led to a performance audit by our State Auditor. There were some really disturbing provisions in this audit. I'll quote some of the provisions by our State Auditor.

In our review of our charter schools financial information, we found the same cascading delegation of responsibilities. In many cases, charter schools are free to spend public funds with little or no oversight. As a result, we found school spending and employment practices that were unethical and illegal, ranging from the seemingly frivolous, excursions to a water park, an ice skating rink and a school financed prom, to the possibly fraudulent, administrators doubling and tripling each other's salaries. Unless the Charter School Review Panel and the Charter School Administrative Office takes central and active roles in a robust monitoring and reporting system, school spending will continue unrestrained, and a clear picture of the financial viability of an individual school and the charter school system itself will remain elusive.

"The report goes on to say:

According to the State Constitution, public officers and employees must exhibit the highest standards of ethical conduct. They are subject to the State Code of Ethics and should not use or attempt to use their official position to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment for themselves or others. Public charter school employees and local school board members are also subject to the code's conflict of interest provision, which prohibits them from taking an official action if the action affects their financial

interests. Also they cannot take action affecting an undertaking in which they, in a private capacity, represent a person or business.

"So one of the recommendations that was made by the State Auditor was to establish and implement stronger and more effective controls to reduce improper and abusive purchases and to ensure operational efficiency by incorporating the requirements of ethical public procurement and the State Ethics Code conflict of interest provisions in compliance with Chapter 84, HRS, to ensure the employees conduct and participate in public procurement in an ethical manner.

"Mr. Speaker, the provisions in this poison pill fly in the face of that direct recommendation from the State Auditor. Moreover Mr. Speaker, I direct the Members to the testimony of the Attorney General. The Attorney General states:

This bill exempts charter schools and their governing boards from Chapter 84, the State Ethics Code. These exemptions appear contrary to the mandate in Article XIV of the State Constitution, which requires the Legislature to adopt a code of ethics that applies to the employees of the State and members of State boards. Article XIV states, 'the people of Hawaii believe that public officers and employees must exhibit the highest standards of ethical conduct, and that these standards come from personal integrity in each individual in government.'

"Mr. Speaker, I also note the testimony of the League of Women Voters, who also express reservations regarding this particular exemption. I look at Common Cause's testimony that, again, mirrored the same concerns as the AG's Office and the League of Women Voters.

"Mr. Speaker, for those of us who are about good government, there is absolutely no reason to have this poison pill. It flies in the face of every testifier who is about good government, and it should not be in the bill. I do realize it's a work in progress, but this poison pill has forced me to vote in opposition. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. You know, Mr. Speaker, the previous speaker is implying and inferring that somehow the poison pill was put in there intentionally, deliberately, and just the very phrase, 'poison pill' insinuates that there's something sinister and conspiracy minded about this section of the bill. I can assure you, Mr. Speaker, that is not the case. As was said, time and time again, the intent when we go to Conference is to take that section out.

"But why did this arise? Why did this issue arise to begin with? It arose because, you have Charter Schools out there, Mr. Speaker, that either have strong partnerships with non-profits, or for-profits, and as a result should their boards be subjected to the State Ethics Code? The intent is to say, that is an indirect relationship, and those boards should not be subjected to the ethics code.

"Now I realize we can only vote on the bill that's before us. So naturally when you see it on its face, it does seem, and hence as a result we have these groups opposing it. But all we can do is assure you that when we go to Conference, this will be taken care of. And if that poison pill is in there on Final Reading, I am certainly not going to be one to urge everybody to take that pill, Mr. Speaker. Because it won't be in there. You have my assurances of that. Thank you, Mr. Speaker."

Representative Johanson 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 Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto 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. 2115, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Aquino, Carroll, Chang, Cullen, Har, Ito, Kawakami, McKelvey, Souki, Tokioka and Yamane voting no.

At 6:52 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 755, SD 2, HD 3
S.B. No. 2742, SD 1, HD 2
S.B. No. 3010, SD 2, HD 1
S.B. No. 1276, SD 2, HD 2
S.B. No. 2394, SD 1, HD 3
S.B. No. 2115, SD 2, HD 2

THIRD READING

S.B. No. 1142, SD 2, HD 1:

Representative Chong moved that S.B. No. 1142, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"Food safety and good agricultural practices have become increasingly important to both the agriculture industry and consumers. With the demand for local products on the rise, we should not neglect to provide safeguards and guidelines to ensure the best quality of such items.

"Another Bill, HB 1947, was introduced with language to address these issues. However, the measure was not heard by the last Senate referral committee and thus is no longer viable this year. Therefore SB 1142 became the vehicle.

"Part I of this Bill establishes an agricultural practices audit and certification revolving fund; defines "good agricultural practices" and "producer"; and authorizes the Department of Agriculture to establish a voluntary program to audit and certify that producers are following good agricultural practices. Testimony received in support of the measure came from numerous industry stakeholders and I urge my colleagues to allow the dialog to continue."

The motion was put to vote by the Chair and carried, and S.B. No. 1142, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Ching, Hanohano, C. Lee, Riviere and Ward voting no, and with Representative Chang being excused.

S.B. No. 2868, SD 1, HD 1:

Representative Chong moved that S.B. No. 2868, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to voice my strong objections to S.B. 2868. S.B. 2868 imposes fees to obtain a tax clearance or a certified copy of a tax clearance. Specifically, this bill proposes a fee of \$20 for each tax clearance application, and an additional \$5 for each certified copy of a tax clearance. The proposed legislation argues these fees necessary based on the volume of tax clearances processed by the Department of Taxation, between 20,000 and 30,000 applications per year.

"As the Tax Foundation of Hawaii brings to light, this logic is flawed: "A tax clearance is merely a validation on the Department of Taxation that the taxpayer is compliant." Taxpayers are already required to abide by the laws of the state, and pay what is due. Amounts included in taxes should therefore include such routine government services as tax clearance processing. Were we to impose fees for each public service utilized by a large fraction of the population, based simply on the logic that the service yields a high volume of output, we could reach no end in the number of additional taxes proposed. Government, by definition, operates on behalf of a population as a whole. Therefore, in fact, a large number of beneficiaries for a given service should be an argument *for* – not against – bundling that service into government tax coverage.

"Testimony also notes that taxpayers may obtain tax clearances from the Department of Accounting and General Services' Hawaii Compliance Express program, which charges annual registration fees of only \$12. This alternative renders the fees imposed by S.B. 2868 redundant, and tax clearance selection methods arbitrary. Furthermore, comparing the fees suggested by S.B. 2868 with those imposed by other state departments reveals the \$20 application fee and \$5 copy fee excessive: Department of Health, for instance, only charges \$10 for the first copy of a birth, death or marriage certificate, and \$4 for each copy thereafter.

"What most concerns me about this legislation, however, is the aggressive damage it could reap upon our community's most valuable organizations. The Hawaii Alliance of Nonprofit Organizations (HANO) reminds us that many nonprofits have multiple contracts for doing business with the state, and need to provide tax clearances frequently throughout the year. The aggregate sums of these fees could push many of these organizations toward closure, as nonprofits do not often have ample disposable unrestricted income to pay such fees on top of today's escalating fuel and energy business costs. As HANO states, "Many nonprofits partner with state government to provide critical services that provide enhanced health and safety and improve our quality of life in communities across the state ... It is important to note that these services are often provided by nonprofit organizations because state government is unable to deliver these services as quickly or cost-effectively as its nonprofit partners." Hawaii cannot afford to dismiss its nonprofits, for these organizations fill in essential holes for services we would otherwise struggle without.

"Finally, discussions of this bill have raised the question of whether electronic requests would qualify for exemptions from these application and copy fees. As testimony points out, however, the bill's current language does not address electronic exemptions. Thus, the argument that S.B. 2868 provides incentive for paperless processing is currently moot.

"Please consider my serious concerns and objections, as we seek to reformulate this potentially destructive legislation. Thank you."

Representative Hanohano 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 S.B. No. 2868, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Ching, Fontaine, Johanson, Marumoto, Pine, Riviere, Thielen and Ward voting no, and with Representative Chang being excused.

S.B. No. 2967, SD 2, HD 1:

Representative Chong moved that S.B. No. 2967, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Kawakami rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Kawakami's written remarks are as follows:

"Mr. Speaker, I stand in strong support of SB 2967. This bill would create a separate bargaining unit in HGEA for Ocean and Water Safety Officers. These Ocean and Water Safety Officers risk their lives daily to

protect our most valuable resource, our *keiki*, our *kupuna*, our *kamaaina*, and our *malihini*. They protect our tourist industry and they are stewards of our island resources. These brave men and women put their lives on the line daily. The stories of their heroic rescues often reach the headlines but what we don't hear are the countless lives they save through preventative measures.

"Mr. Speaker this measure gives our bravehearts of the sea the recognition that they deserve. It allows them to be seen as they should be. A unique group of men and women who's call of duty requires the attention and resources that they deserve."

Representative Riviere rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Riviere's written remarks are as follows:

"I support creation of Bargaining Unit 14 for the Ocean Safety and Water Safety Officers. These professionals have long served our State and saved thousands of lives through skillful training and attention. It is appropriate to remove them from the same bargaining units as office staff because their skill sets and job requirements are so dramatically different. While this will be the smallest bargaining unit in the State, this profession is unique in deserving of an appropriate bargaining unit."

The motion was put to vote by the Chair and carried, and S.B. No. 2967, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

At 6:55 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1142, SD 2, HD 1

S.B. No. 2868, SD 1, HD 1

S.B. No. 2967, SD 2, HD 1

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, thank you for the excellent lunch, and for the excellent debate that we've had today. And Mr. Speaker, your question of, why did we have excessive celebration, deserves an answer. Because 99.999% of the times that we vote on this Floor, everything passes. That was a 1 percent that we actually voted down. The 8 votes made a difference. We did the right thing. We voted for the teachers. We let the bell schedule stay in place and let them determine at that level. So Mr. Speaker, have a good recess. And thank you to all the Majority. Aloha."

Representative M. Lee, for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on the following measures tomorrow, Wednesday, April 11, at 11:15 o'clock a.m. in Conference Room 308, and the Chair "so ordered."

HC 157 and companion HR 121, Requesting a study on the feasibility and benefits of establishing certification and licensure fees to support certain Department of Human Services programs; and

HC 159 and companion HR 123, Requesting the Department of Human Services to conduct a study on the State's compliance with the Patient Protection and Affordable Care Act, with emphasis on Medicaid program integrity.

Representative Aquino: "Thank you, Mr. Speaker. Tomorrow, April 11, from 10 a.m. to 1 p.m., we'll be having the National Guard Legislative Day here at the Capitol. Again, tomorrow from 10 a.m. to 1 p.m. And the purpose, Mr. Speaker, is to demonstrate the diversity and uniqueness of our National Guard. It will be held throughout the Rotunda area, as well as Room 309."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R. Nos.

Referred to:

34, SD1	Committee on Labor & Public Employment, then jointly to the Committee on Finance and the Committee on Legislative Management
73	Jointly to the Committee on International Affairs and the Committee on Energy & Environmental Protection
97, SD1	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
162, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on International Affairs

ADJOURNMENT

At 6:58 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, April 12, 2012. (Representative Chang was excused.)

HOUSE COMMUNICATIONS

"April 10, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie,

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following Senate Bill, a copy of which is attached hereto:

S.B. No. 650, H.D. 1, entitled:

"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES."

Said measure passed Third Reading in the Hawaii House of Representatives on this date.

Respectfully,
/s/ CJ Leong
CJ Leong
Chief Clerk

Enclosures

cc: Carol Taniguchi, Senate Chief Clerk
Scott Nago, Chief Election Officer"

FORTY-SEVENTH DAY

Thursday, April 12, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Mr. Ryan Kalei Tsuji of KITV News, son of Representative Clift Tsuji, after which the Roll was called showing all Members present with the exception of Representatives Har, Ito and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Sixth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 237 and 1113 through 1115) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 237, dated March 29, 2012, transmitting the 2011 Annual Report on the Agricultural Development and Food Security Special Fund, prepared by the Department of Agriculture pursuant to Act 73, SLH 2010.

Gov. Msg. No. 1113, informing the House that on April 10, 2012, the following bill was signed into law:

H.B. No. 2576, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW." (ACT 013)

Gov. Msg. No. 1114, informing the House that on April 10, 2012, the following bill was signed into law:

H.B. No. 2573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIP." (ACT 014)

Gov. Msg. No. 1115, informing the House that on April 11, 2012, the following bill was signed into law:

S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS." (ACT 015)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 480 through 675) were received and announced by the Clerk:

Sen. Com. No. 480, dated April 10, 2012, informing the House that the Senate has on April 5, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Sen. Com. No. 481, dated April 10, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 2221, SD 1, HD 1
S.B. No. 2419, SD 2, HD 3
S.B. No. 2871, SD 1, HD 2

Sen. Com. No. 482, transmitting S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO PRESERVE PROPERTY TAX EXEMPTIONS FOR KULEANA LANDS," which was adopted by the Senate on April 10, 2012.

Sen. Com. No. 483, transmitting S.C.R. No. 151, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF HEALTH, AND OFFICE OF PLANNING TO STREAMLINE THE PERMITTING PROCESS FOR THE RESTORATION OF HAWAIIAN FISHPONDS," which was adopted by the Senate on April 10, 2012.

Sen. Com. No. 484, transmitting S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO CONTINUE TO ENSURE THAT UNITED STATES ADVISORY FORCES REMAIN IN UGANDA UNTIL JOSEPH KONY IS REMOVED AND STABILITY IS BROUGHT TO THE COUNTRY," which was adopted by the Senate on April 10, 2012.

Sen. Com. No. 485, transmitting H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 486, transmitting H.B. No. 1698, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 487, transmitting H.B. No. 1744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 488, transmitting H.B. No. 1772, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 489, transmitting H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 490, transmitting H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO VOG," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 491, transmitting H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 492, transmitting H.B. No. 2133, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 493, transmitting H.B. No. 2254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRETAX TRANSPORTATION BENEFIT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 494, transmitting H.B. No. 2410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 495, transmitting H.B. No. 2439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 496, transmitting H.B. No. 2441, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 497, transmitting H.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO CONVERSIONS BY NONPROFIT

CORPORATIONS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 498, transmitting H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 499, transmitting H.B. No. 2508, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 500, transmitting H.B. No. 2537, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 501, transmitting H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 502, transmitting H.B. No. 2547, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 503, transmitting H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 504, transmitting H.B. No. 2591, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 505, transmitting H.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE REPORTS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 506, transmitting H.B. No. 2602, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 507, transmitting H.B. No. 46, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 508, transmitting H.B. No. 101, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 509, transmitting H.B. No. 246, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 510, transmitting H.B. No. 280, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 511, transmitting H.B. No. 283, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 512, transmitting H.B. No. 297, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES FEE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 513, transmitting H.B. No. 302, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES SPECIAL FUND," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 514, transmitting H.B. No. 304, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 515, transmitting H.B. No. 341, HD 4, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 516, transmitting H.B. No. 425, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 517, transmitting H.B. No. 468, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 518, transmitting H.B. No. 609, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 519, transmitting H.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 520, transmitting H.B. No. 679, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 521, transmitting H.B. No. 755, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 522, transmitting H.B. No. 798, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 523, transmitting H.B. No. 1033, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 524, transmitting H.B. No. 1054, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 525, transmitting H.B. No. 1181, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 526, transmitting H.B. No. 1295, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 527, transmitting H.B. No. 1306, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 528, transmitting H.B. No. 1398, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 529, transmitting H.B. No. 1524, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 530, transmitting H.B. No. 1551, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 531, transmitting H.B. No. 1617, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 532, transmitting H.B. No. 1666, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 533, transmitting H.B. No. 1671, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 534, transmitting H.B. No. 1689, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 535, transmitting H.B. No. 1705, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 536, transmitting H.B. No. 1706, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 537, transmitting H.B. No. 1724, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND HUMAN SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 538, transmitting H.B. No. 1726, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 539, transmitting H.B. No. 1755, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 540, transmitting H.B. No. 1764, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 541, transmitting H.B. No. 1765, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 542, transmitting H.B. No. 1771, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 543, transmitting H.B. No. 1777, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 544, transmitting H.B. No. 1788, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 545, transmitting H.B. No. 1791, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 546, transmitting H.B. No. 1800, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 547, transmitting H.B. No. 1838, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 548, transmitting H.B. No. 1848, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 549, transmitting H.B. No. 1875, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 550, transmitting H.B. No. 1879, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 551, transmitting H.B. No. 1892, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 552, transmitting H.B. No. 1905, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 553, transmitting H.B. No. 1928, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TESTING FOR INTOXICANTS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 554, transmitting H.B. No. 1941, HD 2, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL INSPECTION FACILITIES AND RELATED INFRASTRUCTURE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 555, transmitting H.B. No. 1942, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 556, transmitting H.B. No. 1943, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 557, transmitting H.B. No. 1953, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 558, transmitting H.B. No. 1957, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 559, transmitting H.B. No. 1967, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 560, transmitting H.B. No. 1968, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 561, transmitting H.B. No. 1972, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 562, transmitting H.B. No. 1974, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 563, transmitting H.B. No. 2004, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 564, transmitting H.B. No. 2012, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 565, transmitting H.B. No. 2013, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 566, transmitting H.B. No. 2078, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 567, transmitting H.B. No. 2093, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL EDUCATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 568, transmitting H.B. No. 2099, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 569, transmitting H.B. No. 2100, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 570, transmitting H.B. No. 2113, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 571, transmitting H.B. No. 2121, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 572, transmitting H.B. No. 2145, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 573, transmitting H.B. No. 2150, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 574, transmitting H.B. No. 2152, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 575, transmitting H.B. No. 2154, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 576, transmitting H.B. No. 2174, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 577, transmitting H.B. No. 2175, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 578, transmitting H.B. No. 2179, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 579, transmitting H.B. No. 2226, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 580, transmitting H.B. No. 2227, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 581, transmitting H.B. No. 2232, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 582, transmitting H.B. No. 2242, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 583, transmitting H.B. No. 2244, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 584, transmitting H.B. No. 2246, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAIKU VALLEY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 585, transmitting H.B. No. 2248, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 586, transmitting H.B. No. 2250, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 587, transmitting H.B. No. 2251, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 588, transmitting H.B. No. 2257, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 589, transmitting H.B. No. 2258, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 590, transmitting H.B. No. 2262, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 591, transmitting H.B. No. 2264, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 592, transmitting H.B. No. 2265, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 593, transmitting H.B. No. 2266, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 594, transmitting H.B. No. 2273, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 595, transmitting H.B. No. 2275, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 596, transmitting H.B. No. 2290, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 597, transmitting H.B. No. 2295, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CYBERBULLYING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 598, transmitting H.B. No. 2296, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 599, transmitting H.B. No. 2302, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 600, transmitting H.B. No. 2312, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TORTS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 601, transmitting H.B. No. 2314, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 602, transmitting H.B. No. 2319, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 603, transmitting H.B. No. 2320, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 604, transmitting H.B. No. 2326, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 605, transmitting H.B. No. 2328, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 606, transmitting H.B. No. 2338, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATIVE MEDIA INDUSTRY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 607, transmitting H.B. No. 2347, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 608, transmitting H.B. No. 2361, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DEBT COLLECTION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 609, transmitting H.B. No. 2374, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 610, transmitting H.B. No. 2375, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 611, transmitting H.B. No. 2380, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 612, transmitting H.B. No. 2398, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 613, transmitting H.B. No. 2404, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 614, transmitting H.B. No. 2409, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 615, transmitting H.B. No. 2415, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 616, transmitting H.B. No. 2417, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 617, transmitting H.B. No. 2448, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 618, transmitting H.B. No. 2454, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 619, transmitting H.B. No. 2476, HD 1, SD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 620, transmitting H.B. No. 2483, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 621, transmitting H.B. No. 2487, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 622, transmitting H.B. No. 2491, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 623, transmitting H.B. No. 2493, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 624, transmitting H.B. No. 2494, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 625, transmitting H.B. No. 2495, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 626, transmitting H.B. No. 2501, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 627, transmitting H.B. No. 2502, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 628, transmitting H.B. No. 2513, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 629, transmitting H.B. No. 2514, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 630, transmitting H.B. No. 2515, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 631, transmitting H.B. No. 2524, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 632, transmitting H.B. No. 2526, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 633, transmitting H.B. No. 2529, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 634, transmitting H.B. No. 2540, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 635, transmitting H.B. No. 2553, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 636, transmitting H.B. No. 2564, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 637, transmitting H.B. No. 2569, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 638, transmitting H.B. No. 2574, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 639, transmitting H.B. No. 2589, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 640, transmitting H.B. No. 2593, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 641, transmitting H.B. No. 2594, HD 2, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 642, transmitting H.B. No. 2595, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 643, transmitting H.B. No. 2599, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 644, transmitting H.B. No. 2601, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 645, transmitting H.B. No. 2608, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 646, transmitting H.B. No. 2623, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 647, transmitting H.B. No. 2626, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 648, transmitting H.B. No. 2644, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 649, transmitting H.B. No. 2655, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 650, transmitting H.B. No. 2656, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 651, transmitting H.B. No. 2664, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 652, transmitting H.B. No. 2668, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 653, transmitting H.B. No. 2681, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 654, transmitting H.B. No. 2682, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 655, transmitting H.B. No. 2684, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 656, transmitting H.B. No. 2685, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 657, transmitting H.B. No. 2686, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 658, transmitting H.B. No. 2703, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD SELF-SUFFICIENCY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 659, transmitting H.B. No. 2740, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 660, transmitting H.B. No. 2751, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 661, transmitting H.B. No. 2760, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 662, transmitting H.B. No. 2766, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 663, transmitting H.B. No. 2776, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 664, transmitting H.B. No. 2798, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 665, transmitting H.B. No. 2800, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 666, transmitting H.B. No. 2806, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 667, transmitting H.B. No. 2819, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 668, transmitting H.B. No. 2848, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 669, transmitting H.B. No. 2852, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 670, transmitting H.B. No. 2869, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMY," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 671, transmitting H.B. No. 2871, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 672, transmitting H.B. No. 2872, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 673, transmitting H.B. No. 2873, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 674, transmitting H.B. No. 2875, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," which passed Third Reading in the Senate on April 10, 2012.

Sen. Com. No. 675, transmitting H.B. No. 2883, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," which passed Third Reading in the Senate on April 10, 2012.

Representative Chong moved to disagree to the amendments made by the Senate to the following House Bills returned to the House, seconded by Representative Evans and carried: (Representatives Chang, Har, Ito and Oshiro were excused.)

H.B. No. 46, HD 2, (SD 2)
H.B. No. 101, HD 2, (SD 2)
H.B. No. 246, HD 1, (SD 2)
H.B. No. 280, HD 1, (SD 2)
H.B. No. 283, HD 1, (SD 2)
H.B. No. 297, HD 1, (SD 1)

H.B. No. 302, HD 1, (SD 2)
H.B. No. 304, HD 1, (SD 1)
H.B. No. 341, HD 4, (SD 1)
H.B. No. 425, HD 3, (SD 2)
H.B. No. 468, HD 1, (SD 2)
H.B. No. 609, HD 2, (SD 2)
H.B. No. 626, (SD 1)
H.B. No. 679, HD 1, (SD 1)
H.B. No. 755, HD 3, (SD 2)
H.B. No. 798, HD 1, (SD 2)
H.B. No. 1033, HD 1, (SD 2)
H.B. No. 1054, HD 1, (SD 1)
H.B. No. 1181, HD 1, (SD 1)
H.B. No. 1295, HD 3, (SD 2)
H.B. No. 1306, HD 2, (SD 1)
H.B. No. 1398, HD 1, (SD 1)
H.B. No. 1524, HD 2, (SD 2)
H.B. No. 1551, HD 2, (SD 2)
H.B. No. 1617, HD 2, (SD 2)
H.B. No. 1666, HD 1, (SD 1)
H.B. No. 1671, HD 2, (SD 2)
H.B. No. 1689, HD 1, (SD 2)
H.B. No. 1705, HD 1, (SD 1)
H.B. No. 1706, HD 1, (SD 1)
H.B. No. 1724, HD 1, (SD 2)
H.B. No. 1726, HD 1, (SD 2)
H.B. No. 1755, HD 2, (SD 2)
H.B. No. 1764, HD 1, (SD 1)
H.B. No. 1765, HD 2, (SD 1)
H.B. No. 1771, HD 1, (SD 1)
H.B. No. 1777, HD 1, (SD 1)
H.B. No. 1788, HD 1, (SD 1)
H.B. No. 1791, (SD 1)
H.B. No. 1800, HD 2, (SD 2)
H.B. No. 1838, (SD 1)
H.B. No. 1848, HD 2, (SD 1)
H.B. No. 1875, HD 2, (SD 2)
H.B. No. 1879, HD 2, (SD 1)
H.B. No. 1892, (SD 1)
H.B. No. 1905, HD 2, (SD 2)
H.B. No. 1928, (SD 1)
H.B. No. 1941, HD 2, (SD 2)
H.B. No. 1942, HD 2, (SD 2)
H.B. No. 1943, HD 2, (SD 2)
H.B. No. 1953, HD 1, (SD 1)
H.B. No. 1957, HD 2, (SD 2)
H.B. No. 1967, HD 2, (SD 2)
H.B. No. 1968, HD 1, (SD 2)
H.B. No. 1972, HD 2, (SD 1)
H.B. No. 1974, HD 2, (SD 1)
H.B. No. 2004, HD 2, (SD 2)
H.B. No. 2012, HD 1, (SD 1)
H.B. No. 2013, HD 2, (SD 1)
H.B. No. 2078, HD 2, (SD 2)
H.B. No. 2093, HD 2, (SD 2)
H.B. No. 2099, HD 1, (SD 1)
H.B. No. 2100, HD 2, (SD 1)
H.B. No. 2113, HD 1, (SD 1)
H.B. No. 2121, HD 2, (SD 1)
H.B. No. 2145, HD 2, (SD 1)
H.B. No. 2150, HD 2, (SD 1)
H.B. No. 2152, HD 2, (SD 2)
H.B. No. 2154, HD 2, (SD 2)
H.B. No. 2174, HD 1, (SD 1)
H.B. No. 2175, HD 2, (SD 1)
H.B. No. 2179, (SD 1)
H.B. No. 2226, HD 2, (SD 2)
H.B. No. 2227, HD 1, (SD 2)
H.B. No. 2232, HD 2, (SD 1)
H.B. No. 2242, HD 1, (SD 1)
H.B. No. 2244, HD 1, (SD 2)
H.B. No. 2246, HD 2, (SD 2)
H.B. No. 2248, HD 2, (SD 2)

H.B. No. 2250, HD 2, (SD 1)
 H.B. No. 2251, (SD 1)
 H.B. No. 2257, HD 1, (SD 1)
 H.B. No. 2258, HD 2, (SD 1)
 H.B. No. 2262, HD 2, (SD 2)
 H.B. No. 2264, HD 2, (SD 1)
 H.B. No. 2265, HD 2, (SD 2)
 H.B. No. 2266, HD 1, (SD 1)
 H.B. No. 2273, (SD 1)
 H.B. No. 2275, HD 2, (SD 2)
 H.B. No. 2290, HD 1, (SD 2)
 H.B. No. 2295, HD 1, (SD 2)
 H.B. No. 2296, HD 1, (SD 1)
 H.B. No. 2302, HD 2, (SD 1)
 H.B. No. 2312, HD 2, (SD 2)
 H.B. No. 2314, HD 1, (SD 1)
 H.B. No. 2319, HD 2, (SD 1)
 H.B. No. 2320, HD 2, (SD 2)
 H.B. No. 2326, HD 1, (SD 1)
 H.B. No. 2328, HD 1, (SD 1)
 H.B. No. 2338, HD 2, (SD 1)
 H.B. No. 2347, (SD 1)
 H.B. No. 2361, HD 2, (SD 2)
 H.B. No. 2374, (SD 1)
 H.B. No. 2375, (SD 2)
 H.B. No. 2380, HD 2, (SD 2)
 H.B. No. 2398, HD 2, (SD 1)
 H.B. No. 2404, HD 1, (SD 2)
 H.B. No. 2409, (SD 1)
 H.B. No. 2415, HD 2, (SD 1)
 H.B. No. 2417, HD 2, (SD 2)
 H.B. No. 2448, HD 2, (SD 2)
 H.B. No. 2454, HD 1, (SD 1)
 H.B. No. 2476, HD 1, (SD 2)
 H.B. No. 2483, HD 1, (SD 1)
 H.B. No. 2487, HD 1, (SD 2)
 H.B. No. 2491, HD 1, (SD 1)
 H.B. No. 2493, HD 1, (SD 1)
 H.B. No. 2494, HD 1, (SD 1)
 H.B. No. 2495, HD 1, (SD 1)
 H.B. No. 2501, HD 1, (SD 2)
 H.B. No. 2502, HD 2, (SD 2)
 H.B. No. 2513, HD 1, (SD 2)
 H.B. No. 2514, HD 3, (SD 1)
 H.B. No. 2515, HD 3, (SD 2)
 H.B. No. 2524, HD 2, (SD 2)
 H.B. No. 2526, HD 2, (SD 2)
 H.B. No. 2529, HD 1, (SD 1)
 H.B. No. 2540, HD 2, (SD 1)
 H.B. No. 2553, HD 2, (SD 2)
 H.B. No. 2564, HD 1, (SD 1)
 H.B. No. 2569, HD 2, (SD 1)
 H.B. No. 2574, HD 1, (SD 1)
 H.B. No. 2589, HD 2, (SD 2)
 H.B. No. 2593, HD 2, (SD 1)
 H.B. No. 2594, HD 2, (SD 1)
 H.B. No. 2595, HD 2, (SD 2)
 H.B. No. 2599, HD 1, (SD 1)
 H.B. No. 2601, HD 3, (SD 1)
 H.B. No. 2608, HD 1, (SD 2)
 H.B. No. 2623, HD 1, (SD 1)
 H.B. No. 2626, HD 2, (SD 2)
 H.B. No. 2644, HD 2, (SD 1)
 H.B. No. 2655, HD 2, (SD 1)
 H.B. No. 2656, HD 2, (SD 2)
 H.B. No. 2664, HD 1, (SD 1)
 H.B. No. 2668, HD 2, (SD 2)
 H.B. No. 2681, HD 1, (SD 1)
 H.B. No. 2682, HD 1, (SD 1)
 H.B. No. 2684, HD 2, (SD 2)
 H.B. No. 2685, HD 2, (SD 2)
 H.B. No. 2686, HD 1, (SD 1)
 H.B. No. 2703, HD 2, (SD 2)

H.B. No. 2740, HD 1, (SD 1)
 H.B. No. 2751, HD 2, (SD 1)
 H.B. No. 2760, HD 2, (SD 2)
 H.B. No. 2766, HD 2, (SD 1)
 H.B. No. 2776, HD 2, (SD 2)
 H.B. No. 2798, HD 3, (SD 2)
 H.B. No. 2800, HD 1, (SD 2)
 H.B. No. 2806, HD 2, (SD 2)
 H.B. No. 2819, HD 1, (SD 2)
 H.B. No. 2848, HD 3, (SD 2)
 H.B. No. 2852, HD 1, (SD 1)
 H.B. No. 2869, HD 2, (SD 2)
 H.B. No. 2871, HD 1, (SD 1)
 H.B. No. 2872, HD 3, (SD 2)
 H.B. No. 2873, HD 2, (SD 2)
 H.B. No. 2875, (SD 2)
 H.B. No. 2883, HD 2, (SD 2)

H.B. No. 108, HD 1, (SD 2)

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

At 12:12 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:13 'clock p.m.

Representative Awana, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1691-12) recommending that H.R. No. 133, be adopted; and

(Stand. Com. Rep. No. 1692-12) recommending that H.C.R. No. 173, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 133; and H.C.R. No. 173, be adopted, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. These Resolutions recognizes the cultural, educational, political and economic relations between the people of Hawaii and Istanbul, Turkey. Hawaii is located in the center of the Pacific. We have referred to our island state as being the go-between, between the East and the West. There is a strong similarity between Hawaii and Turkey in this respect. Turkey is located between Europe, Asia and Africa. With their strategic location, they have become the 8th largest economy in Europe and the 7th largest economy in the world. Perhaps our State may be able to learn from Istanbul, Turkey in this area.

"From my experience, the people embrace the same type of welcoming spirit known to us as *aloha*. Over many centuries, Turkey has experienced many people from all parts of the world. By building these positive relations with countries such as Istanbul, Turkey, Hawaii will help to seed the *aloha* spirit and bridge the friendships that will last for generations to come. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 133, entitled: "HOUSE RESOLUTION RECOGNIZING THE CULTURAL, EDUCATIONAL, POLITICAL, AND ECONOMIC RELATIONS BETWEEN THE PEOPLE OF HAWAII AND ISTANBUL, TURKEY," was adopted, with Representatives Chang and Oshiro being excused; and

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE CULTURAL, EDUCATIONAL, POLITICAL, AND ECONOMIC RELATIONS BETWEEN THE PEOPLE OF HAWAII AND ISTANBUL, TURKEY," was adopted, with Representatives Chang and Oshiro being excused.

Representatives Awana and Brower, for the Committee on International Affairs and the Committee on Tourism presented two reports:

(Stand. Com. Rep. No. 1693-12) recommending that H.R. No. 130, be adopted; and

(Stand. Com. Rep. No. 1694-12) recommending that H.C.R. No. 170, be adopted.

Representative Chong moved that the reports of the Committees be adopted, and that H.R. No. 130; and H.C.R. No. 170, be adopted, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. Mr. Speaker, these measures urge the Congress of the United States to enact the Visa Improvements to stimulate international tourism to the United States of America Act. The VISA Improvements to simulate International Tourism to the United States of America Act, H.R. 3341, 2011 is a bipartisan measure introduced by Congresswoman Maize Hirono.

"Currently, the visa process is extremely cumbersome, time consuming and inconvenient. Should this measure pass, there is an estimated increase of 280,000 visitors from foreign countries which would boost economic growth in the State. As stated in these Resolutions, it is estimated that the average visitor from China would stay in the State for six days and spend \$350 a day, yielding an estimated \$573,000,000 for Hawaii's economy. Mr. Speaker, with the passage of these Resolutions, this legislative body would be supporting economic growth at a time when most needed, as well as looking beyond the Party borders and do what is best for the people of our State. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 130, entitled: "HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was adopted, with Representatives Chang and Oshiro being excused; and

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was adopted, with Representatives Chang and Oshiro being excused.

Representatives Awana and Brower, for the Committee on International Affairs and the Committee on Tourism presented a report (Stand. Com. Rep. No. 1695-12) recommending that H.R. No. 98, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 98, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO SUPPORT AND INCLUDE THE PHILIPPINES IN THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was adopted, with Representatives Chang and Oshiro being excused.

Representatives Awana and Brower, for the Committee on International Affairs and the Committee on Tourism presented a report (Stand. Com. Rep. No. 1696-12) recommending that H.C.R. No. 130, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO SUPPORT AND INCLUDE THE PHILIPPINES IN THE VISA IMPROVEMENTS TO STIMULATE INTERNATIONAL TOURISM TO THE UNITED STATES OF AMERICA ACT," was adopted, with Representatives Chang and Oshiro being excused.

Representatives McKelvey and Coffman, for the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1697-12) recommending that H.R. No. 156, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 156, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO NOT IMPOSE ANY INCREASE TO THE NON-REFUNDABLE DEPOSIT BEVERAGE CONTAINER FEE UNTIL THE AUDITOR HAS COMPLETED AN UPDATED MANAGEMENT AND FINANCIAL AUDIT OF THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was adopted, with Representatives Chang and Oshiro being excused.

Representatives McKelvey and Coffman, for the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1698-12) recommending that H.C.R. No. 202, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 202, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO NOT IMPOSE ANY INCREASE TO THE NON-REFUNDABLE DEPOSIT BEVERAGE CONTAINER FEE UNTIL THE AUDITOR HAS COMPLETED AN UPDATED MANAGEMENT AND FINANCIAL AUDIT OF THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was adopted, with Representatives Chang and Oshiro being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1699-12) recommending that H.C.R. No. 141, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 141, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO CONVENE A TASK FORCE ON DOG BREEDING," was adopted, with Representatives Chang and Oshiro being excused.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>S.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
10, SD1	Committee on Public Safety & Military Affairs
64, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection and the Committee on Hawaiian Affairs, then to the Committee on Finance
116	Jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts
141	Committee on Water, Land, & Ocean Resources

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R.**No. Re-referred to:**

87 Committee on Public Safety & Military Affairs

H.C.R.**Nos. Re-referred to:**

115 Committee on Public Safety & Military Affairs

118, Committee on Economic Revitalization & Business
HD1

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 13, 2012. (Representatives Chang and Oshiro were excused.)

SUPPLEMENTAL CALENDAR #1**SENATE COMMUNICATIONS**

The following communication from the Senate (Sen. Com. No. 676) was received by the Clerk:

Sen. Com. No. 676, transmitting H.B. No. 108, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," which passed Third Reading in the Senate on April 12, 2012.

HOUSE COMMUNICATIONS

House Communication dated April 12, 2012, from CJ Leong, 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 House Bills:

H.B. No. 46, HD 2, SD 2
H.B. No. 101, HD 2, SD 2
H.B. No. 246, HD 1, SD 2
H.B. No. 280, HD 1, SD 2
H.B. No. 283, HD 1, SD 2
H.B. No. 297, HD 1, SD 1
H.B. No. 302, HD 1, SD 2
H.B. No. 304, HD 1, SD 1
H.B. No. 341, HD 4, SD 1
H.B. No. 425, HD 3, SD 2
H.B. No. 468, HD 1, SD 2
H.B. No. 609, HD 2, SD 2
H.B. No. 626, SD 1
H.B. No. 679, HD 1, SD 1
H.B. No. 755, HD 3, SD 2
H.B. No. 798, HD 1, SD 2
H.B. No. 1033, HD 1, SD 2
H.B. No. 1054, HD 1, SD 1
H.B. No. 1181, HD 1, SD 1
H.B. No. 1295, HD 3, SD 2
H.B. No. 1306, HD 2, SD 1
H.B. No. 1398, HD 1, SD 1
H.B. No. 1524, HD 2, SD 2
H.B. No. 1551, HD 2, SD 2
H.B. No. 1617, HD 2, SD 2
H.B. No. 1666, HD 1, SD 1
H.B. No. 1671, HD 2, SD 2

H.B. No. 1689, HD 1, SD 2
H.B. No. 1705, HD 1, SD 1
H.B. No. 1706, HD 1, SD 1
H.B. No. 1724, HD 1, SD 2
H.B. No. 1726, HD 1, SD 2
H.B. No. 1755, HD 2, SD 2
H.B. No. 1764, HD 1, SD 1
H.B. No. 1765, HD 2, SD 1
H.B. No. 1771, HD 1, SD 1
H.B. No. 1777, HD 1, SD 1
H.B. No. 1788, HD 1, SD 1
H.B. No. 1791, SD 1
H.B. No. 1800, HD 2, SD 2
H.B. No. 1838, SD 1
H.B. No. 1848, HD 2, SD 1
H.B. No. 1875, HD 2, SD 2
H.B. No. 1879, HD 2, SD 1
H.B. No. 1892, SD 1
H.B. No. 1905, HD 2, SD 2
H.B. No. 1928, SD 1
H.B. No. 1941, HD 2, SD 2
H.B. No. 1942, HD 2, SD 2
H.B. No. 1943, HD 2, SD 2
H.B. No. 1953, HD 1, SD 1
H.B. No. 1957, HD 2, SD 2
H.B. No. 1967, HD 2, SD 2
H.B. No. 1968, HD 1, SD 2
H.B. No. 1972, HD 2, SD 1
H.B. No. 1974, HD 2, SD 1
H.B. No. 2004, HD 2, SD 2
H.B. No. 2012, HD 1, SD 1
H.B. No. 2013, HD 2, SD 1
H.B. No. 2078, HD 2, SD 2
H.B. No. 2093, HD 2, SD 2
H.B. No. 2099, HD 1, SD 1
H.B. No. 2100, HD 2, SD 1
H.B. No. 2113, HD 1, SD 1
H.B. No. 2121, HD 2, SD 1
H.B. No. 2145, HD 2, SD 1
H.B. No. 2150, HD 2, SD 1
H.B. No. 2152, HD 2, SD 2
H.B. No. 2154, HD 2, SD 2
H.B. No. 2174, HD 1, SD 1
H.B. No. 2175, HD 2, SD 1
H.B. No. 2179, SD 1
H.B. No. 2226, HD 2, SD 2
H.B. No. 2227, HD 1, SD 2
H.B. No. 2232, HD 2, SD 1
H.B. No. 2242, HD 1, SD 1
H.B. No. 2244, HD 1, SD 2
H.B. No. 2246, HD 2, SD 2
H.B. No. 2248, HD 2, SD 2
H.B. No. 2250, HD 2, SD 1
H.B. No. 2251, SD 1
H.B. No. 2257, HD 1, SD 1
H.B. No. 2258, HD 2, SD 1
H.B. No. 2262, HD 2, SD 2
H.B. No. 2264, HD 2, SD 1
H.B. No. 2265, HD 2, SD 2
H.B. No. 2266, HD 1, SD 1
H.B. No. 2273, SD 1
H.B. No. 2275, HD 2, SD 2
H.B. No. 2290, HD 1, SD 2
H.B. No. 2295, HD 1, SD 2
H.B. No. 2296, HD 1, SD 1
H.B. No. 2302, HD 2, SD 1
H.B. No. 2312, HD 2, SD 2
H.B. No. 2314, HD 1, SD 1
H.B. No. 2319, HD 2, SD 1
H.B. No. 2320, HD 2, SD 2
H.B. No. 2326, HD 1, SD 1
H.B. No. 2328, HD 1, SD 1
H.B. No. 2338, HD 2, SD 1

H.B. No. 2347, SD 1
 H.B. No. 2361, HD 2, SD 2
 H.B. No. 2374, SD 1
 H.B. No. 2375, SD 2
 H.B. No. 2380, HD 2, SD 2
 H.B. No. 2398, HD 2, SD 1
 H.B. No. 2404, HD 1, SD 2
 H.B. No. 2409, SD 1
 H.B. No. 2415, HD 2, SD 1
 H.B. No. 2417, HD 2, SD 2
 H.B. No. 2448, HD 2, SD 2
 H.B. No. 2454, HD 1, SD 1
 H.B. No. 2476, HD 1, SD 2
 H.B. No. 2483, HD 1, SD 1
 H.B. No. 2487, HD 1, SD 2
 H.B. No. 2491, HD 1, SD 1
 H.B. No. 2493, HD 1, SD 1
 H.B. No. 2494, HD 1, SD 1
 H.B. No. 2495, HD 1, SD 1
 H.B. No. 2501, HD 1, SD 2
 H.B. No. 2502, HD 2, SD 2
 H.B. No. 2513, HD 1, SD 2
 H.B. No. 2514, HD 3, SD 1
 H.B. No. 2515, HD 3, SD 2
 H.B. No. 2524, HD 2, SD 2
 H.B. No. 2526, HD 2, SD 2
 H.B. No. 2529, HD 1, SD 1
 H.B. No. 2540, HD 2, SD 1
 H.B. No. 2553, HD 2, SD 2
 H.B. No. 2564, HD 1, SD 1
 H.B. No. 2569, HD 2, SD 1
 H.B. No. 2574, HD 1, SD 1
 H.B. No. 2589, HD 2, SD 2
 H.B. No. 2593, HD 2, SD 1
 H.B. No. 2594, HD 2, SD 1
 H.B. No. 2595, HD 2, SD 2
 H.B. No. 2599, HD 1, SD 1
 H.B. No. 2601, HD 3, SD 1
 H.B. No. 2608, HD 1, SD 2
 H.B. No. 2623, HD 1, SD 1
 H.B. No. 2626, HD 2, SD 2
 H.B. No. 2644, HD 2, SD 1
 H.B. No. 2655, HD 2, SD 1
 H.B. No. 2656, HD 2, SD 2
 H.B. No. 2664, HD 1, SD 1
 H.B. No. 2668, HD 2, SD 2
 H.B. No. 2681, HD 1, SD 1
 H.B. No. 2682, HD 1, SD 1
 H.B. No. 2684, HD 2, SD 2
 H.B. No. 2685, HD 2, SD 2
 H.B. No. 2686, HD 1, SD 1
 H.B. No. 2703, HD 2, SD 2
 H.B. No. 2740, HD 1, SD 1
 H.B. No. 2751, HD 2, SD 1
 H.B. No. 2760, HD 2, SD 2
 H.B. No. 2766, HD 2, SD 1
 H.B. No. 2776, HD 2, SD 2
 H.B. No. 2798, HD 3, SD 2
 H.B. No. 2800, HD 1, SD 2
 H.B. No. 2806, HD 2, SD 2
 H.B. No. 2819, HD 1, SD 2
 H.B. No. 2848, HD 3, SD 2
 H.B. No. 2852, HD 1, SD 1
 H.B. No. 2869, HD 2, SD 2
 H.B. No. 2871, HD 1, SD 1
 H.B. No. 2872, HD 3, SD 2
 H.B. No. 2873, HD 2, SD 2
 H.B. No. 2875, SD 2
 H.B. No. 2883, HD 2, SD 2

House Communication dated April 12, 2012, from CJ Leong, 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 House Bill:

H.B. No. 108, HD 1, SD 2

House Communication dated April 12, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has discharged all conferees on the following measures:

H.B. No. 70, HD 2, SD 1
 H.B. No. 79, HD 1, SD 1
 H.B. No. 121, HD 1, SD 1
 H.B. No. 129, HD 2, SD 2
 H.B. No. 130, HD 1, SD 1
 H.B. No. 159, HD 1, SD 2
 H.B. No. 160, HD 2, SD 2
 H.B. No. 169, HD 2, SD 2
 H.B. No. 235, HD 2, SD 2
 H.B. No. 243, HD 1, SD 1, CD 1
 H.B. No. 257, HD 2, SD 1
 H.B. No. 273, HD 1, SD 1
 H.B. No. 277, HD 2, SD 2
 H.B. No. 306, HD 1, SD 2
 H.B. No. 324, HD 2, SD 2
 H.B. No. 326, HD 1, SD 2
 H.B. No. 338, HD 2, SD 1
 H.B. No. 354, HD 1, SD 2
 H.B. No. 377, HD 2, SD 2
 H.B. No. 393, HD 2, SD 2
 H.B. No. 492, HD 2, SD 2
 H.B. No. 496, SD 2
 H.B. No. 505, HD 2, SD 2
 H.B. No. 526, HD 1, SD 2
 H.B. No. 550, HD 1, SD 1
 H.B. No. 563, HD 1, SD 1
 H.B. No. 569, HD 1, SD 2
 H.B. No. 594, HD 2, SD 2
 H.B. No. 596, HD 1, SD 1
 H.B. No. 614, HD 2, SD 1
 H.B. No. 638, HD 1, SD 1
 H.B. No. 640, HD 1, SD 1
 H.B. No. 678, HD 3, SD 2
 H.B. No. 758, HD 1, SD 2
 H.B. No. 786, HD 2, SD 2
 H.B. No. 793, SD 1
 H.B. No. 814, HD 1, SD 1
 H.B. No. 848, HD 2, SD 1
 H.B. No. 850, HD 1, SD 2
 H.B. No. 879, HD 1, SD 2
 H.B. No. 902, HD 2, SD 1
 H.B. No. 916, SD 1
 H.B. No. 983, HD 2, SD 1
 H.B. No. 1001, HD 2, SD 2
 H.B. No. 1012, HD 1, SD 2
 H.B. No. 1041, HD 2, SD 2
 H.B. No. 1063, HD 1, SD 1
 H.B. No. 1092, HD 1, SD 3
 H.B. No. 1179, HD 3, SD 1
 H.B. No. 1183, HD 2, SD 1
 H.B. No. 1203, HD 2, SD 1
 H.B. No. 1221, HD 1, SD 2
 H.B. No. 1248, HD 1, SD 1
 H.B. No. 1270, HD 1, SD 1
 H.B. No. 1277, HD 2, SD 2
 H.B. No. 1300, HD 2, SD 2
 H.B. No. 1307, HD 1, SD 1
 H.B. No. 1308, HD 2, SD 2
 H.B. No. 1312, HD 2, SD 2
 H.B. No. 1322, HD 2, SD 2
 H.B. No. 1326, HD 2, SD 1
 H.B. No. 1330, HD 1, SD 2
 H.B. No. 1407, HD 1, SD 2

H.B. No. 1411, HD 2, SD 2
H.B. No. 1483, HD 1, SD 2
H.B. No. 1513, HD 1, SD 2
H.B. No. 1529, HD 2, SD 1
H.B. No. 1570, HD 2, SD 1
H.B. No. 1626, HD 1, SD 2
H.B. No. 1642, HD 2, SD 1

S.B. No. 1458, SD 2, HD 3
S.B. No. 1496, SD 1, HD 1
S.B. No. 1522, SD 2, HD 1
S.B. No. 1549, SD 2, HD 1

S.B. No. 48, HD 1, HD 2
S.B. No. 99, SD 2, HD 1
S.B. No. 106, SD 1, HD 1, CD 1
S.B. No. 112, SD 1, HD 1
S.B. No. 145, SD 2, HD 2
S.B. No. 150, SD 2, HD 2
S.B. No. 155, SD 2, HD 1
S.B. No. 165, SD 2, HD 1
S.B. No. 199, SD 2, HD 1
S.B. No. 233, SD 2, HD 1
S.B. No. 240, SD 2, HD 2
S.B. No. 243, SD 2, HD 1
S.B. No. 244, HD 1
S.B. No. 249, SD 2, HD 2
S.B. No. 289, SD 2, HD 1
S.B. No. 318, SD 2, HD 2
S.B. No. 333, SD 3, HD 2
S.B. No. 367, SD 3, HD 2
S.B. No. 573, SD 2, HD 2
S.B. No. 596, SD 2, HD 1
S.B. No. 652, SD 2, HD 1
S.B. No. 699, SD 2, HD 2
S.B. No. 725, SD 2, HD 1
S.B. No. 741, SD 1, HD 1
S.B. No. 752, SD 2, HD 1
S.B. No. 753, SD 2, HD 2
S.B. No. 756, SD 2, HD 1
S.B. No. 772, SD 2, HD 2
S.B. No. 778, SD 1, HD 1
S.B. No. 779, SD 2, HD 2
S.B. No. 787, SD 2, HD 1
S.B. No. 797, SD 1, HD 1
S.B. No. 831, SD 2, HD 1
S.B. No. 893, SD 3, HD 2
S.B. No. 900, SD 2, HD 2
S.B. No. 912, SD 2, HD 1
S.B. No. 1006, SD 1, HD 1
S.B. No. 1054, SD 1, HD 2
S.B. No. 1055, SD 1, HD 1
S.B. No. 1061, SD 1, HD 1
S.B. No. 1062, SD 1, HD 1
S.B. No. 1065, SD 1, HD 1
S.B. No. 1078, SD 2, HD 1
S.B. No. 1079, SD 2, HD 2
S.B. No. 1083, SD 1, HD 1
S.B. No. 1086, SD 1, HD 2
S.B. No. 1095, SD 1, HD 1
S.B. No. 1107, SD 1, HD 2
S.B. No. 1161, SD 1, HD 3
S.B. No. 1219, SD 2, HD 2
S.B. No. 1247, SD 2, HD 2
S.B. No. 1269, SD 2, HD 2
S.B. No. 1271, HD 1
S.B. No. 1285, SD 2, HD 1
S.B. No. 1311, SD 2, HD 1
S.B. No. 1332, SD 2, HD 2
S.B. No. 1341, SD 2, HD 1
S.B. No. 1355, SD 1, HD 2
S.B. No. 1356, SD 1, HD 1
S.B. No. 1358, SD 2, HD 2
S.B. No. 1360, SD 1, HD 2
S.B. No. 1363, SD 2, HD 2
S.B. No. 1382, SD 2, HD 1
S.B. No. 1385, SD 2, HD 2
S.B. No. 1393, SD 2, HD 2

FORTY-EIGHTH DAY

Friday, April 13, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Pastor Elwin Ahu of New Hope Metro, after which the Roll was called showing all Members present with the exception of Representatives Giugni, Kawakami and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Seventh Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 677 through 679) were received and announced by the Clerk:

Sen. Com. No. 677, transmitting S.C.R. No. 143, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED RACE AND ETHNICITY DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," which was adopted by the Senate on April 12, 2012.

Sen. Com. No. 678, dated April 12, 2012, informing the House that the Senate has on April 10, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL."

Sen. Com. No. 679, dated April 12, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 223, SD 1, HD 1
 S.B. No. 490, SD 3, HD 1
 S.B. No. 580, SD 2, HD 2
 S.B. No. 745, SD 2, HD 2
 S.B. No. 755, SD 2, HD 3
 S.B. No. 824, SD 2, HD 2
 S.B. No. 1142, SD 2, HD 1
 S.B. No. 1168, SD 1, HD 1
 S.B. No. 1197, SD 2, HD 2
 S.B. No. 1276, SD 2, HD 2
 S.B. No. 2001, SD 1, HD 2
 S.B. No. 2030, SD 2, HD 1
 S.B. No. 2056, HD 2
 S.B. No. 2084, SD 1, HD 1
 S.B. No. 2101, SD 1, HD 2
 S.B. No. 2103, SD 2, HD 2
 S.B. No. 2115, SD 2, HD 2
 S.B. No. 2116, SD 2, HD 1
 S.B. No. 2123, SD 2, HD 2
 S.B. No. 2126, SD 2, HD 2
 S.B. No. 2158, HD 1
 S.B. No. 2213, SD 2, HD 2
 S.B. No. 2214, SD 2, HD 2
 S.B. No. 2220, SD 1, HD 2
 S.B. No. 2226, SD 2, HD 2
 S.B. No. 2228, SD 2, HD 2
 S.B. No. 2235, SD 2, HD 2
 S.B. No. 2236, HD 2

S.B. No. 2238, SD 1, HD 2
 S.B. No. 2239, SD 1, HD 1
 S.B. No. 2248, SD 2, HD 3
 S.B. No. 2256, HD 2
 S.B. No. 2261, HD 1
 S.B. No. 2277, SD 2, HD 2
 S.B. No. 2281, SD 1, HD 1
 S.B. No. 2288, SD 1, HD 1
 S.B. No. 2318, SD 1, HD 2
 S.B. No. 2320, SD 2, HD 2
 S.B. No. 2323, SD 1, HD 1
 S.B. No. 2324, SD 1, HD 1
 S.B. No. 2335, HD 2
 S.B. No. 2341, SD 2, HD 2
 S.B. No. 2344, SD 2, HD 1
 S.B. No. 2354, SD 1, HD 2
 S.B. No. 2375, SD 3, HD 2
 S.B. No. 2378, SD 1, HD 1
 S.B. No. 2383, SD 1, HD 1
 S.B. No. 2386, SD 2, HD 2
 S.B. No. 2394, SD 1, HD 3
 S.B. No. 2402, SD 1, HD 1
 S.B. No. 2412, SD 2, HD 2
 S.B. No. 2424, SD 2, HD 2
 S.B. No. 2429, SD 2, HD 1
 S.B. No. 2434, SD 1, HD 3
 S.B. No. 2435, SD 1, HD 1
 S.B. No. 2438, SD 1, HD 2
 S.B. No. 2457, SD 2, HD 2
 S.B. No. 2466, SD 2, HD 2
 S.B. No. 2486, SD 1, HD 1
 S.B. No. 2489, SD 2, HD 2
 S.B. No. 2506, SD 2, HD 1
 S.B. No. 2528, SD 2, HD 3
 S.B. No. 2534, SD 2, HD 2
 S.B. No. 2536, HD 2
 S.B. No. 2540, SD 2, HD 2
 S.B. No. 2545, SD 2, HD 2
 S.B. No. 2568, HD 2
 S.B. No. 2576, SD 1, HD 3
 S.B. No. 2579, SD 2, HD 3
 S.B. No. 2584, SD 1, HD 1
 S.B. No. 2630, HD 2
 S.B. No. 2632, SD 1, HD 1
 S.B. No. 2640, SD 1, HD 1
 S.B. No. 2646, SD 1, HD 2
 S.B. No. 2655, SD 2, HD 3
 S.B. No. 2678, SD 2, HD 2
 S.B. No. 2695, SD 2, HD 2
 S.B. No. 2703, SD 1, HD 1
 S.B. No. 2709, HD 2
 S.B. No. 2712, HD 2
 S.B. No. 2713, SD 1, HD 2
 S.B. No. 2737, SD 1, HD 2
 S.B. No. 2739, SD 2, HD 1
 S.B. No. 2742, SD 1, HD 2
 S.B. No. 2745, SD 1, HD 2
 S.B. No. 2746, SD 1, HD 3
 S.B. No. 2748, SD 1, HD 1
 S.B. No. 2750, SD 1, HD 2
 S.B. No. 2763, SD 2, HD 2
 S.B. No. 2765, SD 2, HD 2
 S.B. No. 2766, SD 2, HD 2
 S.B. No. 2767, SD 2, HD 1
 S.B. No. 2769, SD 2, HD 3
 S.B. No. 2773, SD 1, HD 1
 S.B. No. 2776, SD 2, HD 2
 S.B. No. 2778, SD 1, HD 1
 S.B. No. 2779, SD 2, HD 1
 S.B. No. 2780, SD 1, HD 2
 S.B. No. 2782, SD 2, HD 2

S.B. No. 2784, SD 2, HD 1
 S.B. No. 2785, SD 2, HD 2
 S.B. No. 2787, SD 2, HD 1
 S.B. No. 2790, SD 1, HD 1
 S.B. No. 2797, SD 1, HD 1
 S.B. No. 2798, SD 1, HD 1
 S.B. No. 2800, SD 1, HD 1
 S.B. No. 2804, SD 2, HD 2
 S.B. No. 2805, HD 1
 S.B. No. 2810, SD 1, HD 1
 S.B. No. 2813, SD 1, HD 1
 S.B. No. 2816, SD 1, HD 1
 S.B. No. 2818, HD 1
 S.B. No. 2820, HD 2
 S.B. No. 2821, HD 3
 S.B. No. 2825, SD 1, HD 1
 S.B. No. 2827, SD 1, HD 1
 S.B. No. 2828, HD 3
 S.B. No. 2833, SD 1, HD 2
 S.B. No. 2858, SD 1, HD 2
 S.B. No. 2859, SD 1, HD 2
 S.B. No. 2868, SD 1, HD 1
 S.B. No. 2873, SD 1, HD 3
 S.B. No. 2876, SD 2, HD 3
 S.B. No. 2927, SD 2, HD 1
 S.B. No. 2933, SD 2, HD 2
 S.B. No. 2939, SD 1, HD 1
 S.B. No. 2941, SD 2, HD 2
 S.B. No. 2946, SD 2, HD 2
 S.B. No. 2947, SD 2, HD 2
 S.B. No. 2958, SD 2, HD 2
 S.B. No. 2967, SD 2, HD 1
 S.B. No. 2981, SD 2, HD 2
 S.B. No. 3001, SD 2, HD 2
 S.B. No. 3002, SD 2, HD 1
 S.B. No. 3003, SD 1, HD 2
 S.B. No. 3006, SD 2, HD 2
 S.B. No. 3008, HD 3
 S.B. No. 3010, SD 2, HD 1
 S.B. No. 3011, SD 2, HD 2
 S.B. No. 3025, SD 2, HD 2
 S.B. No. 3048, SD 2, HD 1
 S.B. No. 3050, SD 2, HD 1
 S.B. No. 3053, SD 2, HD 2
 S.B. No. 3062, SD 1, HD 2

ORDER OF THE DAY

At this time, the Chair announced:

"Members, please note that H.R. No. 87 and H.C.R. No. 115 have been re-referred solely to the Committee on Public Safety and Military Affairs per Committee Referral Sheet No. 63.

"Additionally, H.C.R. No. 118, HD 1 has been re-referred solely to the Committee on Economic Revitalization and Business, also per Committee Referral Sheet No. 63.

"The Committee on Judiciary, and the Committee on Legislative Management have waived their referrals to these respective measures, and it is therefore appropriate for the House to consider action for adoption. For adoption."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. House Resolution 118 is on which page?"

The Chair responded, stating:

"It's on page 2. Instead of it being referred to the respective Committees, it's being re-referred back to the original Committee for adoption."

SUSPENSION OF RULES

Representative Chong moved to suspend the rules of the House to reconsider action previously taken on a certain House Resolution and House Concurrent Resolutions, seconded by Representative Evans.

The Chair addressed Representative Fontaine, stating:

"Representative Fontaine, what is the motion before this Body? The first motion that was stated? Correct, to suspend the Rules. And this Members, will be a three-step process."

The motion was put to vote by the Chair and carried, and the rules were suspended to reconsider action previously taken on a certain House Resolution and House Concurrent Resolutions. (Representative Kawakami was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved to reconsider action previously taken pursuant to the recommendations contained in Standing Committee Report Nos. 1431-12 and 1432-12, recommending referral to the Committee on Judiciary; and Standing Committee Report No. 1456-12, recommending referral to the Committee on Legislative Management, seconded by Representative Evans.

The Chair then addressed Representative Morikawa, stating:

"Representative Morikawa, what is the motion before this Body now?"

Representative Morikawa responded, stating:

"I'm sorry, Mr. Speaker."

The Chair responded, stating:

"The motion before the Body now is to reconsider action taken. Instead of the three measures before us, the first two which are companions, are being reconsidered. Instead of being referred to the Judiciary Committee, we are reconsidering our action and it will be for adoption today.

"The final one, instead of going to Legislative Management, it will be reconsidered, and be up for adoption today."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1431-12 and 1432-12, recommending referral to the Committee on Judiciary; and Standing Committee Report No. 1456-12, recommending referral to the Committee on Legislative Management. (Representative Kawakami was excused.)

UNFINISHED BUSINESS

H.R. No. 87; and H.C.R. No. 115:

Representative Chong moved that H.R. No. 87; and H.C.R. No. 115, be adopted, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

The Chair then addressed Representative Aquino, stating:

"Representative Aquino, would you like to explain to the Members of the House, the adoption of these two Resolutions. The House Resolution and House Concurrent Resolution, the intent of the Resolutions."

Representative Aquino responded, stating:

"Thank you, Mr. Speaker. I would like to defer to the author of these the two Resolutions."

At 12:15 o'clock p.m., Representative Aquino requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:16 o'clock p.m.

Representative Aquino rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. Just some short remarks, in support. Mr. Speaker what these Resolutions do is to urge our Congress to amend the authorization of the use of military force in our national defense, for the fiscal year, 2012, to prevent the armed forces of the United States, from investigating, arresting, detaining, any person within the US. It's a matter of civil liberties, Mr. Speaker. But I'd like to defer to the author of the bill to further explain these measures."

Representative Ichiyama rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. I rise in strong support. And I believe that the Chair of Public Safety did explain it pretty much. Basically, what these Resolutions do is to request Congress to repeal the mandatory military detention and indefinite detention provisions of the Authorization Act that was passed last December.

"The reason why we are asking Congress to do this, is because the language as currently written could give the federal government the power to indefinitely detain US citizens, US residents without the benefits of due process, the protection of law, that's enshrined in our US Constitution. Thank you, Mr. Speaker."

Representative Souki rose to speak in opposition to both measures, stating:

"Yes Mr. Speaker, and Members of the House. I wish to speak in opposition to these measures. I don't believe that we're in a situation now where we're out of the hot water with the Taliban and Al Qaeda. We're still at war with them. And until this war is over, however long it takes, I think we need to continue with the system that we have.

"And I don't know what they mean by to amend the authorization for the use of force. There are times that you need to use force. As a veteran, I can understand that. And I don't believe that these measures are in the best interest of the country. Thank you, very much."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Johanson rose in support of both measures with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise with some concerns on HR 87 and HCR 115 regarding provisions of the National Defense Authorization Act and the indefinite detention of U.S. citizens. I wholeheartedly honor the intent of these Resolutions and also share concerns about the United States indefinitely detaining its own citizens without charging those citizens with a specific crime. I also recognize that experts at the federal level are currently debating the particular provisions of federal law that these Resolutions refers to in an effort to further clarify federal rules as part of the U.S. anti-terrorism and safety policies.

"I have concerns about this particular part of the Resolutions and its nexus with our national security policy. I also do not wish for the abridgement of U.S. citizens' civil liberties and rights, which I believe is the crux of these Resolutions. However, these Resolutions may benefit if

we wait until the debate on the provisions within the National Defense Authorization Act is settled and federal policies clearly defined."

Representative Riviere rose in support of both measures with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Riviere's written remarks are as follows:

"I am concerned that these Resolutions send the wrong message to those who would harm American citizens. I very much support our constitutional rights as Americans, but I cannot support extending these same rights and privileges to those who enter our country to kill or harm Americans, or to those non-battlefield combatants in foreign lands who actively seek to harm our country or our citizens."

Representative Pine rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine asked to insert Representative Johanson's written remarks on this measure as her own. (By reference only.)

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ching rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to comment upon my support – albeit with reservations – for H.R. 87 and H.C.R. 115. These Resolutions urge the United States Congress to repeal sections 1021 and 1022 of the National Defense Authorization Act (NDAA) for Fiscal Year 2012, signed into law by President Obama on December 31, 2011. These dubious sections may be interpreted to possibly repeal the Posse Comitatus Act, and thus authorize indefinite military detention within the United States, without charge or trial, of legal permanent residents and others residing in the country. Furthermore, H.R. 87 and H.C.R. 115 suggest the United States Congress also amend provisions in the NDAA for Fiscal Year 2012 to: prevent armed forces from investigating, arresting, detaining or trying any person within the US; and prevent the detainment, without charge or trial, of any civilian captured off any battlefield. H.R. 87 and H.C.R. 115 do recognize Congress's authority to authorize military force under its declaration of war, and the President's authority to deploy the US military to repeal a sudden attack on the US, its territories, possessions, or military.

"Consistent with repeated testimony, I agree that government should not be authorized to detain private individuals upon mere suspicion, without fair trial. The American Civil Liberties Union of Hawaii stresses the NDAA to be a "historic threat," for the first time in American history "codifying indefinite military detention without charge or trial into law." A Kaneohe resident further argues that, even if President Obama does not exercise the various provisions restricting individual freedoms, the NDAA opens doors for any future president to do so, perhaps with arbitrary discretion deeming one person "suspicious" and another not. Indeed, we must strive to protect rights guaranteed by the Fifth Amendment, the Sixth Amendment, and Article III of the US Constitution, for which (as H.C.R. 115 reminds us) "generations have fought and died."

"Nevertheless, let me express my hesitations that legislation such as H.R. 87 and H.C.R. 115 may eventually drive us in directions unwarily radical, where we find ourselves gambling with the safety and security of our nation. If national foreign powers, or individual terrorists, perceive the United States to have dropped its vigilance against all potential threats, they may be more likely to exploit a seemingly weak defense. By no means do we want to infringe upon the liberties and comforts of innocent individuals on a routine basis; yet, we must remain alert to potential threats developing around us. Almost as important as monitoring situations themselves, we must present a public façade which emphasizes that

vigilance. I am confident in our ability to balance protection for the individual's freedom, along with his or her right to safety, security and thus prosperity. Thank you."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Cullen rose to speak in support of both measures, stating:

"Mr. Speaker, I rise in support. And a few comments please. Mr. Speaker, the Public Safety & Military Affairs Committee heard these Resolutions, and adopted and passed these measures out of the Committee because the National Defense Authorization Act for Fiscal Year 2012, in that first section, we want to ask Congress to amend it to prevent the Armed Forces of the United States from investigating, arresting, detaining or trying any person within the United States.

"In World War II, Mr. Speaker, I believe some of us of Japanese descent had ancestors who were in internment camps. This, Mr. Speaker, in this National Defense Authorization Act, it would give the military powers to put any of us, if they see fit, if we were against the United States military. We already have the Patriot Act, and we're giving them more power. This is a Resolution so we can actually have them look for clarification. And being that Honouliuli Internment Camp is near my district, and seeing the historic sites that I saw there, Mr. Speaker. I stand in support. Thank you."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would just ask for a ruling of a potential conflict. I'm still an active duty member of the Armed Forces, so I don't think I can vote on this matter. Thank you," and the Chair ruled, "no conflict."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. I rise with some reservations, Mr. Speaker. Thank you. With all due respect. You know, I spent a lot of time studying in the Ethnic Studies Department under Franklin Odo, Dr. Franklin Odo, who went on to Harvard, and who started the first ever Ethnic Studies Department in the United States here at the University of Hawaii. I actually have a degree in that. Very much about the contributions of the 442nd, about the horrible time of the internment. And actually, we have a lot to be proud of. The 442nd showed that being loyal Americans, and I think that there are many who are enjoying their legacy today.

"The Japanese internment was in the '40s. It was a horrible thing. We want to make sure we remember it. We want to make sure that people aren't detained that way. That being said, during 9/11, we found out that there were a lot of terrorists. We've been hearing from the military, from anyone who is involved in cyber crime, the fact that terrorism has changed. The world has changed.

"The world has changed a lot. And these people are, it's very insidious. It's very hard to detect terrorists. It's not like World War II time. It's not the 1940s. If anyone's ever in the DC area, I urge you to go visit the spy museum. It'll enlighten you a lot. Started by the KGB and a CIA person. To really understand the scope to which our people, our military forces, our people in the CIA and everyday at any given time, people are not aware of what came very close to attacks.

"So, once again, the middle road. We very much don't want to repeat what happened to our many people's ancestors. And we applaud the fact that we have hopefully learned from that. But times have changed. And need to understand and I hope people know that we need to give our military every chance to catch these terrorists. And if it means that they're in our nation and they are, in our United States of America, I don't want to be on that plane, or my loved ones, when it goes down."

Representative Rhoads rose to speak in support of both measures, stating:

"Mr. Speaker, in support. To me it's indefinite in a war. I mean, you have to look at what kind of war we're talking about here. The war against the Japanese was much more of an existential threat to the United States than terrorism would be, just because as a country of 100 million people. It was a real threat to the security of United States. Whereas terrorism is more like, it's not a war in the normal sense of the war. It's more like the War on Drugs, or the War on Poverty. There is no enemy nation.

"The reason that the terrorists resort to terrorism is because they know they have no chance against United States in a conventional conflict, and it will never end. There will always be terrorists. So if you allow for the indefinite detention of your United States citizens, it will not just be for five or six years like it was in the case of the AJAs, which was a horrible black mark against the United States of America in terms of our treatment of our fellow citizens.

"At least there was an end to the Second World War. There will be no end to the War on Terrorism, because with terrorism, you're not fighting another country. You're fighting a method of conflict. And I think if we continue to allow our nation to detain people indefinitely, we're making the same mistake again, with less of a provocation than we had when we made the mistake during the Second World War. Thank you."

Representative Belatti rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. You know, these measures and the passage of this portion of National Defense Authorization Act, has caused a lot public debate. It has in fact caused debate, and agreement among groups that you would not normally think of being on the same side. You'll have conservatives and liberals, Republicans and Democrats, all against this part. And I think it's in fact the ACLU and their testimony that says it best. 'The law is a historic threat because it codifies indefinite military detention without charge or trial, into law for first time in American history.'

"Congress has an opportunity to repeal this version and I wish we as a Body will add Hawaii's voice to that call for repeal. Thank you, Mr. Speaker."

Representative C. Lee rose to speak in support of both measures, stating:

"Thank you, very much. In support. I'd just like to point out, and actually I'd like to insert the words of the two previous speakers as though they were my own. But just to add, as a clarification. We have two centuries of history in this country, of being different than everywhere else. Different in the sense that we have clear demarcation between what our military is used for, and what it is not. And there is no one here saying that we should not prosecute this war, and bring folks to justice, both without and within our country whom intend to do us harm.

"But the question is how we do that. Right now, there's a very blurry, gray area. There are limitations that the War Powers Act, *Posse Comitatus*, once held that are no longer quite as clear. This clarifies that with respect to our own citizens within the United States. Thank you."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. Just a brief footnote on the reservations I have. Clearly, we as a legislative body go back and forth from one extreme to the other, the pendulum. At 9/11, I was in Washington breathing the smoke from the Pentagon and its burning. But the pendulum was where we had basically terrorists in flight school, flying all around. Doing things. Coming in and out with multiple visas. We didn't know about it.

"But the reports that were issued at that period in our history, and I think they're still true today, the CIA and the FBI said there were about 100 to 150 sleeper cells. Not just people, but sleeper cells in the United States. Mr. Speaker, one of our first obligations as elected Representatives is the protection of the people of Hawaii. Safety is primary, and I think if this thing is not going to work out, it can be changed. The great thing about democracy is, it's self-correcting. If you go to one extreme, you pull it back. The same thing about the internment. Self-correcting.

"Right now, the world is in an uncertain state of terrorism. Al Qaeda lives. Al Qaeda is active. Al Qaeda is a clear and present danger to the people of the United States. So if we've gone too far in this measure, in a couple of years, we can pull back on it. But right now there's not a sense of security that the US Congress, the elected Representatives from the 50 states, believe that this is the best policy for now. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. In support. I rarely speak for or against Resolutions, but apparently this has engendered quite a bit of debate. People have raised this point. Some of these points I'm going to make, earlier. But let me emphasize that, you know, Mr. Speaker, this nation was founded on the basis of the rule of law. And it was also founded on the basis that everyone has the right to a trial, a fair and speedy trial, by the way. So, I don't think anybody in this Chamber is saying that we shouldn't go after terrorists or we shouldn't go after people that would undermine our society."

"I think what those of us who are in support of these Resolutions are saying, is that if you are arrested, if you are suspected of any kind of activity that's not in the interest of the United States, when it comes to national security, you should be arrested. But by the way, you should be charged, and you should have the right to a trial."

"You know Mr. Speaker, we see in the civilian sector, not just the military sector, but the civilian sector. Obviously if someone is clearly guilty, I mean there's witnesses to a murder, say, we don't just say, 'Well we know you're guilty because there's 100 witnesses to this crime.' Even a person like that, rightfully so because again, we are a nation that follows the rule of law. He's entitled to a trial. So, I think that's the main point of these Resolutions. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of both measures, stating:

"Mr. Speaker, in support. My main reason for support for this, other than in addition to what everyone has talked about is, do we want the military addressing this issue, versus what I think the correct way is. The FBI, Department of Homeland Security, and others who are designed and tasked with the domestic population. And not the military. Thank you."

Representative Awana rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise with reservations. Mr. Speaker, these measures urge the United States Congress to Repeal the Mandatory Military Detention and Indefinite Provisions of the National Defense Authorization Act for Fiscal Year 2012 and Amend the Authorization for Use of Force. These Resolutions are well intended. We hear of many individuals who may appear to have been incarcerated for long periods of time without reason. Other reports talk about abuses that take place while an individual is incarcerated. However, the vast majority of actions taken by our military on this Congressional Act have reflected the positive effects for our country."

"As a former military officer, there is much information that the general public does not know and should not know - for good reason. Security matters keep Americans safe from the ugly reality of others who will easily jeopardize the health of the masses. If there are injustices in the military, the military must take action to resolve such issues. The vast majority does not have all of the information and because of this, I can only provide my support with strong reservations."

Representative Ichiyama rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support. These Resolutions urge the United States Congress to repeal the mandatory military detention and indefinite detention provisions of the National Defense Authorization Act and amend the authorization for use of force."

"On December 31, 2011, President Obama signed the National Defense Authorization Act for fiscal year 2012, noting his serious concerns regarding the provisions that codify indefinite military detention without charge or trial. The law could permit the President to order the military to indefinitely imprison civilians without the protections of due process. This kind of sweeping detention power is at odds with our American values, violates the Constitution and weakens our Nation's commitment to the rule of law. We must prevent this injustice and protect the fundamental freedoms enshrined in the U.S. and State Constitutions."

"Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was adopted, with Representative Souki voting no, and with Representatives Cabanilla and Kawakami being excused; and

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was adopted, with Representative Souki voting no, and with Representatives Cabanilla and Kawakami being excused."

H.C.R. No. 118, HD 1:

Representative Chong moved that H.C.R. No. 118, HD 1, be adopted, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Just really brief comments. This Reso is actually very important if we are going to work with the legitimate zip line operators on addressing wildcat operators in making sure that these operations are safe for our visitors. We need to get this sunrise study done. Additional written comments to the Journal. Thank you."

Representative McKelvey's written remarks are as follows:

"Hawaii's zip line tours are among the fastest growing segments of the States activities and attractions. Hawaii's zip lines are spectacular; they are long and run over forests, waterfalls, gulches and streams while providing the phenomenal views that showcase Hawaii's natural beauty. The thrill of soaring over these natural wonders provides locals and tourists alike with an unforgettable experience that they undoubtedly share with others. Perhaps we as a state will become world renown for this increasingly popular form of ecotourism."

"It is crucial that the State ensure the well-being and safety of those who enjoy Hawaii's scenic landscape via zip lines and canopy tours. While zip lines and canopy tours can be safe, this can only be accomplished when the operators and employees have the safety of the participants as their greatest concern. In the last several years, Hawaii's zip lines have gained prominence in the industry competing with the zip lines in the Amazon and Central America. However, the reputation of the entire ecotourism sector is put in jeopardy when wildcat operations crop up without safety as their top priority."

"The legislation introduced in the Regular Session of 2012 proposes regulations for zip lines and canopy tours that are currently nonexistent. Two trade groups in the United States - the Association for Challenge Course Technology and the Professional Ropes Course Association have already established regulations for zip lines and canopy tours providing the State a model as to which to operate. The question one begged to answer during the hearings in the Regular Session of 2012 was which agency is the proper authority to inspect zip lines and canopy tours and enforce regulations.

"Section 26H-6, Hawaii Revised Statutes, requires a review of the Auditor prior to the enactment of a measure that would subject an unregulated profession or vocation to licensing or other regulatory control. In the best interest of the State, the Auditor is requested to perform a sunrise review on the regulation of zip lines and canopy tours including an assessment of alternative forms of regulation. With regular inspections of all equipment being key for the prevention of injury, the Auditor must specifically address the issues of inspectors and inspector qualifications; questions raised by the Department of Labor and Industrial Relations and the Department of Commerce and Consumer Affairs in testimony on the legislation introduced during the Regular Session of 2012.

"I am in strong support of HCR118, which is a positive step to ensure the personal safety of consumers within this facet of the State's ecotourism industry and protects their reputation."

The motion was put to vote by the Chair and carried, and H.C.R. No. 118, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," was adopted, with Representatives Cabanilla and Kawakami being excused.

REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1700-12) recommending that H.R. No. 5, HD 1, be adopted; and

(Stand. Com. Rep. No. 1701-12) recommending that H.C.R. No. 5, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 5, HD 1; and H.C.R. No. 5, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Rhoads rose to speak in support of both measures, stating:

"It just always amazed me. Maybe my fellow lawyers feel the same way, but corporations are useful legal fictions to limit investor risk, and they have proven very useful over many, many centuries at this point. But to consider them as persons for really any reason other than what I can think of. That they just aren't people, despite what the Supreme Court of the United States says. And I think, and that's why I support these Resolutions. Useful little fiction, but not people. Mahalo."

Representative Souki rose, stating:

"Mr. Speaker, I was going to be voting no. But if I vote with reservations, I've been listening to the previous Representative speaking, and it seems that he's looking at unnatural persons would be corporations.

And the Constitution would have no right in protecting them. If that's the case, then I would agree with that. If I could call a recess so I can ask the Chairman."

At 12:33 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

Representative Souki rose to speak in support of both measures, stating:

"Yes, Mr. Speaker. I want to change it to a yes vote. Thank you."

Representative Marumoto rose to speak in opposition to both measures, stating:

"Mr. Speaker, may I register a no vote, please? I feel that these Resolutions may have unintended consequences. Thank you."

Representative McKelvey rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. I would just like to adopt the words of the Chair of Labor as if they were my own. And just a brief additional comment. Unintended consequences. I think Citizens United and all of the Super PACs that are going to be unleashed this summer are one of those consequences that I hope Members will remember, too. Thank you."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Belatti rose to speak in support of both measures, stating:

"In strong support, and may I have the words of the speaker from Maui entered as my own. Thank you," and the Chair "so ordered. (By reference only.)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 5, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was adopted, with Representative Marumoto voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was adopted, with Representative Marumoto voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1702-12) recommending that H.R. No. 9, be adopted; and

(Stand. Com. Rep. No. 1703-12) recommending that H.C.R. No. 13, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 9; and H.C.R. No. 13, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support of these Resolutions. My district, Liliha, has an issue whereby a former Councilman decided to widen the roads. We have Ho'opono Center for the Blind. We have numerous elementary schools. The Senator from the District and myself have questioned this widening. There's so much possibility with urban

design to make a difference in the lives of our people, the quality of life, and whether or not people actually interact, and are healthy. So, with that, I'd like to ask for additional written comments to be inserted. We appreciate the Representative from Mililani for this introduction."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please let me express my most sincere gratitude to all those who have helped to push through such beneficial measures as H.R. 9 and H.C.R. 13. These Resolutions ask the City & County of Honolulu to review its policies regarding street and road widening, with regard to impact on pedestrian safety. Within this review, it requests research on specific impacts of road widening on pedestrian safety in neighborhoods with significant senior citizen populations. Findings and recommendations would be due to the Legislature at least twenty days prior to the convening of the 2013 Regular Session, and also transmitted to the Mayor of the City & County, and the State Department of Planning and Permitting.

"Although H.R. 9 and H.C.R. 13 benefit individuals of all ages and socioeconomic backgrounds, it particularly safeguards my own constituents residing in Liliha, Nuuanu, Puunui, and Alewa Heights neighborhoods. The United States Center for Disease Control and Prevention reported in 2007 that Hawaii ranked number one in pedestrian fatalities for people ages 65 and over. Not even considering the inconveniences and dangers involved in the construction process of wider roads, seniors will also face special dangers and challenges once the wider roads are finally complete. In such neighborhoods as mine, seniors often struggle to cross the street in a timely fashion and safe manner; wider residential streets near their homes may prove even more difficult for them to navigate. Of Hawaii's 27 pedestrian fatalities in 2010, 10 (37%) were seniors. Moreover, given my district's numerous hospitals, long-term care facilities, affordable housing units, and accommodations for the blind, our pedestrian population also includes a number of chronically disabled residents. Physical disabilities correlated to these facilities often accelerate symptoms of the aging process, yielding a pedestrian sector even less adept than those of other more healthy communities of comparable age.

"Considering the particularly constructive impact H.R. 9 and H.C.R. 13 will have on the lives of my own constituents, I gladly extend a special "Mahalo" to all who have worked hard in ensuring its progress. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1704-12) recommending that H.R. No. 13, be adopted; and

(Stand. Com. Rep. No. 1705-12) recommending that H.C.R. No. 19, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 13; and H.C.R. No. 19, be adopted, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of both measures, stating:

"Please note my strong support, Mr. Speaker."

Representative M. Lee rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in strong support of Stand. Com. Rep. Nos. 1704 and 1705. As many of you may know, the Women's Caucus Package this year was dedicated to women veterans and all they have done. This is a very important Reso, because many times the services provided for women veterans have not been adequate. And I'd like to add some written comments. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of H.R. 13/H.C.R. 19 – URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS.

"I rise in support of the measure which is part of the 2012 package of the Women's Legislative Caucus. Women veterans suffer many of the same re-entry problems as men, yet programs for them are either behind or non-existent. At times the military has discounted or overlooked the problems and complaints of women. This seems to be changing to a certain extent, however this resolution is a reminder that women veteran's needs deserve equal treatment. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1706-12) recommending that H.R. No. 16, be adopted; and

(Stand. Com. Rep. No. 1707-12) recommending that H.C.R. No. 23, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 16; and H.C.R. No. 23, be adopted, seconded by Representative Evans.

Representative McKelvey rose to speak in support of both measures, stating:

"Mr. Speaker, in strong support. But this is just a glorified housekeeping because the Board has already approved this action. And pursuant to law, it must be approved through Resolution by the Legislature as well. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 16, entitled: "HOUSE RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented seven reports:

(Stand. Com. Rep. No. 1708-12) recommending that H.C.R. No. 24, be adopted;

(Stand. Com. Rep. No. 1709-12) recommending that H.C.R. No. 25, be adopted;

(Stand. Com. Rep. No. 1710-12) recommending that H.C.R. No. 26, be adopted;

(Stand. Com. Rep. No. 1711-12) recommending that H.C.R. No. 27, be adopted;

(Stand. Com. Rep. No. 1712-12) recommending that H.C.R. No. 28, be adopted;

(Stand. Com. Rep. No. 1713-12) recommending that H.C.R. No. 29, be adopted;

(Stand. Com. Rep. No. 1714-12) recommending that H.C.R. No. 30, be adopted; and

(Stand. Com. Rep. No. 1715-12) recommending that H.C.R. No. 31, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.C.R. No. 24; H.C.R. No. 25; H.C.R. No. 26; H.C.R. No. 27; H.C.R. No. 28; H.C.R. No. 29; H.C.R. No. 30; and H.C.R. No. 31, be adopted, seconded by Representative Evans.

At this time, the Chair stated:

"For Stand. Com. Rep. Nos. 1708, 1709, 1710, 1711, 1712, 1713, 1714 and 1715. Members of the House, these measures are all tied to remnant properties that the Hawaii Housing Finance & Development Corporation would like to sell to the respective tenants that are there in these particular projects. These projects were built in the '50s and '60s, and some of their tenants have already gotten their fee. This is just a way of cleaning it out, as far as their inventory."

Representative Hanohano rose to speak in opposition to the measures, stating:

"Just note my no vote for all of them."

Representative Jordan rose, stating:

"Thank you, Mr. Speaker. Please note my no vote on 1708, 1709, 1710, 1711, and 1712. Only the first five, Mr. Speaker."

Representative Awana rose to speak in opposition to the measures, stating:

"Thank you, Mr. Speaker. Please register my no vote for all. Thank you."

At 12:39 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE

LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAANA PLACE, WAIMANALO, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," was adopted, with Representatives Awana and Hanohano voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," was adopted, with Representatives Awana and Hanohano voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," was adopted, with Representatives Awana and Hanohano voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1716-12) recommending that H.C.R. No. 32, HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 32, HD 1, be adopted, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you. On Stand. Com. Rep. No. 1716, I'd like to speak in favor of this. Thank you, Mr. Speaker. I am in favor of this Resolution, but I just want to point out that this refers to universal access to care, and not universal health care. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 32, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S OFFICE TO CONDUCT A STUDY ON THE EFFICACY OF COMBINING STATE GOVERNMENT HEALTH POLICY, PLANNING, AND PURCHASING IN A SINGLE AGENCY IN ORDER TO ADVANCE TRANSFORMATION OF HAWAII'S HEALTHCARE

SYSTEM AND UNIVERSAL ACCESS TO CARE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1717-12) recommending that H.R. No. 17, HD 1, be adopted; and

(Stand. Com. Rep. No. 1718-12) recommending that H.C.R. No. 33, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 17, HD 1; and H.C.R. No. 33, HD 1, be adopted, seconded by Representative Evans.

Representative Marumoto rose to speak in support of both measures, stating:

"Mr. Speaker, Stand. Com. Rep. Nos. 1717 and 1718 have to do with ATVs and requesting the Department of Health to convene a task force to examine the impact of ATVs on children. I want to recognize the Representative from Moanalua for introducing these Resolutions and also a bill, to find out the impacts of ATVs on children. I think we could learn from this Resolution such as the number of accidents there are. The ages of the young people. The intensity of injuries. Whether they're head injuries or not. Whether helmets should be required. Whether they were passengers or not.

"The bill on this subject, advanced further than any other measure thus far. And you know, one of these years, we will have significant legislation passed. For your information Hawaii, unlike most other states, has no restriction on ATV use. So we're due. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 17, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1719-12) recommending that H.C.R. No. 41, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 41, be adopted, seconded by Representative Evans.

Representative Aquino rose in support of the measure 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, I rise in support of HCR 41 which would request the auditor to perform a sunrise analysis of the regulation of the music therapy profession.

"The benefits of music in emotional and physical health have been well described for many centuries and across cultures. In more recent times, studies have shown the effects of music therapy in alleviating symptoms of a variety of physical and psychological conditions. Music therapy is the clinical and evidence-based use of music interventions to accomplish

individual goals for a patient by a credentialed professional who has completed an approved program.

"As mentioned earlier, this is not something new. In fact, music therapy has over 60 years of clinical history in the United States and is recognized in our State by various departments including the Departments of Health, Human Services and Education.

"Music therapy offers a new perspective for health care. It provides an alternative therapeutic treatment to improve motor skills for individuals with physical disabilities, increase emotional expression in people with emotional conditions or have experience trauma, increase social interactions and communication skill is autistic children and increase reminiscing and mental stimulation in adults with Alzheimer's and dementia.

"We must remember that music therapy is not just a daily dose of Beethoven, Bach, Beatles or Justin Beiber. As we learned through testimonies presented during previous hearings, music therapy is a World Health Organization (WHO) acknowledged health care profession with a 40-year period of academic and research development in all parts of the world.

"That's why HCR 41 is critical in the establishment of a regulated music therapy program to meet the needs of our communities by providing additional therapeutic treatment options. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF THE PROFESSION OF MUSIC THERAPY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1720-12) recommending that H.C.R. No. 50, HD 1, be adopted; and

(Stand. Com. Rep. No. 1721-12) recommending that H.C.R. No. 51, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.C.R. No. 50, HD 1; and H.C.R. No. 51, HD 1, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of these two measures, Stand. Com. Rep. No. 1720, recognizing local Koreans by the placement of a commemorative plaque on the Christian Institute. And also on Stand. Com. Rep. No. 1721, the site of the Korean Methodist Church. I've for long time, been supporting these understandings of the contribution that our different ethnic groups play in Hawaii.

"I'm not sure if all our local people know that not only Sun Yat-Sen lived here in Hawaii attending Punahou, and Iolani. But also Dr. Syngman Rhee, who's a really important figure in Korean history, akin to the Abraham Lincoln of Korea who actually laid the cornerstone of the Korean Christian Church right on Liliha Street. It's kind of an important site. I'm hoping that possibly, that site might be incorporated at some point, too. We've been working on that for some time. But this a good start. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN CHRISTIAN INSTITUTE," was adopted, with

Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 51, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1722-12) recommending that H.R. No. 36, be adopted; and

(Stand. Com. Rep. No. 1723-12) recommending that H.C.R. No. 56, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 36; and H.C.R. No. 56, be adopted, seconded by Representative Evans.

Representative Jordan rose to speak in support of both measures, stating:

"Mr. Speaker, thank you. I'd like to note my support for Stand. Com. Rep. Nos. 1722, and 1723. This is a very important measure that was introduced by our Chair of Health, and I do appreciate it. As you all know, the Waianae Coast is far from any emergency trauma center, and during the conflict of the last several years, we lost our ambulance helicopter service when the 25th got deployed. The National Guard stepped in during that time. And then the National Guard got deployed, and then we lost that service. So currently, we do not have a helicopter service at the Waianae Coast Comprehensive Health Center, and I truly appreciate this. This measure was introduced by our Health Chair, and I do support this. Thank you, very much."

Representative Awana rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in strong support, and I'd like to echo the sentiments of the Representative from the 45th District with regards to the strong need to have this type of service provided for those on the Waianae Coast, especially in times when it may take longer than an hour just to get out of the Coast to provide the medical services that are needed.

"So with that I rise in strong support, and would like to enter just a few more written comments. Thank you."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. With the existing lack of proper infrastructure for the Leeward Coast, these Resolutions are greatly needed. There have been, and continue to be trauma cases where immediate transport is necessary to save lives. I would like to commend the Chair on Health for these measures, and I urge the support from the other Members of this Body. Thank you, Mr. Speaker."

Representative Yamane rose to speak in support of both measures, stating:

"Yes, Mr. Speaker. I'm standing in strong support. Mr. Speaker, in the drafting of this measure, these Resolutions before you, we took keen consideration into the distance of those living on the Leeward Coast. And hearing the concerns by those area Representatives, the Chair made this Reso on their behalf, to address the distance, and actually at the time, the pending closure of HMC. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 36, entitled: "HOUSE RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD

TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1724-12) recommending that H.C.R. No. 77, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 77, be adopted, seconded by Representative Evans.

Representative Yamashita rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. In strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT AND ESTABLISH A NATIONAL BROADBAND NETWORK," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1725-12) recommending that H.R. No. 57, be adopted; and

(Stand. Com. Rep. No. 1726-12) recommending that H.C.R. No. 82, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 57; and H.C.R. No. 82, be adopted, seconded by Representative Evans.

Representative Mizuno rose to speak in support of both measures, stating:

"In support of Stand. Com. Rep. Nos. 1725 and 1726, Mr. Speaker. I think it's commendable that we allow opportunities to deal with homelessness, especially from nongovernmental agencies. Therefore, I support these Resolutions. Thank you."

Representative Cabanilla rose to speak in support of both measures, stating:

"In strong support, Mr. Speaker."

Representative Awana rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in strong support. There are many efforts that are already ongoing in the community with various faith-based organizations and nonprofit organizations, working to address homelessness. These Resolutions are simply a sign from the Legislature to show that we too are in strong support of their efforts and initiatives that are being made. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 57, entitled: "HOUSE

RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1727-12) recommending that H.R. No. 59, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1728-12) recommending that H.C.R. No. 85, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1729-12) recommending that H.R. No. 60, HD 1, be adopted; and

(Stand. Com. Rep. No. 1730-12) recommending that H.C.R. No. 86, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 60, HD 1; and H.C.R. No. 86, HD 1, be adopted, seconded by Representative Evans.

Representative Manahan rose to speak in support of both measures with reservations, stating:

"Yes, Mr. Speaker. I'm standing in support, but with some reservations. I can appreciate the intent and the value of these Resolutions, however it may have unintended consequences as far as the residents who are living there on Mokauea Island who may need to do home repairs, or just additional work on their homes. So by declaring it a historical site, that might impede it. And given that there was no testimony from the residents or from DLNR, I'm going to be voting with reservations. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 60, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES NATIONAL REGISTER OF HISTORIC PLACES TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE NATIONAL REGISTER OF

HISTORIC PLACES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 86, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES NATIONAL REGISTER OF HISTORIC PLACES TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE NATIONAL REGISTER OF HISTORIC PLACES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1731-12) recommending that H.C.R. No. 98, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 98, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE OFFICE OF SOLID WASTE MANAGEMENT TO DEVELOP A PLAN OF INITIATIVES FOR IMPROVED REUSE AND RECYCLING OF GREEN WASTE BY WORKING WITH THE COUNTIES TO ADDRESS EACH COUNTY'S UNIQUE NEEDS ACCORDING TO THEIR GEOGRAPHY, POPULATION, AND UNIQUE INDUSTRY MAKE-UP," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1732-12) recommending that H.C.R. No. 99, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 99, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO WORK WITH STAKEHOLDERS AND APPROPRIATE AGENCIES TO CREATE AN EFFICIENT TRACKING METHOD FOR DEOXYRIBONUCLEIC ACID (DNA) RAPE KITS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1733-12) recommending that H.R. No. 73, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1734-12) recommending that H.C.R. No. 101, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1735-12) recommending that H.R. No. 75, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 75, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE

DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1736-12) recommending that H.C.R. No. 103, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1737-12) recommending that H.C.R. No. 104, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DESIGNATE THE MAGOON RESEARCH AND TEACHING FACILITY SITE FOR THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1738-12) recommending that H.C.R. No. 107, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1739-12) recommending that H.C.R. No. 108, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 108, be adopted, seconded by Representative Evans.

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of HSCR1739-12, HCR108.

"On March 11, 2011 a 9.0 undersea earthquake struck Honshu Island, Japan. The resulting tsunami devastated the northeast coastline of Japan, sending approximately 20 million tons of debris into the Pacific Ocean, much of which may have already sunk into the vast ocean or broken up into smaller pieces. When will the debris, if any, reach Hawaii? What percentage of that 20 million tons of tsunami debris can we expect to reach Hawaii?

"We, the State of Hawaii, must take a proactive role to ensure that we find a solution to this issue. HCR108 is a good starting point in planning how to address this issue.

"Mr. Speaker, for these reasons I ask my colleagues to please support HSCR1739-12, HCR108."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A REVIEW AND MAKE RECOMMENDATIONS ON THE REMOVAL OF MARINE DEBRIS CREATED BY THE 2011 TSUNAMI IN JAPAN," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1740-12) recommending that H.R. No. 94, be adopted; and

(Stand. Com. Rep. No. 1741-12) recommending that H.C.R. No. 123, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 94; and H.C.R. No. 123, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker, I shall proceed. I will start over again. I commend you for the speed at which we are going through this. It's not rapid fire. But some of us went over to the Senate this morning to celebrate Sam Slom's 70th birthday, and they took 20 pages in like 35 seconds. So your pace, which often we think is fast, is considerably reasonable.

"Now back to the goody two shoes I was referring to in the Resolutions, which for socially responsible corporations we must have the best service to the public of safety, whether it's food or otherwise. But this goes a bit far and these Resolutions make pejorative comments about our military, in that it singles out corporations that do military defense contracts, as unacceptable, or let's say, less desirable as a part of the American corporate culture.

"Mr. Speaker, just a few days ago, or yesterday, we had the National Guard exhibit here. I had the privilege of looking at some of their new equipment. And one of the fully uniformed individuals with his breastplate on said he could take an M40 bullet, point blank right at his vital organs. And because of Kevlar, it would be repelled. Lifesaving devices that these corporations are now being spoken of as pejorative in this Reso would be set aside.

"Mr. Speaker, last night at the Washington Place, we had a goodwill understanding with the people of Turkey, of which the Representative from Waianae did an excellent job in welcoming the business people from the Turkish-American community in Los Angeles. Tremendous goodwill. One was a defense contractor, because he made parts for the F-16 plane that keeps those 4,000 planes flying throughout the world. These people are looked upon as pejorative here.

"So Mr. Speaker, it's the lack of balance. We need socially responsible, but if we start picking winners, and saying that these are bad, we forget about the defense. We forget about the military, and those who are now in harm's way as we speak. Thank you, Mr. Speaker."

Representative Fontaine rose to speak in support of both measures with reservations, stating:

"Yes, Mr. Speaker. I'm also standing in reservations and for the same reasons as the previous speaker. Thank you."

Representative Jordan rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. In my life of dealing with people's personal matters such as taxes, investing, building their lives for

their future retirement, I have met many individuals that are socially conscious on what they invest in. I think this measure truly stands to those thoughtful and conscious individuals. I support our Chief Investment Officer to start looking at more conservative, and more positive, thoughtful and conscientious investing. I do support these measures. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 94, entitled: "HOUSE RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENT," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1742-12) recommending that H.C.R. No. 140, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 140, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE OFFICE OF AEROSPACE DEVELOPMENT TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR HAWAII TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1743-12) recommending that H.R. No. 95, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 95, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1744-12) recommending that H.C.R. No. 124, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1745-12) recommending that H.R. No. 107, HD 1, be adopted; and

(Stand. Com. Rep. No. 1746-12) recommending that H.C.R. No. 145, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 107, HD 1; and H.C.R. No. 145, HD 1, be adopted, seconded by Representative Evans.

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. Just a ruling on a potential conflict. Our family does business with Bali, Indonesia through our import and antique industry," and the Chair ruled, "no conflict."

Representative McKelvey continued to speak in support of both measures, stating:

"Thank you, very much. In strong support, then."

Representative Ward rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a potential conflict. I'm one of the founding members of the Indonesian Hawaii Chamber of Commerce. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 107, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI, INDONESIA," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 145, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI, INDONESIA," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1747-12) recommending that H.C.R. No. 152, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 152, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONVEY A TASK FORCE TO EXAMINE MANAGEMENT POLICIES REGARDING THE USE OF OVERTIME BY STATE AND COUNTY EMPLOYEES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1748-12) recommending that H.R. No. 118, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1749-12) recommending that H.C.R. No. 154, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1750-12) recommending that H.C.R. No. 163, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE COUNTY OF HAWAII, TO CONDUCT A STUDY ON THE ESTABLISHMENT OF A PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AND IMPROVE THE EAST HAWAII AREA OF HAWAII COUNTY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1751-12) recommending that H.R. No. 139, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 139, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1752-12) recommending that H.C.R. No. 178, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 178, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1753-12) recommending that H.R. No. 147, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1754-12) recommending that H.C.R. No. 190, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1755-12) recommending that H.C.R. No. 192, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF PUBLIC SAFETY TO CONVENE A TASK FORCE TO DEVELOP A PLAN FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF A SECURE FORENSIC FACILITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1756-12) recommending that H.R. No. 155, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1757-12) recommending that H.C.R. No. 201, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1758-12) recommending that H.R. No. 157, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1759-12) recommending that H.C.R. No. 203, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1760-12) recommending that H.R. No. 167, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 167, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES

HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1761-12) recommending that H.C.R. No. 216, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1762-12) recommending that H.R. No. 4, HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.R. No. 4, HD 1, be adopted, seconded by Representative Evans.

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to request a no vote on this one. It's not the substance of it that's concerning to me. It's like we're trying to influence ourselves. Urging the Governor and the Legislature of the State of Hawaii to Preserve the Counties' ... If we want to preserve the TAT share, keep the counties' share, then we should just do it. But I don't see any point in telling ourselves to do it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 4, HD 1, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF HAWAII TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was adopted, with Representative Rhoads voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1763-12) recommending that H.R. No. 116, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU TO INSPECT, CLEAN, AND FIX THE DRAINAGE SYSTEM IN EAST HONOLULU," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1764-12) recommending that H.R. No. 74, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1765-12) recommending that H.C.R. No. 102, as amended in HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 74, HD 1; and H.C.R. No. 102, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in opposition to both measures, stating:

"Mr. Speaker, a no vote on these measures, please. We could name this the Library Peace Talks Reso. The difficulty is the warring parties of Kailua and Aina Haina are excluded as to the people that are going to be called to the table, and it ultimately is going to be difficult because there has been a real turmoil that the reinterpretation of the statute has brought out in Finance Committee hearing. I'm hopeful that something might come of this, but unless you get North and South Korea at the table, you're not going to get too much in terms of a Korean resolution. So for this reason, I think it's not going to be very helpful. Thank you."

Representative Hashem rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in support. This has been a very long and painful issue that we've been dealing with this Legislative Session. It doesn't specify the exact two warring parties, but if you read the Reso which it says, a representative from the Friends of the Library of Hawaii affiliate group, and a representative that is not an affiliate group. Kailua is an affiliate group, and Aina Haina is not an affiliate group. So it does include them. Thank you very much, Mr. Speaker."

Representative M. Lee rose to speak in support of both measures, stating:

"I stand in support and I would like to include the words of the Vice Chair of Agriculture. I would like to note too, that there was no negative testimony on these Resolutions when it was heard in Committee. Thank you."

Representative Marumoto rose to speak in support of both measures with reservations, stating:

"My. Speaker, I rise in favor of these resolutions, with reservations. And first of all, I'd like to point out that in the Committee Reports, it shows that I voted free and clear. And also Representative Ward. In actuality, I voted with reservations in Committee, and Representative Ward voted no. So, just to clarify that.

"All the bill purported to do, not these Resolutions, but a bill from the Senate introduced by I believe Senator Tokuda, was to allow the Friends of the Aina Haina Library to continue selling books at the library. They have been doing this to raise money for the library for 50 years.

"Apparently, the Librarian felt that it was not proper that they should be on State property since they were a nonaffiliated, private nonprofit. So, essentially they were kicked off. So we tried to get a bill passed that would allow them to continue their activities. It just dawned on me. I think the bill was introduced by Senator Slom. It's in his district. But that bill failed, and so these Resolutions are a result. I'm not sure that these Resolutions will work, but I certainly hope it will. So in that respect, I am very much for it."

Representative Takumi rose to speak in opposition to both measures, stating:

"Thank you very much, Mr. Speaker. I stand in opposition to these resolutions. Well first of all, these Resolutions started off being referred to the Agricultural Committee. And then it morphed into this Library bill. And I do realize in the library you do have books about farming and whatnot. But you know, I don't quite see the connection for it to go to the Ag Committee, and then to the Finance Committee. These Resolutions obviously should have been heard by your Education Committee.

"Besides, we have as previous speakers have mentioned in dealing with this issue this whole Session, I think I've learned more about the Friends of the Library, and the Little Friends of the Library than I ever have in my entire career here. But the point is that this is going to require statutory change. So you can convene a task force, and they can meet for the next year and so on. I just don't think the library such as the Aina Haina Friends of the Library are going to be able to conduct any business in the coming

year while this task force meets. A simple fix to the law, according to the Attorney General, would have taken care of this, and I see no need for a Resolution. I see a need for a bill to change the current law. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker, I just heard from the Aina Haina Library people and they were, at the very last minute informed of something that they could no longer make. So the fact that they had 48 hours notice is immaterial.

"Second point I wanted to mention was that even though there is a non-affiliate, there are many non-affiliates. Even though there are affiliates on this group, there are many affiliates. So to say at the North and South Korea peace talks, we're going to have one Asian and one non-Asian among the millions of possibilities, is really not bringing the warring parties to the table. That's the problem.

"And as the Representative of Kaimuki, Kahala said, these people have been doing this for 50 years. Over a quarter million dollars they have brought in. If it doesn't work out, it's going to shut down a lot of goodwill, Mr. Speaker, and we don't want to do that. We don't want to have Kailua fighting with Aina Haina, and back and forth. There should be peace, and this unfortunately, I don't think is going to settle it. Thank you."

Representative Hashem rose to respond, stating:

"Mr. Speaker, in rebuttal. I would just like to ask, if we don't have a Resolution like this, and we don't have the parties come together and talk about it, and yes, everybody is right. They're all completely correct in what they're saying. They've been doing this for 50 years, and we've been trying to work this through. We do need a bill, but what is your option? If we don't do this, then what? You vote no, and you don't do anything? The AG already said that, we have to change the law. So we have to do something, and this is doing something. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 74, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE LIBRARIAN TO CONVENE A TASK FORCE ON THE USE OF PUBLIC LIBRARY FACILITIES FOR CONCESSIONS," was adopted, with Representatives Takumi and Ward voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 102, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE LIBRARIAN TO CONVENE A TASK FORCE ON THE USE OF PUBLIC LIBRARY FACILITIES FOR CONCESSIONS," was adopted, with Representatives Takumi and Ward voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1766-12) recommending that H.R. No. 115, be adopted; and

(Stand. Com. Rep. No. 1767-12) recommending that H.C.R. No. 153, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 115; and H.C.R. No. 153, be adopted, seconded by Representative Evans.

Representative Choy rose to speak in support of both measures, stating:

"Yes, Mr. Speaker. In strong support. You know, Mr. Speaker. We have a road that I think each and every one of us has used in the back of the Manoa Valley. It goes to Paradise Park, and it goes to Manoa Falls, the Lyon Arboretum. That little stretch of road is not owned by anybody, and therefore not maintained by anybody. We have been battling to figure out who owns the road and who should maintain it.

"Well, in the last couple months there have been several accidents on the road, and it's coming to a point that we have to do something to figure out who owns this particularly road. So I'm hoping that this particular task force will be successful, and we can figure out who owns the road and then we can maintain the road.

"And if this particular task force is successful, then hopefully we can use this for a model, because I know about two or three other roads in Manoa that also don't have an owner designated. So I think these are really good Resolutions. Thank you, very much."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 115, entitled: "HOUSE RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1768-12) recommending that H.R. No. 143, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 143, entitled: "HOUSE RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1769-12) recommending that H.C.R. No. 185, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1770-12) recommending that H.R. No. 121, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 121, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1771-12) recommending that H.C.R. No. 157, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1772-12) recommending that H.R. No. 123, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1773-12) recommending that H.C.R. No. 159, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1774-12) recommending that H.C.R. No. 183, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 183, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FOCUSED FINANCIAL AND PERFORMANCE AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1775-12) recommending that H.C.R. No. 177, HD 1, as amended in HD 2, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 177, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Yamashita, for the Committee on Legislative Management presented two reports:

(Stand. Com. Rep. No. 1776-12) recommending that H.R. No. 7, be adopted; and

(Stand. Com. Rep. No. 1777-12) recommending that H.C.R. No. 9, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 7; and H.C.R. No. 9, be adopted, seconded by Representative Evans.

Representative M. Lee rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in strong support of this. And I do want the Members to know that, these Resolutions and the bill that preceded it, were part of a project by the University of Hawaii School of Nursing Students. I think these are important Resolutions and it's an important issue, and I'm glad to see it pass today. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1778-12) recommending that H.C.R. No. 58, HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 58, HD 1, be adopted, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just with reservations. But also a thank you to the Chair of CPC for including wave energy in it. My reservations are because of the direction to the utility to develop an under seas electricity transmission cable."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 58, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY SCENARIOS IN THE INTEGRATED RESOURCE PLANNING PROCESS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1779-12) recommending that H.C.R. No. 165, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALCOHOL RETAILERS AND LICENSED PREMISES UNDER CHAPTER 281, HAWAII REVISED STATUTES, TO POST A SIGN IN OR ABOUT THE PREMISES WARNING WOMEN NOT TO DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY AND THE DEPARTMENT OF HEALTH TO CONTINUE ITS EFFORTS TO

PROVIDE STATEWIDE TRAINING ON FETAL ALCOHOL SPECTRUM DISORDER PREVENTION, IDENTIFICATION, AND INTERVENTIONS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1780-12) recommending that H.C.R. No. 169, be adopted.

At this time, Representative Har offered Floor Amendment No. 6, amending H.C.R. No. 169, as follows:

"SECTION 1. House Concurrent Resolution No. 169 (URGING THE COUNTIES TO DEVELOP AND IMPLEMENT COMMUNITY CONCERNS COUNCILS IN RURAL AREAS) is amended by deleting its contents and replacing it with new language to read as follows:

"HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN.

WHEREAS, Koreans have a long history in Hawaii which started with 16 Koreans in 1902 and the first group of Korean laborers arriving in January 1903; and

WHEREAS, after the passage of the Immigration and Nationality Act of 1965, Koreans have become one of the fastest growing Asian groups in the United States which spurred the opening of the University of Hawaii's Center for Korean Studies in 1973; and

WHEREAS, immigration has continued, resulting in a population of 23,537 Koreans in Hawaii, according to the 2000 United States Census, and causing the Center for Korean Studies to broaden the teaching of Korean history and culture; and

WHEREAS, Hawaii has been at the forefront of encouraging the federal government to approve a visa waiver program for Korea; and

WHEREAS, on June 16, 2003, the Korean Consulate, Hawaii Korean Tourism Association, and Korean Air formed the Hawaii Tourism Promotion Association for the purpose of promoting tourism and a visa waiver program for Koreans; and

WHEREAS, on August 19, 2003, the Korean-Hawaii Visa Waiver Action Committee was created to promote and advocate the necessity of a visa waiver program for Koreans; and

WHEREAS, on April 26, 2004, the Legislature adopted House Concurrent Resolution No. 202, urging the members of Hawaii's congressional delegation to introduce federal legislation to provide additional resources to expand visa processing capacity in the Consular Section of the United States Embassy in Seoul in the Republic of Korea, and to include the Republic of Korea in the Visa Waiver Program; and

WHEREAS, on October 17, 2008, following several years of advocacy and lobbying efforts by the Korean-Hawaii Visa Waiver Action Committee in Washington, D.C. and in Korea, President Bush announced the visa waiver program for Koreans, effective November 17, 2008; and

WHEREAS, Koreans entering Hawaii between 2005 to 2008 totaled 35,008 in 2005, 37,911 in 2006, 42,140 in 2007, and 38,110 in 2008, and the number dramatically increased to 54,739 in 2009; and

WHEREAS, the upward trend has continued, totaling 81,921 Korean visitors in 2010 and 100,172 visitors in 2011, with projections that the number of Koreans entering in Hawaii will continue to grow at 30 to 50 percent annually; and

WHEREAS, Korean Air schedules fourteen flights a week to Hawaii, Asiana Airlines schedules two flights a week to Hawaii and will increase to seven flights a week starting in July 2012, and Hawaiian Airlines schedules four flights a week to Hawaii and will increase to seven flights a week starting in July 2012; and

WHEREAS, more than 92 percent of the Korean tourists in Hawaii visited Oahu, of which approximately 82 percent are first-time visitors to Hawaii; and

WHEREAS, many Koreans have given their time and expertise in serving the State of Hawaii, one of the most notable being Chief Justice

Ronald T.Y. Moon, whose grandparents were among the first Korean immigrants to Hawaii; and

WHEREAS, Census Tracts 36.01 and 36.02 give the general boundaries encompassing areas west of Kalakaua Avenue to Pensacola Street and north of Kapiolani Boulevard to South King Street which has become known as the Korean business district; and

WHEREAS, according to numbers from the 2000 United States Census, Census Tract 36.02 was home to 1,008 Koreans and part-Koreans, making it the neighborhood with the highest concentration of Koreans in the State; and

WHEREAS, areas surrounding, in, and around Census Tracts 36.01 and 36.02 are home to approximately 18 percent of Hawaii's Korean population; and

WHEREAS, as Hawaii continues its efforts to overcome the existing global financial crisis, it must look to its own state resources as well as develop international partnerships to plan for its current recovery and future to prevent another economic crisis; and

WHEREAS, Koreatowns or Korean-themed streets or districts exist in large United States cities such as Los Angeles, New York, Dallas, Chicago, Philadelphia, and Atlanta, and internationally Koreatowns exist in Toronto, Sydney, Tokyo, Osaka, London, Auckland, Hong Kong, and Beijing; and

WHEREAS, establishing a Koreatown is the first and natural step in recognizing the long history and bonds developed throughout the decades of Korean immigration and influence in Hawaii; and

WHEREAS, as Korea globally grows in recognition as an economic power, Hawaii must be at the forefront and establish itself as a gateway to Korean investment; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2012, the Senate concurring, that the Legislature urges the establishment of a Koreatown; and

BE IT FURTHER RESOLVED that the Office of Planning in coordination with the City and County of Honolulu Department of Planning and Permitting are urged to develop a master plan for the development of a Koreatown to include but not be limited to the following:

- (1) Area boundaries;
- (2) Incentives to promote and perpetuate further investment with Korea;
- (3) A museum and cultural center highlighting Korea's contributions in culture, music, fashion, art, and society in Hawaii and the world and including statues of Korean leaders from Hawaii; and
- (4) Specialized design plans to reflect Korean architecture; and

BE IT FURTHER RESOLVED that the Office of Planning is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2013; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, Mayor of the City and County of Honolulu, Director of the Office of Planning, and Director of the City and County of Honolulu Department of Planning and Permitting."

Representative Har moved that Floor Amendment No. 6, be adopted, seconded by Representative Ito.

Representative Har rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker, and Members, yesterday your Committee on Water, Land, & Ocean Resources heard a proposed H.D. 1 for H.C.R. 169 of which you have the Floor Amendment in front of you, which is urging the establishment of a Koreatown and development of a master plan for the development of a Koreatown.

"The room was packed yesterday, for those that were in that hearing. We had over 3500 pieces of testimony in support. And I think in the elation and overwhelming excitement of it all, we accidentally, and I should say, I

accidently, instead of adopting the proposed H.D. 1, we actually passed it out un-amended. As a result, your Committee voted on the wrong Resolution. Therefore, as a result we are trying to amend the error of the Vice Chair from yesterday's hearing and we ask for your favorable consideration on the adoption of the Floor Amendment."

The motion that Floor Amendment No. 6, amending H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO DEVELOP AND IMPLEMENT COMMUNITY CONCERNS COUNCILS IN RURAL AREAS," be adopted, was put to vote by the Chair and carried, with Representatives Chang, Kawakami and Tokioka being excused.

Representative Chong moved that H.C.R. No. 169, HD 1, be adopted, seconded by Representative Evans.

Representative Har rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker, and may I enter written comments into the Journal?"

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support on HCR 169, HD 1. The purpose of this Resolution is to urge the establishment of a Koreatown in Honolulu, Hawaii. The Office of Planning and the City and County of Honolulu Department of Planning and Permitting are also urged to create a master plan for the development of a Koreatown.

"Koreans have a long history in Hawaii dating back to 1903. The establishment of a Koreatown will serve to recognize the long history of Korean immigration and influence in Hawaii. According to the 2010 United States Census, at least 40,000 Koreans now live in Hawaii. The Korean population in Hawaii has come a long way since the first group of one-hundred-and-two arrived over one hundred years ago.

"But the development of a Koreatown will do more than highlight the century-long influence of Korean culture, history and service in the State of Hawaii. A Koreatown will also serve to welcome and recognize the thousands of Korean visitors to Hawaii each year. In 2011 alone, 100,172 visitors from Korea visited Hawaii, a total that is projected to increase by thirty to fifty percent annually. With such a large and dedicated group of visitors, Hawaii is well aware of its close ties to Korea and the influence visiting Koreans have on the state's economy. On June 16, 2003, the Korean Consulate, Hawaii Korean Tourism Association, and Korean Air formed the Hawaii Tourism Promotion Association in order to promote tourism and a visa waiver program for Koreans. Two months later the Korean-Hawaii Visa Waiver Program Action Committee was also created to further advocate for a visa waiver program. After years of lobbying in Washington, D.C. and in Korea by the Action Committee, President Bush announced the visa waiver program for Koreans, effective November 17, 2008.

"The establishment of a Koreatown in Hawaii will attract Korean investment opportunities that will benefit the State's economy and provide visitors and *kama'aina* with another site that proudly displays the State's multi-cultural and multi-ethnic heritage. The recognition of a Koreatown will help foster stronger relations between Hawaii and the Republic of Korea, and further solidify the significance of the United States-Korea Free Trade Agreement Implementation Act passed by the U.S. House of Representatives in October of 2011.

"Dozens of Koreatowns already exist in cities across the United States, including Los Angeles, New York, Chicago, and Philadelphia, and internationally in Toronto, Sydney, Tokyo, London and Beijing. Mr. Speaker, your House Committee on Water, Land, & Ocean Resources heard this Resolution in a packed room of individuals enthusiastically supporting the measure, and received 3,480 petition signatures from the Korean community in support of the measure. It is clear that development of a Koreatown is wanted, and it is time for Honolulu to be added to this list.

"Finally, as a second-generation Korean living in Hawaii, I personally understand the need for an area where Koreans can be recognized for their unique and significant contributions and am proud to have participated in shepherding this Resolution forward as the Vice Chair of your House Committee on Water, Land, & Ocean Resources.

"For these reasons, Mr. Speaker, I stand in strong support."

Representative Luke rose to speak in support of the measure, stating:

"In support. But since I would want the Neighbor Island Members to go home, I will refrain from making a long speech. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. If this is Amendment No .6, which were Nos. 1 to 5? Or are we talking about a different day? This says Floor Amendment No. 6. Did we have the other five prior to this?"

The Chair responded, stating:

"Yes, from previous sessions days."

Representative Ward: "Okay, so it's cumulative. Okay, that's understandable because I didn't see Nos. 1 to 5 today. Okay, thank you."

Speaker Say: "There was only one Floor Amendment today. This past Tuesday, we had 3, or 4. Or 5."

Representative Awana rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in strong reservations and ask to insert written comments."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise with strong reservations. Before I begin, I would like to first state that my reservations have nothing to do with the Korean people, or their culture. I have Korean friends and some of what I will be speaking with you comes with their sentiments as it was their concern that flagged me about this measure. Although their comments were much stronger than what I will share, they have concerns just the same.

"Mr. Speaker, as a Representative who was born and raised in these islands, I am quite perplexed with this Resolution. This measure which urges the establishment of a Koreatown and development of a master plan for the development of a Koreatown appears to be counterproductive to what our island state is recognized by those around the world. If this Resolution were to establish a Japanesetown, or a Filipinotown, or even a Hawaiiantown, I would still stand with reservations. To set aside a prime location in the center of the most populous location on Oahu, I strongly believe will divide our community when we should be united.

"Hawaii hosted a monumental event last year – APEC. The heads of the world's largest economies met here and the response was nothing but positive. My discussion with those who travelled thousands of miles over and over shared their personal experiences surrounding the beauty of people who can come from different areas and look different, but still be able to live harmoniously. As well all know the appeal to our State is a place where people are able to get along and the color of our skin or our origin takes a back seat to establishing a place where we all belong without barriers.

"Mr. Speaker, I ask that we not go back to a time when camps were established and people who were not of a certain race were not welcomed in a particular community. This Resolution, I believe will take us back instead of moving forward Mr. Speaker. For these reasons, I stand with strong reservations."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with some reservations, and request to insert further written comments into the Journal."

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise with some reservations to this resolution.

"Like the Office of Planning that testified about this proposal, this is an exciting concept for an area in urban Honolulu that is already colloquially known as "Korea-moku." However, as the Office of Planning pointed out, they would need approximately \$250,000 to \$450,000 and at least two years to produce the deliverables that are being requested here. If we want this planning process done correctly and with as much community involvement as possible, we should provide funding and more time for this important work to be done.

"Furthermore, as pointed out by the Office of Planning this work is more appropriately carried out by the City and County of Honolulu whose Department of Planning and Permitting has testified in opposition to this measure. DPP's opposition echoes the Office of Planning's concerns of lack of funding and limited staffing, especially since the DPP is heavily involved in its planning process for rail transit. In fact, the DPP offers an interesting way to move forward with this "Koreatown" concept by engaging the residential and business communities around the Ala Moana rail transit station in the City's transit-oriented development planning that they expect to begin this summer.

"Please find attached the testimony of the DPP and the Office of Planning below.

"Thank you Mr. Speaker for allowing me to express my reservations and I look forward to all the planning efforts that are moving forward in this culturally diverse area of urban Honolulu."

The Honorable Jerry L. Chang, Chair
and Members of the Committee on Water,
Land, & Ocean Resources
State House of Representatives
Re: HCR169, Proposed HD1
April 12, 2012
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Lastly, we are beginning the planning process for the area around the Ala Moana rail transit station. It will include the area referenced in these resolutions. We expect to hold the first community meeting this summer. If the residential and business communities raise the desire of developing a Koreatown character to the area, we are willing to consider it as part of our transit-oriented development plan.

In short, this resolution is not justified given the limited resources at both the state and city levels of planning. Rather than encouraging inter-governmental coordination and maximizing use of scarce government resources, it is redundant with ongoing city work and infringes on home rule. Thank you for this opportunity to testify.

Very truly yours,

David K. Tanoue, Director
Department of Planning and Permitting

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PETER B. CARLISLE
MAYOR



April 12, 2012

DAVID K. TANOUÉ
DIRECTOR
JIRO A. SUMADA
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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON WATER, LAND AND OCEAN RESOURCES
Thursday, April 12, 2012
11:30 AM
State Capitol, Conference Room 325

in consideration of
HCR 169 PROPOSED HD 1
URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A
MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN.

Chair Chang, Vice Chair Har, and Members of the House Committee on Water, Land and Ocean Resources.

The Office of Planning (OP) is excited by the concept of establishing a Koreatown and a master plan for the development of a Koreatown. However, we must oppose this resolution unless the legislature provides staff and/or funding to complete the tasks assigned to OP in the subject resolution. Also note that even if adequate staff and funding were provided, the time for deliverables is not practicable. To begin preparing an adequate plan, we would need approximately \$250,000 to \$400,000 to hire a consultant. The City and County of Honolulu would be the proper entity for carrying out such a task. They engaged a consultant for similar work, which resulted in the attached report entitled, "Rediscovering Chinatown Honolulu."

The Honorable Jerry L. Chang, Chair
and Members of the Committee on Water,
Land, & Ocean Resources
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Chang and Committee Members:

Subject: HCR 169 Proposed HD1
Establishment of Koreatown

The Department of Planning and Permitting opposes the Proposed HD1 for HCR 169, based on home rule and the City and County of Honolulu's role in the development of community-based plans. This resolution would direct the Office of Planning to develop a master plan for "Koreatown", in coordination with our department, for the area generally defined by Census Tracts 36.01 and 36.02.

The City and County of Honolulu has prepared many neighborhood plans. We have found that one of the prerequisites for a successful plan – one that moves beyond the planning phase and into implementation – is community support. While we are aware of the label Koreatown, we are not aware of a strong desire to introduce Korean architecture and urban design to the Keeaumoku Street area.

Further, "specialized design plans" would imply special design regulations. We are not aware that residents and businesses in the proposed area, whether connected to Korean culture or not, desire Korean designs. More importantly, additional permits and reviews will be required to develop such a character.

We also note to be done well, with good community participation, neighborhood plans need significant planning support. Given our limited staffing, our planning efforts will depend on consultant services. We would recommend funding this effort with about \$400,000.

In 2007, we prepared a needs assessment and conceptual design study for a Korean Cultural and Community Center, working with an advisory committee made up of Korean-American leaders and others. We completed the task and the community leaders were able to proceed with fundraising for the project, including land acquisition.

OP's limited resources are currently fully employed. Although the Office of Planning's resources have diminished, OP has leveraged its resources to conduct comprehensive, long-range and strategic planning. As an example, OP sought federal funds to help offset the 30% general fund budget reductions in 2009. However, federal funds have constraints. These funds must be used for purposes of the grant and usually have matching requirements. About 50% of OP's staff is federally funded and the remaining staff provides a portion of the one to one match requirement for these funds.

In addition to the projects and programs discussed in our recent *Fiscal Year 2010 – 2011 Office Of Planning Report to the Twenty-Sixth Legislature Regular Session of 2012* (available at <http://hawaii.gov/dbedt/main/about/annual>), I would like to highlight the following projects.

Climate Change Adaptation Policy

OP worked with numerous stakeholders to develop a climate change policy to be included as a Priority Guideline in Part III of the Hawaii State Planning Act, HRS ch. 226. (SB 2745 and HB 2483 Relating to Environment) *A Framework for Climate Change Adaptation in Hawaii*, was prepared in November 2009. This was a collaborative effort of the Ocean Resources Management Plan Working Group with the assistance of the University of Hawaii, Center for Islands Climate Adaptation and Policy. OP is working with the Ocean Resources Management Plan Policy and Working Groups, University of Hawaii Center for Island Climate Adaptation and Policy, U.S. Army Corps of Engineers, and other stakeholders on issues pertaining to climate change adaptation. This work is made possible through federal Coastal Zone Management Act grant funds and matching OP services-in-kind.

National Ocean Policy

Governor Abercrombie designated the Director of OP as his representative for initiatives of the National Ocean Council (NOC) and the designated US Pacific Islands region (American Samoa, Guam, CNMI, and Hawaii). OP through its Coastal Zone Management Program received a \$250,000 competitive grant award from the National Oceanic and Atmospheric

strategies and projects for implementation. Completion and acceptance of the Report demonstrates that the State of Hawaii has gone through a deliberative and thorough planning process to provide a framework for recommending projects for EDA funding. A CEDS is a precondition to obtain funding under most EDA grant programs.

The 2010 CEDS was a collaborative effort with OP, the State Department of Business and Economic Development and Tourism (DBEDT), the Economic Development Alliance of Hawaii (EDAH), Enterprise Honolulu, Economic Development Boards, County Economic Development Agencies, community, business, non-profit and other organizations; and the public. (\$133,360 EDA Federal Funds; match provided by services-in-kind by OP and economic development agencies and organizations).

Planning for Rural Economic Development

Planning for Rural Economic Development (Rural Report), 2010, examines rural economic development in Hawaii. Prepared by SMS Marketing and Research Services, Inc., the Rural Report defined "rural", identified rural communities statewide, and developed a baseline of socio-economic conditions of rural communities. Best practices were then identified through a nationwide and statewide review of rural communities who have successfully integrated economic development while maintaining rural character. Lastly, recommendations to support rural economic development in Hawaii were provided (\$100,000 EDA Federal Funds; matched by OP services-in-kind).

Master Plan for Agricultural Resources at Hoesa

Master Plan for Agricultural Resources at Hoesa (Master Plan), July 2011, is comprised of an environmental assessment and a site plan for the development of an agricultural resource center and processing facility in North Kohala, Island of Hawaii. The Master Plan provides the basis for moving forward with land acquisition, design, and construction of this facility. It will help the residents of North Kohala move closer to their goal of strengthening this rural area's local economy.

The resource center envisioned in the plan will support small farmers and ranchers to ensure the future of agriculture and ranching in the region. Kahua Paa Maa, Inc. and the Hawaii Future Farmers of America Foundation prepared the plan for OP and County of Hawaii (\$20,000 EDA Federal Funds; matched by in-kind services from OP, Department of Research and Development, County of Hawaii, Hawaii Future Farmers of America Foundation and Kahua Paa Maa, Inc.).

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Administration (NOAA) to strengthen the Ocean Resources Management Plan and implement the National Ocean Policy.

Ocean Resources Management Plan (ORMP) Update

An update of the ORMP is underway. The ORMP sets forth guiding principles and recommendations for the State to achieve comprehensive and integrated ocean and coastal resources management. HRS §205A-62 charges the Coastal Zone Management (CZM) Program with the review and periodic update of the ORMP, as well as coordination of the overall implementation of the plan. The ORMP is an integrated, place-based approach to management of ocean resources in the islands, based on recognition of the ecological connections between the land and sea, the link between human activities and its impacts on the environment, and the need for improved collaboration and stewardship in natural resources governance.

Charged with coordinating meaningful interagency and multi-sectoral engagement for plan implementation, the CZM Program established an ORMP Policy Group and an ORMP Working Group. These groups have been meeting consistently since they originated in 2007, and have continuously reached out to new partners and grown stronger as it becomes more evident that collaborative governance is essential for effective natural and cultural resource management. (CZM Federal funds; matched by OP services-in-kind)

Sustainability 2050

OP worked with the UH Public Policy Center for the passage of Act 181 (2011), which made the Hawaii 2050 Sustainability Plan a Priority Guideline under the Hawaii State Planning Act. OP coordinated and facilitated the two-day workshop by the Governors' Institute on Community Design to allow Administration decision-makers to consider how to implement sustainability under the New Day agenda, Hawaii 2050 Sustainability Plan, and State Planning Act.

OP, in coordination with the Governor's office and the Chief Information Officer, are working on an interagency, statewide strategic plan to further these objectives and make that information available online. OP is also working on securing potential funding to support the Administration's planning efforts in the urban core.

2010 Hawaii Statewide Comprehensive Economic Development Strategy (CEDS)

Accepted in March 2011 by the United States Economic Development Administration (EDA), the 2010 CEDS (Report) is an economic development strategy document for the State of Hawaii to increase Hawaii's economic competitiveness. The Report supports key industry clusters through proposed

Food Self-Sufficiency Strategy

OP was awarded a federal grant of \$100,000 from EDA to develop a strategic plan to increase food security and self-sufficiency in Hawaii. The Special Plans Program has begun work on the development of this plan in cooperation with the State Department of Agriculture.

Natural Disaster Economic Recovery Strategy

The goal of this grant is to improve economic recovery after natural disasters. OP will prepare a Natural disaster economic recovery strategy as a supplement to the CEDS to address pre-disaster continuity planning and post-disaster recovery actions for both public and private sectors. OP will work closely with State Civil Defense on this project (\$150,000 EDA Federal Funds; matched by OP services-in-kind).

Economic Development Strategy for Native Hawaiian Communities

The goal of this grant is to prepare an economic development strategy for native Hawaiian communities in cooperation with the Department of Hawaiian Home Lands (\$150,000 EDA Federal Funds; matched by OP services-in-kind).

Coastal Nonpoint Source Pollution Control Program (CNPCP)

OP through the Coastal Zone Management Program is working to reduce polluted runoff into our ocean and streams. Hawaii Watershed Planning Guidance 2011 was created to help local community organizations understand and prepare watershed plans in compliance with EPA guidelines for funding through Section 319 of the Federal Clean Water Act and serve as a means to reintroduce all CNPCP management measures. The Guidance presents a user friendly, step by step guide to ensure that as watershed plans are developed and updated in Hawaii, appropriate CNPCP management measures will be considered to achieve water quality improvements. The program is conducting training to government and other organizations on reducing coastal nonpoint source pollution. This work is made possible through federal Coastal Zone Management grant funds and matching OP services-in-kind.

In addition to the above specified projects, which leverage general funds for additional federal funding support, OP has updated its Web site to provide agencies and the public with better access to information about our programs and services. We provide planning expertise and support to various state agencies and programs and coordinate with

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county and federal agencies on initiatives of statewide concern. For example, these activities include, but are not limited to, membership on the Oahu Metropolitan Planning Organization (OMPO) Advisory Committee, the City's Transit Oriented Development (TOD) Advisory Committee, the Pacific Regional Ocean Partnership, and interactions with military planning officials.

Thank you for the opportunity to provide testimony on this measure.

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Representative Cabanilla rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. And I just would like to make a few comments. I was member of the Committee, and I was really touched with the number of people that showed up, and the number of petitions that they signed. I wished I was a Korean that day so I can also say that I am very proud that I am a part of this Resolution. I would like this initiative to come through. Thank you, Mr. Speaker."

Representative Morikawa rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I have recently been a fan of this television station, KBFD, when I came to Oahu. And I was stunned to see that it was on their news last night, on that station. They had the hearing. So with that, I really think this is important. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. And just hopefully in the future, maybe we, this Legislature, can consider also giving some funding to the counties for this project. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I would just like the words of the good Representative from Ewa entered into the record as if they were my own. And just a couple of brief additional comments in support. To quote the great minstrels, Lipps Inc.: We can talk about it, talk about it, talk about it, talk about it. But in the end Mr. Speaker, I want you to take me to Koreatown."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'm afraid I can't be as eloquent as the Representative from Maui, but I did just want to say that I do represent several thousand Korean Americans, but the vast majority of them do not

live in the Keeaumoku end of my district, as some people might suspect. They live in Chinatown, and in Palama. So I hope as the planners move forward, they don't forget about the thousands of Korean Americans who live in the Chinatown and Palama area of my district. Mahalo, or should I say, *kamsahamnida*."

The motion was put to vote by the Chair and carried, and H.C.R. No. 169, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN," was adopted, with Representatives Chang, Kawakami, Souki and Tokioka being excused.

ANNOUNCEMENTS

Representative Aquino: "Thank you, Mr. Speaker. I just wanted to thank all the Members who participated and took time out of their busy schedules to visit our National Guard members on National Guard Legislative Day on Wednesday. Many of us got to hear and experience what our Guard members experience, and what they do in service for our State and country.

"I just wanted to acknowledge and give special thanks to our State Adjutant General, General Darryll Wong, for working hard to make that day happen, along with Major Troy Cullen, and Captain Eric Shimodoi, who did a lot of the legwork in preparation for that day.

"Also, I wanted to acknowledge and give special thanks to the Representative from Waikale, Village Park and his staff, as well as my staff, Mr. Speaker. Lastly I would like to acknowledge some hardworking people who assisted us that day, who assisted tremendously I might add, mostly in the background. But I'd like to acknowledge our House Sergeant-at-Arms, especially Lon Paresa, Glenn Okamura, and John Baker. Also, Mr. Speaker, Denise Liu from House Journal, and staff members from DAGS.

"And mahalo again to everyone who took the time to show support for our National Guard members. Thank you, very much."

Representative M. Lee: "I'd also like to say thank you to all the people who participated in our annual Women's Caucus Easter Basket drive. All the many offices, the departments and really people from around the building, and even outside the building. I'd also like to give a special thanks to the Easter Bunny, who participated. Thank you, very much."

Representative Ching: "Thank you, Mr. Speaker. I just wanted to make an announcement that, as someone who likes to let people know what's going on historically. This coming Sunday, there's a couple of things that are kind of important.

"Number one, the *Voices of Palama* will be airing. This is the 100th anniversary, the centennial of Palama Settlement, of which many people, particularly of the Democrat Party came from. Senator Mercado Kim, Ben Cayetano. It's 6:00 on K5, Sunday the 15th.

"And it also happens to be on the day the Titanic sank. For those of you who may not know the historical district which I represent, has the lone survivor in the State of Hawaii of the Titanic. Her name was Mrs. Lucy Parrish. A lot of people visit her at the Oahu Cemetery, across the street from where I live. So just this weekend, when we're thinking about history, when we're thinking about the things we do. Palama Settlement. And it's been, you know, 100 years."

Representative Thielen: "Mr. Speaker, next Friday is our annual Hemp Aloha Friday, aloha shirt Friday. And I was hoping that Members would either wear a hemp shirt, or a natural fiber shirt in honor of Earth Day. Thank you."

Representative Ward: "Mr. Speaker, notwithstanding next Friday when we wear our hemp shirts, there was as proposal that we would wear our APEC volunteer shirts on Friday. And a resounding success of a total of 1 person has worn that. The message is let's not forget that success. We were

on the world stage. We hit a homerun. And maybe it should be like the hemp shirt, once a year, rather than every Friday. Thank you, Mr. Speaker."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R.

<u>Nos.</u>	<u>Referred to:</u>
74	Committee on Hawaiian Affairs, then to the Committee on Finance
151, SD1	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
169	Committee on International Affairs

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

S.C.R.

<u>No.</u>	<u>Re-referred to:</u>
97, SD1	Committee on Transportation, then to the Committee on Finance

ADJOURNMENT

At 1:20 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Monday, April 16, 2012. (Representatives Chang, Kawakami, Souki and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 13, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2012,	Oshiro, Chr.;
HD 1, SD 1	Choy, Cullen, Giugni, Har, Hashem, Ichiyama, Jordan, Kawakami, C. Lee, M. Lee, Morikawa, Tokioka, Yamashita, Marumoto, Riviere, Ward

FORTY-NINTH DAY

Monday, April 16, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:36 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Representative Jessica Wooley, after which the Roll was called showing all Members present with the exception of Representatives C. Lee, McKelvey, Oshiro and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1116 through 1119) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1116, informing the House that on April 12, 2012, the following bill was signed into law:

H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION." (ACT 016)

Gov. Msg. No. 1117, informing the House that on April 12, 2012, the following bill was signed into law:

H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT." (ACT 017)

Gov. Msg. No. 1118, informing the House that on April 12, 2012, the following bill was signed into law:

H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 018)

Gov. Msg. No. 1119, informing the House that on April 12, 2012, the following bill was signed into law:

H.B. No. 2143, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING." (ACT 019)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 680 through 748) were received and announced by the Clerk:

Sen. Com. No. 680, transmitting S.C.R. No. 2, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 681, transmitting S.C.R. No. 6, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REINVEST FUNDS ORIGINALLY INTENDED FOR INCARCERATION INTO STRUCTURED COMMUNITY PLACEMENT PROGRAMS FOR ELIGIBLE NON-VIOLENT FEMALE OFFENDERS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 682, transmitting S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 683, transmitting S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 684, transmitting S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 685, transmitting S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 686, transmitting S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 687, transmitting S.C.R. No. 22, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAAINA PLACE, WAIMANALO, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 688, transmitting S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 689, transmitting S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 690, transmitting S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 691, transmitting S.C.R. No. 30, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE UNFUNDED MANDATES REFORM ACT," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 692, transmitting S.C.R. No. 33, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND BOARD OF EDUCATION TO INSTITUTE A GREEN HAWAII PROGRAM WITHIN THE PUBLIC SCHOOL SYSTEM," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 693, transmitting S.C.R. No. 35, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO STUDY THE FEASIBILITY OF DEVELOPING A HOTEL, TRAINING HOTEL, OR OTHER COMMERCIAL RETAIL FACILITY ABOVE THE HAWAII CONVENTION CENTER FACILITY," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 694, transmitting S.C.R. No. 36, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A PLAN TO EXAMINE THE LONG-TERM USES OF THE HAWAII FILM STUDIO DIAMOND HEAD CAMPUS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 695, transmitting S.C.R. No. 40, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE

RENAMING OF AND THE EXTENSION OF THE PROMPT PAYMENT TASK FORCE TO DEVELOP RECOMMENDATIONS TO ADDRESS ISSUES THAT AFFECT PROCUREMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, INCLUDING HUMAN SERVICE NONPROFIT ORGANIZATIONS THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES, COMMUNITIES, AND OTHER SMALL BUSINESSES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 696, transmitting S.C.R. No. 42, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE WAYS, OTHER THAN TAX INCENTIVES, TO ENCOURAGE EMPLOYERS TO PROVIDE AND PAY FOR LONG-TERM CARE INSURANCE AND INDIVIDUALS TO PURCHASE LONG-TERM CARE INSURANCE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 697, transmitting S.C.R. No. 44, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A FACT-FINDING AND FEASIBILITY STUDY ON THE VIABILITY OF USING ACCELERATED DEATH BENEFITS AND VIATICAL SETTLEMENTS AS A SOURCE OF FUNDING FOR LONG-TERM CARE NEEDS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 698, transmitting S.C.R. No. 53, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COLLABORATION AMONG VARIOUS STATE AGENCIES TO IDENTIFY AND REMOVE BARRIERS RELATING TO WORKFORCE DATA SHARING AND NURSING PRACTICE IN THE STATE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 699, transmitting S.C.R. No. 55, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LIEUTENANT GOVERNOR TO REPORT TO THE LEGISLATURE ON THE STATE'S STRATEGIC PLAN TO EXPAND ASIA-PACIFIC BUSINESS DEVELOPMENT OPPORTUNITIES FOR HAWAII BUSINESSES, AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INCLUDE IN THE DEPARTMENT'S ANNUAL REPORT THE PROGRESS OF IMPLEMENTATION OF THE STRATEGIC PLAN," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 700, transmitting S.C.R. No. 56, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP RECOMMENDATIONS FOR INCREASED FEES TO HELP SUPPORT A FULLY STAFFED STATE HISTORIC PRESERVATION DIVISION PROGRAM," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 701, transmitting S.C.R. No. 57, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ESTABLISH A WORKING GROUP TO DEVELOP RECOMMENDATIONS REGARDING THE ADMINISTRATIVE PLACEMENT OF THE STATE FOUNDATION ON CULTURE AND THE ARTS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 702, transmitting S.C.R. No. 61, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING SINGLE-FAMILY RESIDENCE BUILDERS AND COUNTIES TO CONSIDER CERTAIN FACTORS THAT WILL FACILITATE INSTALLATION OF PHOTOVOLTAIC SYSTEMS DURING THE CONSTRUCTION AND DEVELOPMENT OF SINGLE-FAMILY RESIDENCES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 703, transmitting S.C.R. No. 63, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT OF THE KAHŌ'OLAWÉ

REHABILITATION TRUST FUND," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 704, transmitting S.C.R. No. 67, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE HAWAII AGRICULTURE RESEARCH CENTER FOR ITS BENEFITS TO THE AGRICULTURE INDUSTRY AND URGING THE HAWAII AGRICULTURE RESEARCH CENTER TO ESTABLISH THE PROPOSED KUNIA AGRICULTURE PROCESSING AND SALES CENTER," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 705, transmitting S.C.R. No. 68, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AND COUNTY AGENCIES AND OTHER LARGE WATER USERS TO UTILIZE BEST MANAGEMENT PRACTICES IN LANDSCAPE IRRIGATION TO CONSERVE OUTDOOR WATER USE AND TO ADOPT THE LANDSCAPE INDUSTRY COUNCIL OF HAWAII'S IRRIGATION WATER CONSERVATION BEST MANAGEMENT PRACTICES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 706, transmitting S.C.R. No. 77, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ESTABLISH A STATEWIDE RESOURCE DEVELOPMENT PROGRAM TO ASSIST THE COMPLEX AREAS IN CREATING ENDOWMENTS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 707, transmitting S.C.R. No. 80, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH ON THE CORRELATION BETWEEN CHILDREN WHO ARE LATE-BORN AND EDUCATIONAL OUTCOMES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 708, transmitting S.C.R. No. 84, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PUBLIC HOUSING AUTHORITY'S APPLICATION FOR A CHOICE NEIGHBORHOODS GRANT AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO SELECT THE HAWAII PUBLIC HOUSING AUTHORITY AS A CHOICE NEIGHBORHOODS GRANT RECIPIENT," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 709, transmitting S.C.R. No. 85, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, IN CONSULTATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL AND THE OFFICE OF HAWAIIAN AFFAIRS, TO EVALUATE THE FEASIBILITY OF ESTABLISHING LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS AND TO DISCUSS POTENTIAL AMENDMENTS TO CRIMINAL TRESPASSING LAWS TO ADDRESS HUNTING SITUATIONS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 710, transmitting S.C.R. No. 87, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ENGLISH AS A SECOND LANGUAGE INSTRUCTION AND ACTIVITIES AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 711, transmitting S.C.R. No. 89, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE MEASUREMENT STANDARDS BRANCH OF THE DEPARTMENT OF AGRICULTURE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 712, transmitting S.C.R. No. 90, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE THEIR 2003 REPORT ANALYZING THE MAJOR PROBLEMS FACED BY COMMERCIAL LESSEES BY INCORPORATING AN ECONOMIC ANALYSIS TO DETERMINE IF THERE IS A NEXUS BETWEEN THE EXISTENCE OF HIGH LEASE RENTS IN HAWAII AND THE STAGNATION OF HAWAII'S ECONOMY," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 713, transmitting S.C.R. No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A WORKING GROUP TO DISCUSS THE CREATION OF A STRATEGIC PLAN FOR THE DEVELOPMENT AND MARKETING OF THE HAWAII TEA INDUSTRY AND MAKE RECOMMENDATIONS FOR LABELING REQUIREMENTS OF HAWAII-GROWN TEA," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 714, transmitting S.C.R. No. 92, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE COUNTY OF HAWAII, TO CONDUCT A STUDY ON THE ESTABLISHMENT OF A PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AND IMPROVE THE EAST HAWAII AREA OF HAWAII COUNTY," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 715, transmitting S.C.R. No. 94, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY TO PROMOTE WORKPLACE WELLNESS PROGRAMS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 716, transmitting S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A TASK FORCE TO STUDY CLEAN AND SOBER HOMES AND HALFWAY HOUSES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 717, transmitting S.C.R. No. 107, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND ECONOMIC DEVELOPMENT AND TECHNOLOGY TO CONVENE A SPECIAL TASK FORCE ON HAWAIIAN HISTORICAL SITES PRESERVATION," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 718, transmitting S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO REVIEW THE ACCUMULATION OF CAPITAL RESERVES AND SURPLUS OF MANAGED CARE PLANS WHEN REVIEWING RATE FILINGS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 719, transmitting S.C.R. No. 109, SD 1, entitled: "SENATE CONCURRENT RESOLUTION HONORING UNITED STATES PRESIDENT GROVER CLEVELAND FOR HIS SUPPORT OF THE HAWAIIAN MONARCHY AND EFFORTS TO PRESERVE THE HAWAIIAN KINGDOM, BY REQUESTING THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, COUNTY OF KAUAI, AND COUNTY OF HAWAII TO NAME A STATE OR COUNTY PROPERTY IN HIS NAME, AND REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO COMMISSION, PURCHASE, OR PARTNER WITH ANOTHER ENTITY TO CREATE OR OBTAIN A WORK OF ART, WHETHER VISUAL OR LITERARY, IN HIS NAME," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 720, transmitting S.C.R. No. 111, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO PRESERVE EXISTING AFFORDABLE HOUSING AND CREATE NEW AFFORDABLE HOUSING

OPPORTUNITIES, FAMILY-ORIENTED SUPPORT SERVICES, HEALTH CENTERS, COMMUNITY CENTERS, RETAIL SERVICES RELATED TO HEALTHY LIVING, AND COMMUNITY GARDENS WITHIN TRANSIT-ORIENTED DEVELOPMENT ZONES ALONG THE HONOLULU RAIL TRANSIT PROJECT CORRIDOR," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 721, transmitting S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 722, transmitting S.C.R. No. 117, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE TO EXPAND THE SCOPE OF THE COMPREHENSIVE INFORMATION SYSTEM ESTABLISHED PURSUANT TO ACT 54, SESSION LAWS OF HAWAII 2011, TO FURTHER INCLUDE PUBLIC FACILITIES, THEREBY CREATING A COMPREHENSIVE ASSET MANAGEMENT SYSTEM FOR PUBLIC LANDS AND PUBLIC FACILITIES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 723, transmitting S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF PLANNING TO TIMELY CONDUCT AND COMPLETE REGIONAL PLANS AND STUDIES AS REQUIRED BY STATUTE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 724, transmitting S.C.R. No. 120, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO APPLY TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR A WAIVER OF THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 725, transmitting S.C.R. No. 121, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO REVIEW AND EVALUATE COMPLIANCE WITH AND EFFECTIVENESS OF THE REINVENTING EDUCATION ACT OF 2004, AS AMENDED," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 726, transmitting S.C.R. No. 122, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND STATE LIBRARIAN TO DEVELOP A STRATEGIC PLAN TO OPTIMIZE THE USE OF STATE PUBLIC LIBRARY FACILITIES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 727, transmitting S.C.R. No. 124, SD 2, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 728, transmitting S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR LA'I'OPUA 2020 AND ITS EFFORTS TO CONSTRUCT THE LA'I'OPUA COMMUNITY CENTER COMPLEX," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 729, transmitting S.C.R. No. 129, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN IMPACT ASSESSMENT REPORT ON LEGISLATION MANDATING CERTAIN HEALTH INSURANCE COVERAGE FOR OUTPATIENT PRESCRIPTION DRUGS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 730, transmitting S.C.R. No. 134, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 731, transmitting S.C.R. No. 137, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE OFFICE OF AEROSPACE DEVELOPMENT TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR HAWAII TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 732, transmitting S.C.R. No. 139, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE MILITARY STRATEGY OF FORWARD-BASING A VISIBLE MILITARY FORCE IN HAWAII AND URGING THE MILITARY AFFAIRS COUNCIL OF THE CHAMBER OF COMMERCE OF HAWAII TO CONTINUE WITH ITS WORK AS THE LIAISON FOR HAWAII IN MATTERS RELATING TO THE MILITARY'S PRESENCE IN HAWAII," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 733, transmitting S.C.R. No. 140, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION TO DETERMINE COST-EFFECTIVE AND REVENUE-GENERATING RIDERSHIP LEVELS FOR THE RAIL TRANSIT SYSTEM," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 734, transmitting S.C.R. No. 147, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO REEXAMINE THE BASIC HEALTH PROGRAM UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT ONCE FEDERAL RULES HAVE BEEN ISSUED AND TO CONSIDER AMENDING THE FEDERAL SECTION 1115 WAIVER GRANTED TO HAWAII TO RAISE THE MEDICAID INCOME ELIGIBILITY CEILING TO PROVIDE THE GREATEST HEALTH CARE COVERAGE TO SERVE THE NEEDS OF HAWAII'S PEOPLE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 735, transmitting S.C.R. No. 153, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT A DEMONSTRATION PROJECT TO INTEGRATE HEALTHCARE FOR INDIVIDUALS ENROLLED IN BOTH MEDICAID AND MEDICARE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 736, transmitting S.C.R. No. 155, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE KAHŌ'OLAWĒ ISLAND RESERVE COMMISSION TO REQUIRE EACH STEWARDSHIP PROGRAM CONDUCTING ACTIVITIES ON THE KAHŌ'OLAWĒ ISLAND RESERVE TO OBTAIN LIABILITY AND PROPERTY DAMAGE INSURANCE AND LIST THE STATE AS AN ADDITIONAL INSURED," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 737, transmitting S.C.R. No. 156, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 738, transmitting S.C.R. No. 158, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE GREATER TRANSPARENCY IN THE ALLOCATION OF

GEOHERMAL ROYALTIES SO THAT BENEFITS ACCRUE TO THE COMMUNITY IN WHICH THE GEOHERMAL RESOURCES ARE LOCATED, AND TO TAKE VARIOUS ACTIONS TO FURTHER THE DEVELOPMENT OF GEOHERMAL RESOURCES WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 739, transmitting S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT RULES TO REGULATE AND CONTROL OPIHI HARVESTING TO ALLOW OPIHI STOCKS TO NATURALLY REPLENISH THEMSELVES AND SUPPORT SUSTAINABLE HARVESTING AND TO ANNUALLY REPORT ON ITS EFFORTS TO REPLENISH OPIHI STOCKS, THE EFFECTIVENESS OF THESE EFFORTS, AND RECOMMENDATIONS AND PROPOSED LEGISLATION FOR IMPROVEMENT," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 740, transmitting S.C.R. No. 167, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONVENE A TASK FORCE TO EXAMINE MANAGEMENT POLICIES REGARDING THE USE OF OVERTIME BY STATE AND COUNTY EMPLOYEES," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 741, transmitting S.C.R. No. 170, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI, WITH A STRONG EMPHASIS ON RE-ENTRY, TRANSITION, AND SUPPORT FOR FAMILY PROGRAMS," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 742, transmitting S.C.R. No. 171, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AGRIBUSINESS DEVELOPMENT CORPORATION TO ACQUIRE LAND FOR IMPROVEMENTS TO ITS INFRASTRUCTURE NECESSARY TO ACHIEVE ITS MISSION," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 743, transmitting S.C.R. No. 173, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF PLANNING TO COORDINATE WITH ALL STATE AGENCIES THAT HOLD TITLE TO OR LEASES OF LAND ALONG THE TRANSIT ROUTE TO DEVELOP A COMMUNITY DEVELOPMENT PLAN FOR COMMUNITIES ALONG THE ROUTE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 744, transmitting S.C.R. No. 174, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 745, transmitting S.C.R. No. 175, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC LAND DEVELOPMENT CORPORATION TO SUBMIT A SEMI-ANNUAL REPORT TO THE LEGISLATURE AND THE BOARD OF DIRECTORS OF THE CORPORATION TO SUBMIT AN ANNUAL EVALUATION OF THE EXECUTIVE DIRECTOR OF THE CORPORATION TO THE LEGISLATURE," which was adopted by the Senate on April 13, 2012.

Sen. Com. No. 746, dated April 13, 2012, informing the House that the Senate has on April 12, 2012, agreed to the amendments proposed by the House to the following Senate Bills and that said bills have this day passed Final Reading:

S.B. No. 650, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE

CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES."

S.B. No. 1312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION."

S.B. No. 2009, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

S.B. No. 2013, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."

S.B. No. 2110, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES."

S.B. No. 2167, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."

S.B. No. 2224, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD."

S.B. No. 2588, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS."

S.B. No. 2747, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING."

S.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

S.B. No. 2774, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS."

S.B. No. 2822, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING."

S.B. No. 2842, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS."

S.B. No. 2850, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS."

S.B. No. 2865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND."

S.B. No. 2866, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM."

S.B. No. 2872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT."

S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT."

S.B. No. 3031, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Sen. Com. No. 747, dated April 13, 2012, informing the House that the Senate has discharged all conferees on the part of the Senate to the following bills:

S.B. No. 41, SD 1, HD 1
S.B. No. 48, SD 1, HD 2
S.B. No. 99, SD 2, HD 1
S.B. No. 106, SD 1, HD 1, CD 1
S.B. No. 112, SD 1, HD 1
S.B. No. 145, SD 2, HD 2
S.B. No. 150, SD 2, HD 2
S.B. No. 155, SD 2, HD 1
S.B. No. 165, SD 2, HD 1
S.B. No. 233, SD 2, HD 1
S.B. No. 240, SD 2, HD 2
S.B. No. 243, SD 2, HD 1

S.B. No. 244, HD 1
S.B. No. 249, SD 2, HD 2
S.B. No. 289, SD 2, HD 1
S.B. No. 318, SD 2, HD 2
S.B. No. 333, SD 3, HD 2
S.B. No. 367, SD 3, HD 2
S.B. No. 573, SD 2, HD 2
S.B. No. 596, SD 2, HD 1
S.B. No. 652, SD 2, HD 1
S.B. No. 699, SD 2, HD 2
S.B. No. 723, SD 1, HD 2
S.B. No. 725, SD 2, HD 1
S.B. No. 741, SD 1, HD 1
S.B. No. 752, SD 2, HD 1
S.B. No. 753, SD 2, HD 2
S.B. No. 756, SD 2, HD 1
S.B. No. 772, SD 2, HD 2
S.B. No. 778, SD 1, HD 1
S.B. No. 779, SD 2, HD 2
S.B. No. 787, SD 2, HD 1
S.B. No. 797, SD 1, HD 1
S.B. No. 831, SD 2, HD 1
S.B. No. 893, SD 3, HD 2
S.B. No. 900, SD 2, HD 2
S.B. No. 912, SD 2, HD 1
S.B. No. 1006, SD 1, HD 1
S.B. No. 1054, SD 1, HD 2
S.B. No. 1055, SD 1, HD 1
S.B. No. 1061, SD 1, HD 1
S.B. No. 1062, SD 1, HD 1
S.B. No. 1065, SD 1, HD 1
S.B. No. 1078, SD 2, HD 1
S.B. No. 1079, SD 2, HD 2
S.B. No. 1083, SD 1, HD 1
S.B. No. 1086, SD 1, HD 2
S.B. No. 1095, SD 1, HD 1
S.B. No. 1107, SD 1, HD 2
S.B. No. 1161, SD 1, HD 3
S.B. No. 1219, SD 2, HD 2
S.B. No. 1247, SD 2, HD 2
S.B. No. 1269, SD 2, HD 2
S.B. No. 1271, HD 1
S.B. No. 1285, SD 2, HD 1
S.B. No. 1311, SD 2, HD 1
S.B. No. 1332, SD 2, HD 2
S.B. No. 1341, SD 2, HD 1
S.B. No. 1355, SD 1, HD 2
S.B. No. 1356, SD 1, HD 1
S.B. No. 1358, SD 2, HD 2
S.B. No. 1360, SD 1, HD 2
S.B. No. 1363, SD 2, HD 2
S.B. No. 1382, SD 2, HD 1
S.B. No. 1385, SD 2, HD 2
S.B. No. 1393, SD 2, HD 2
S.B. No. 1458, SD 2, HD 3
S.B. No. 1496, SD 1, HD 1
S.B. No. 1522, SD 2, HD 1
S.B. No. 1549, SD 2, HD 1

H.B. No. 70, HD 2, SD 1
H.B. No. 79, HD 1, SD 1
H.B. No. 121, HD 1, SD 1
H.B. No. 129, HD 2, SD 2
H.B. No. 130, HD 1, SD 1
H.B. No. 159, HD 1, SD 2
H.B. No. 160, HD 2, SD 2
H.B. No. 169, HD 2, SD 2
H.B. No. 235, HD 2, SD 2
H.B. No. 243, HD 1, SD 1, CD 1
H.B. No. 257, HD 2, SD 1
H.B. No. 273, HD 1, SD 1
H.B. No. 277, HD 2, SD 2
H.B. No. 306, HD 1, SD 2

H.B. No. 326, HD 1, SD 2
 H.B. No. 338, HD 2, SD 1
 H.B. No. 354, HD 1, SD 2
 H.B. No. 377, HD 2, SD 2
 H.B. No. 393, HD 2, SD 2
 H.B. No. 492, HD 2, SD 2
 H.B. No. 496, SD 2
 H.B. No. 505, HD 2, SD 2
 H.B. No. 526, HD 1, SD 2
 H.B. No. 563, HD 1, SD 1
 H.B. No. 569, HD 1, SD 2
 H.B. No. 594, HD 2, SD 2
 H.B. No. 596, HD 1, SD 1
 H.B. No. 614, HD 2, SD 1
 H.B. No. 638, HD 1, SD 1
 H.B. No. 640, HD 1, SD 1
 H.B. No. 678, HD 3, SD 2
 H.B. No. 758, HD 1, SD 2
 H.B. No. 786, HD 2, SD 2
 H.B. No. 814, HD 1, SD 1
 H.B. No. 848, HD 2, SD 1
 H.B. No. 850, HD 1, SD 2
 H.B. No. 879, HD 1, SD 2
 H.B. No. 902, HD 2, SD 1
 H.B. No. 983, HD 2, SD 1
 H.B. No. 1001, HD 2, SD 2
 H.B. No. 1012, HD 1, SD 2
 H.B. No. 1019, HD 1, SD 2
 H.B. No. 1041, HD 2, SD 2
 H.B. No. 1063, HD 1, SD 1
 H.B. No. 1092, HD 1, SD 3
 H.B. No. 1179, HD 3, SD 1
 H.B. No. 1183, HD 2, SD 1
 H.B. No. 1221, HD 1, SD 2
 H.B. No. 1248, HD 1, SD 1
 H.B. No. 1270, HD 1, SD 1
 H.B. No. 1277, HD 2, SD 2
 H.B. No. 1300, HD 2, SD 2
 H.B. No. 1307, HD 1, SD 1
 H.B. No. 1308, HD 2, SD 2
 H.B. No. 1312, HD 2, SD 2
 H.B. No. 1322, HD 2, SD 2
 H.B. No. 1326, HD 2, SD 1
 H.B. No. 1330, HD 1, SD 2
 H.B. No. 1407, HD 1, SD 2
 H.B. No. 1411, HD 2, SD 2
 H.B. No. 1483, HD 1, SD 2
 H.B. No. 1513, HD 1, SD 2
 H.B. No. 1529, HD 2, SD 1
 H.B. No. 1570, HD 2, SD 1
 H.B. No. 1626, HD 1, SD 2
 H.B. No. 1642, HD 2, SD 1

Sen. Com. No. 748, dated April 13, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2012 Ige, Chair; Kidani, Chun Oakland, Dela Cruz,
 HD 1, SD 1 English, Espero, Fukunaga, Kahele, Kim, Kouchi,
 Ryan, Tokuda, Wakai

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Awana introduced Ms. Kris Zavoli, Senior Director of the College Board of the State Government Relations.

Representative Chang introduced Mr. Rich Irwin and Mr. Ron Hancock of Virginia. They were accompanied by Mr. Randy Avon of Florida.

ORDER OF THE DAY

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>S.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
2, SD2	Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Health and the Committee on Housing, then to the Committee on Finance
6, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
12	Committee on Finance
18	Committee on Finance
19	Committee on Finance
20	Committee on Finance
21	Committee on Finance
22	Committee on Finance
23	Committee on Finance
24	Committee on Finance
25	Committee on Finance
30, SD1	Committee on Finance
33, SD2	Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance
35, SD2	Committee on Tourism, then to the Committee on Higher Education, then to the Committee on Finance
36, SD2	Jointly to the Committee on Higher Education and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
40, SD1	Committee on Finance
42, SD2	Jointly to the Committee on Health and the Committee on Economic Revitalization & Business, then to the Committee on Legislative Management
44, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce
53, SD2	Jointly to the Committee on Health and the Committee on Higher Education, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
55, SD1	Jointly to the Committee on International Affairs and the Committee on Economic Revitalization & Business, then to the Committee on Finance
56, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

57, SD2	Committee on Culture & the Arts, then to the Committee on Finance	118	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
61, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Housing, then to the Committee on Consumer Protection & Commerce	120, SD1	Committee on Education, then to the Committee on Finance
63, SD1	Committee on Hawaiian Affairs, then to the Committee on Legislative Management	121, SD1	Committee on Education, then to the Committee on Finance
67, SD1	Committee on Agriculture	122	Committee on Education, then to the Committee on Finance
68, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	124, SD2	Committee on Water, Land, & Ocean Resources
77, SD1	Committee on Education, then to the Committee on Finance	126	Jointly to the Committee on Human Services and the Committee on Health and the Committee on Hawaiian Affairs, then to the Committee on Finance
80, SD1	Committee on Education, then to the Committee on Finance	129, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
84, SD1	Committee on Housing, then to the Committee on Finance	134	Committee on Agriculture, then to the Committee on Finance
85, SD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	137, SD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
87, SD1	Jointly to the Committee on Hawaiian Affairs and the Committee on Education, then to the Committee on Finance	139, SD1	Committee on Public Safety & Military Affairs
89, SD1	Committee on Agriculture, then to the Committee on Legislative Management	140, SD1	Committee on Transportation, then to the Committee on Finance
90, SD1	Committee on Legislative Management	143, SD1	Committee on Finance
91, SD1	Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Finance	147, SD2	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
92	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	153, SD1	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
94, SD1	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business	155, SD2	Committee on Hawaiian Affairs, then to the Committee on Finance
102, SD1	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	156, SD1	Committee on Transportation, then to the Committee on Finance
107, SD1	Jointly to the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources and the Committee on Economic Revitalization & Business, then to the Committee on Legislative Management, then to the Committee on Finance	158, SD1	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
108	Committee on Health, then to the Committee on Consumer Protection & Commerce	166	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
109, SD1	Jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts, then to the Committee on Finance	167, SD2	Committee on Labor & Public Employment, then to the Committee on Finance
111, SD1	Committee on Transportation, then jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources	170, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
113	Committee on Water, Land, & Ocean Resources	171, SD2	Committee on Agriculture, then to the Committee on Finance
117, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance	173, SD1	Jointly to the Committee on Transportation and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		174, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on International Affairs
		175	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.B.
Nos.

Re-referred to:

280, HD1, SD2 Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

283, HD1, SD2 Committee on Agriculture, then to the Committee on Finance

1033, HD1, SD2 Committee on Finance, then to the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1181, HD1, SD1 Committee on Finance, then to the Committee on Judiciary

1295, HD3, SD2 Committee on Economic Revitalization & Business, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1398, HD1, SD1 Committee on Housing, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1984, SD1 Committee on Hawaiian Affairs, then to the Committee on Economic Revitalization & Business

2004, HD2, SD2 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2078, HD2, SD2 Committee on Tourism, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2113, HD1, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2121, HD2, SD1 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2227, HD1, SD2 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

2302, HD2, SD1 Committee on Housing, then jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, then to the Committee on Finance

2524, HD2, SD2 Committee on Legislative Management, then to the Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2526, HD2, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance

2529, HD1, SD1 Committee on Hawaiian Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance

2553, HD2, SD2

Committee on Water, Land, & Ocean Resources, then to the Committee on Health, then to the Committee on Finance

2681, HD1, SD1

Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

2682, HD1, SD1

Committee on Water, Land, & Ocean Resources, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance

2760, HD2, SD2

Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2776, HD2, SD2

Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

2806, HD2, SD2

Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

2848, HD3, SD2

Committee on Public Safety & Military Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

2872, HD3, SD2

Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

2875, SD2

Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

S.B.
Nos.

Re-referred to:

580, SD2, HD2

Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

1142, SD2, HD1

Committee on Agriculture, then to the Committee on Finance

1197, SD2, HD2

Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance

1276, SD2, HD2

Committee on Consumer Protection & Commerce, then to the Committee on Human Services, then to the Committee on Finance

2247, SD2, HD1

Committee on Judiciary, then to the Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce

2248, SD2, HD3

Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

2341, SD2, HD2

Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Tourism

2378, SD1, HD1

Committee on Water, Land, & Ocean Resources, then to the Committee on Agriculture, then to the Committee on Finance

2419, SD2, HD3	Committee on Transportation, then to the Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Consumer Protection & Commerce	H.B. No. 46, HD 2, SD 2	Cabanilla/Rhoads, Co-Chrs.; Ito, Pine
2489, SD2, HD2	Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	H.B. No. 246, HD 1, SD 2	Keith-Agaran/M. Lee, Co-Chrs.; Ito, Thielen
2506, SD2, HD1	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	H.B. No. 280, HD 1, SD 2	Tsuji/Rhoads/Hashem, Co-Chrs.; Riviere
2632, SD1, HD1	Committee on Tourism, then to the Committee on Water, Land, & Ocean Resources, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	H.B. No. 283, HD 1, SD 2	Tsuji/Hashem, Co-Chrs.; Coffman, Evans, Riviere
2640, SD1, HD1	Committee on Judiciary, then to the Committee on Energy & Environmental Protection, then to the Committee on Water, Land, & Ocean Resources	H.B. No. 302, HD 1, SD 2	Keith-Agaran/Har, Co-Chrs.; Tsuji, Thielen
2748, SD1, HD1	Committee on Judiciary, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	H.B. No. 461, HD 1, SD 1	Aquino/Keith-Agaran/Cullen, Co-Chrs.; Cabanilla, Ito, Johanson
2790, SD1, HD1	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	H.B. No. 468, HD 1, SD 2	Keith-Agaran, Chr.; Ito, Tokioka, Thielen
2798, SD1, HD1	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	H.B. No. 609, HD 2, SD 2	Yamane/Morikawa, Co-Chrs.; Rhoads, Ching
2816, SD1, HD1	Committee on Health, then to the Committee on Finance	H.B. No. 679, HD 1, SD 1	Aquino/Keith-Agaran, Co-Chrs.; Cullen, Ito, Fontaine
2947, SD2, HD2	Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance	H.B. No. 755, HD 3, SD 2	Cabanilla/Rhoads/Kawakami, Co-Chrs.; Ito, Mizuno, Pine
2967, SD2, HD1	Committee on Labor & Public Employment, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance	H.B. No. 1033, HD 1, SD 2	Oshiro/Coffman/Yamane, Co-Chrs.; Kawakami, Tsuji
3001, SD2, HD2	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance	H.B. No. 1181, HD 1, SD 1	Har/Rhoads, Co-Chrs.; Ito, Ward
3053, SD2, HD2	Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	H.B. No. 1295, HD 3, SD 2	McKelvey/Keith-Agaran/Herkes/Choy, Co-Chrs.; Pine
		H.B. No. 1306, HD 2, SD 1	Cabanilla/Kawakami, Co-Chrs.; Ito, Pine
		H.B. No. 1398, HD 1, SD 1	Cabanilla/Chang/Kawakami, Co-Chrs.; Ito, Pine
		H.B. No. 1524, HD 2, SD 2	Tsuji/Keith-Agaran, Co-Chrs.; Awana, Hashem, Riviere
		H.B. No. 1543, SD 1	Yamane, Chr.; Tokioka, Marumoto
		H.B. No. 1617, HD 2, SD 2	Chang/Brower/McKelvey/Har, Co-Chrs.; Nakashima, Riviere
		H.B. No. 1666, HD 1, SD 1	Souki/Rhoads, Co-Chrs.; Har, Fontaine
		H.B. No. 1689, HD 1, SD 2	Mizuno/Yamane/M. Lee, Co-Chrs.; Morikawa, Pine
		H.B. No. 1706, HD 1, SD 1	Cabanilla/Herkes, Co-Chrs.; Ito, Pine
		H.B. No. 1724, HD 1, SD 2	Mizuno/Yamane/M. Lee, Co-Chrs.; Morikawa, Pine
		H.B. No. 1726, HD 1, SD 2	Coffman/Kawakami, Co-Chrs.; Thielen
		H.B. No. 1755, HD 2, SD 2	Keith-Agaran/Oshiro, Co-Chrs.; Tsuji, Thielen

ADJOURNMENT

At 11:43 o'clock a.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 17, 2012. (Representatives C. Lee, McKelvey, Oshiro and Takumi were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 16, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1771, HD 1, SD 1	Keith-Agaran, Chr.; Ito, Mizuno, Fontaine	H.B. No. 2078, HD 2, SD 2	Brower/Herkes/Tokioka, Co-Chrs.; Nishimoto, Tsuji, Ching
H.B. No. 1777, HD 1, SD 1	Keith-Agaran/M. Lee, Co-Chrs.; Tsuji, Fontaine	H.B. No. 2093, HD 2, SD 2	Tsuji/Nishimoto/Takumi/Hashem, Co-Chrs.; Nakashima, Riviere
H.B. No. 1788, HD 1, SD 1	Keith-Agaran, Chr.; Luke, McKelvey, Fontaine	H.B. No. 2099, HD 1, SD 1	Rhoads/McKelvey/Yamashita, Co-Chrs.; Choy, Fontaine
H.B. No. 1791, SD 1	Souki/Keith-Agaran, Co-Chrs.; Har, Fontaine	H.B. No. 2100, HD 2, SD 1	Tsuji/Nishimoto/Hashem, Co-Chrs.; Nakashima, Riviere
H.B. No. 1800, HD 2, SD 2	Keith-Agaran/Oshiro, Co-Chrs.; M. Lee, Thielen	H.B. No. 2113, HD 1, SD 1	Aquino/Rhoads/Cullen, Co-Chrs.; M. Lee, Yamane, Fontaine
H.B. No. 1838, SD 1	Oshiro, Chr.; Choy, M. Lee, Yamashita, Ward	H.B. No. 2121, HD 2, SD 1	Coffman/Herkes/Oshiro, Co-Chrs.; Choy, Yamashita, Riviere
H.B. No. 1848, HD 2, SD 1	Rhoads/Oshiro, Co-Chrs.; Choy, Yamashita, Fontaine	H.B. No. 2150, HD 2, SD 1	Tsuji/Chang/Coffman, Co-Chrs.; Hashem, Kawakami, Riviere
H.B. No. 1875, HD 2, SD 2	Herkes/Keith-Agaran/Choy, Co-Chrs.; Tsuji, Riviere	H.B. No. 2174, HD 1, SD 1	Keith-Agaran/Choy, Co-Chrs.; Ito, Thielen
H.B. No. 1879, HD 2, SD 1	Herkes/Tokioka, Co-Chrs.; Ito, Marumoto	H.B. No. 2175, HD 2, SD 1	Yamashita/Keith-Agaran, Co-Chrs.; Tokioka, Ward
H.B. No. 1892, SD 1	Keith-Agaran/M. Lee, Co-Chrs.; Thielen	H.B. No. 2226, HD 2, SD 2	Aquino/Keith-Agaran/Cullen, Co-Chrs.; Fontaine
H.B. No. 1925, HD 1, SD 1	McKelvey/Yamane, Co-Chrs.; Awana, Pine	H.B. No. 2227, HD 1, SD 2	Yamane/Keith-Agaran/Morikawa, Co-Chrs.; Mizuno, Wooley, Ching
H.B. No. 1928, SD 1	Souki/Keith-Agaran, Co-Chrs.; Har, Ito, Fontaine	H.B. No. 2232, HD 2, SD 1	Yamane/Keith-Agaran, Co-Chrs.; Jordan, M. Lee, Nishimoto, Ching
H.B. No. 1941, HD 2, SD 2	Tsuji/Souki/Hashem, Co-Chrs.; Ichiyama, Riviere	H.B. No. 2242, HD 1, SD 1	Herkes/Choy, Co-Chrs.; Hashem, Tsuji, Marumoto
H.B. No. 1942, HD 2, SD 2	Tsuji/Hashem, Co-Chrs.; Cullen, Riviere	H.B. No. 2244, HD 1, SD 2	Tsuji/Hashem, Co-Chrs.; Awana, Riviere
H.B. No. 1943, HD 2, SD 2	Tsuji/Hashem, Co-Chrs.; Awana, Riviere	H.B. No. 2246, HD 2, SD 2	Chang/Hanohano/Har, Co-Chrs.; Ito, Riviere
H.B. No. 1953, HD 1, SD 1	Yamane/Morikawa, Co-Chrs.; Cabanilla, Jordan, Ching	H.B. No. 2248, HD 2, SD 2	Nishimoto/Tokioka, Co-Chrs.; Nakashima, Saiki, Johanson
H.B. No. 1957, HD 2, SD 2	Yamane/Herkes/Keith-Agaran, Co-Chrs.; Ching	H.B. No. 2250, HD 2, SD 1	Chang/Coffman/Oshiro, Co-Chrs.; Har, Kawakami, Ward
H.B. No. 1968, HD 1, SD 2	Aquino/Cullen, Co-Chrs.; Yamane, Fontaine	H.B. No. 2251, SD 1	Keith-Agaran/Tokioka, Co-Chrs.; Morikawa, Thielen
H.B. No. 1972, HD 2, SD 1	Chang/Hanohano/Har, Co-Chrs.; Carroll, Evans, Riviere	H.B. No. 2257, HD 1, SD 1	Aquino/Yamane/Cullen, Co-Chrs.; Cabanilla, Johanson
H.B. No. 1974, HD 2, SD 1	Aquino/Cullen, Co-Chrs.; Cabanilla, Ito, Johanson	H.B. No. 2258, HD 2, SD 1	Aquino/Herkes/Cullen, Co-Chrs.; Cabanilla, Nakashima, Johanson
H.B. No. 1980, HD 1, SD 1	Oshiro, Chr.; Choy, M. Lee, Ward	H.B. No. 2265, HD 2, SD 2	McKelvey/Choy, Co-Chrs.; Tsuji, Marumoto
H.B. No. 1984, SD 1	Hanohano/McKelvey, Co-Chrs.; Awana, Ward	H.B. No. 2275, HD 2, SD 2	Yamane/Mizuno/Oshiro, Co-Chrs.; Jordan, Morikawa, Ching
H.B. No. 2004, HD 2, SD 2	Souki/Rhoads/Ichiyama, Co-Chrs.; Yamashita, Fontaine	H.B. No. 2295, HD 1, SD 2	Keith-Agaran, Chr.; Belatti, Har, McKelvey, Thielen
H.B. No. 2030, HD 2, SD 1	Souki/Aquino/Keith-Agaran, Co-Chrs.; Awana, Ichiyama, Fontaine	H.B. No. 2296, HD 1, SD 1	Keith-Agaran, Chr.; Har, Ito, Wooley, Thielen

H.B. No. 2302, HD 2, SD 1	Cabanilla/McKelvey/Yamashita/M. Lee, Co-Chrs.; Ito, Pine	H.B. No. 2513, HD 1, SD 2	Takumi/Rhoads/Tokioka, Co-Chrs.; Belatti, Takai, Johanson
H.B. No. 2312, HD 2, SD 2	Yamane/Keith-Agaran, Co-Chrs.; Brower, Morikawa, Ching	H.B. No. 2514, HD 3, SD 1	Aquino/Keith-Agaran/Oshiro, Co-Chrs.; Cullen, Ito, Fontaine
H.B. No. 2314, HD 1, SD 1	Brower/Tokioka, Co-Chrs.; Nishimoto, Ching	H.B. No. 2515, HD 3, SD 2	Aquino/Keith-Agaran/Oshiro, Co-Chrs.; Cullen, Ito, Fontaine
H.B. No. 2319, HD 2, SD 1	McKelvey/Choy, Co-Chrs.; Hashem, Kawakami, Nakashima, Marumoto	H.B. No. 2524, HD 2, SD 2	Yamashita/Choy/Yamane/Oshiro, Co-Chrs.; Har, Marumoto
H.B. No. 2320, HD 2, SD 2	Souki/Keith-Agaran/Ichiyama, Co-Chrs.; Har, Fontaine	H.B. No. 2526, HD 2, SD 2	Yamane/McKelvey/Oshiro, Co-Chrs.; Har, Yamashita, Marumoto
H.B. No. 2326, HD 1, SD 1	Coffman/Choy, Co-Chrs.; M. Lee, Yamane, Yamashita, Thielen	H.B. No. 2529, HD 1, SD 1	Hanohano/McKelvey/Oshiro, Co-Chrs.; Choy, Har, Ward
H.B. No. 2347, SD 1	Oshiro, Chr.; Choy, M. Lee, Ward	H.B. No. 2540, HD 2, SD 1	Mizuno/Jordan, Co-Chrs.; C. Lee, Morikawa, Pine
H.B. No. 2361, HD 2, SD 2	Keith-Agaran/M. Lee, Co-Chrs.; Hashem, Thielen	H.B. No. 2553, HD 2, SD 2	Chang/Yamane/M. Lee, Co-Chrs.; Morikawa, Riviere
H.B. No. 2374, SD 1	Yamane/Rhoads/Oshiro, Co-Chrs.; Mizuno, Morikawa, Ching	H.B. No. 2568, HD 2, SD 1	Yamane/Keith-Agaran/Morikawa, Co-Chrs.; Tsuji, Ching
H.B. No. 2375, SD 2	Herkes/Keith-Agaran/Oshiro, Co-Chrs.; Tsuji, Yamane, Marumoto	H.B. No. 2569, HD 2, SD 1	Keith-Agaran/Oshiro, Co-Chrs.; Har, Ito, Thielen
H.B. No. 2380, HD 2, SD 2	Souki/McKelvey/Herkes/Ichiyama, Co-Chrs.; Carroll, Fontaine	H.B. No. 2589, HD 2, SD 2	Chang/Rhoads/Har, Co-Chrs.; McKelvey, Riviere
H.B. No. 2398, HD 2, SD 1	Chang/C. Lee/Har, Co-Chrs.; Coffman, Riviere	H.B. No. 2593, HD 2, SD 1	Chang/Coffman/Keith-Agaran, Co-Chrs.; Har, Nakashima, Riviere
H.B. No. 2404, HD 1, SD 2	Keith-Agaran/Tokioka, Co-Chrs.; Ito, Thielen	H.B. No. 2594, HD 2, SD 1	Chang/Keith-Agaran/Har, Co-Chrs.; Kawakami, Nakashima, Tsuji, Riviere
H.B. No. 2409, SD 1	Aquino/Herkes/Cullen, Co-Chrs.; Cabanilla, Ito, Johanson	H.B. No. 2595, HD 2, SD 2	Chang/Har, Co-Chrs.; Kawakami, Nakashima, Tsuji, Riviere
H.B. No. 2415, HD 2, SD 1	Mizuno/Jordan, Co-Chrs.; Yamane, Pine	H.B. No. 2599, HD 1, SD 1	Aquino/Oshiro, Co-Chrs.; Cullen, Ichiyama, Fontaine
H.B. No. 2417, HD 2, SD 2	Coffman/Oshiro, Co-Chrs.; Choy, Kawakami, Riviere	H.B. No. 2601, HD 3, SD 1	Aquino/Keith-Agaran/Cullen, Co-Chrs.; Fontaine
H.B. No. 2429, HD 1, SD 1	Tsuji, Chr.; Awana, Hashem, Riviere	H.B. No. 2608, HD 1, SD 2	Souki/Awana/Ichiyama, Co-Chrs.; Brower, Fontaine
H.B. No. 2448, HD 2, SD 2	Mizuno/Keith-Agaran/Jordan, Co-Chrs.; Pine	H.B. No. 2623, HD 1, SD 1	Keith-Agaran, Chr.; Ito, Tsuji, Thielen
H.B. No. 2454, HD 1, SD 1	Rhoads/Oshiro, Co-Chrs.; Thielen	H.B. No. 2626, HD 2, SD 2	Souki/Ichiyama, Co-Chrs.; Kawakami, Fontaine
H.B. No. 2476, HD 1, SD 2	Keith-Agaran/Oshiro, Co-Chrs.; Har, Thielen	H.B. No. 2644, HD 2, SD 1	Herkes/Oshiro, Co-Chrs.; Hashem, Souki, Marumoto
H.B. No. 2487, HD 1, SD 2	Rhoads/Oshiro, Co-Chrs.; Choy, Yamashita, Johanson	H.B. No. 2655, HD 2, SD 1	Rhoads/Yamashita, Co-Chrs.; Ichiyama, Johanson
H.B. No. 2491, HD 1, SD 1	Rhoads/Oshiro, Co-Chrs.; Choy, Yamashita, Fontaine	H.B. No. 2664, HD 1, SD 1	Yamane/Morikawa, Co-Chrs.; Jordan, Ching
H.B. No. 2501, HD 1, SD 2	Herkes/Choy, Co-Chrs.; Tsuji, Yamane, Riviere	H.B. No. 2681, HD 1, SD 1	Aquino/Chang/Cullen, Co-Chrs.; Har, Ito, Fontaine
H.B. No. 2502, HD 2, SD 2	Herkes/Choy, Co-Chrs.; Tsuji, Yamane, Riviere	H.B. No. 2682, HD 1, SD 1	Chang/McKelvey/Har, Co-Chrs.; Jordan, Nakashima, Riviere

H.B. No. 2684, HD 2, SD 2	Souki/Ichiyama, Co-Chrs.; Awana, Cabanilla, Har, Jordan, Johanson	S.B. No. 745, SD 2, HD 2	McKelvey/Coffman/Choy, Co-Chrs.; Kawakami, Marumoto
H.B. No. 2685, HD 2, SD 2	Mizuno/Jordan, Co-Chrs.; M. Lee, Pine	S.B. No. 824, SD 2, HD 2	Souki/Herkes/Keith-Agaran, Co-Chrs.; Ichiyama, Yamane, Fontaine
H.B. No. 2686, HD 1, SD 1	Keith-Agaran, Chr.; Har, Ito, Thielen	S.B. No. 1142, SD 2, HD 1	Tsuji/Hashem, Co-Chrs.; Nakashima, Marumoto
H.B. No. 2740, HD 1, SD 1	Coffman/Kawakami, Co-Chrs.; Morikawa, Nakashima, Tokioka, Thielen	S.B. No. 1168, SD 1, HD 1	Yamane/Keith-Agaran, Co-Chrs.; Brower, Morikawa, Ching
H.B. No. 2751, HD 2, SD 1	Yamashita/Keith-Agaran, Co-Chrs.; Tokioka, Ward	S.B. No. 1197, SD 2, HD 2	Coffman/Takumi/Kawakami, Co-Chrs.; Ito, Thielen
H.B. No. 2760, HD 2, SD 2	Souki/Keith-Agaran/Ichiyama, Co-Chrs.; Fontaine	S.B. No. 1276, SD 2, HD 2	Yamane/Mizuno/M. Lee, Co-Chrs.; Jordan, Marumoto
H.B. No. 2766, HD 2, SD 1	Rhoads/Yamashita, Co-Chrs.; Cullen, Ichiyama, Kawakami, Fontaine	S.B. No. 1500, HD 1	Yamane/Keith-Agaran, Co-Chrs.; Cabanilla, Morikawa, Ching
H.B. No. 2776, HD 2, SD 2	Yamane/Mizuno/Keith-Agaran/Morikawa, Co-Chrs.; Jordan, Ching	S.B. No. 2001, SD 1, HD 2	Coffman/Chang/Hanohano/Kawakami, Co-Chrs.; Nakashima, Yamashita, Thielen
H.B. No. 2798, HD 3, SD 2	Aquino/Yamane/Keith-Agaran/Cullen, Co-Chrs.; Cabanilla, M. Lee, Johanson	S.B. No. 2030, SD 2, HD 1	McKelvey/Choy, Co-Chrs.; Ito, Marumoto
H.B. No. 2806, HD 2, SD 2	Hanohano/Chang/Oshiro, Co-Chrs.; Awana, Carroll, Har, Ward	S.B. No. 2056, HD 2	Keith-Agaran/Har, Co-Chrs.; Luke, Mizuno, Thielen
H.B. No. 2848, HD 3, SD 2	Aquino/Hanohano/Chang/Cullen, Co-Chrs.; Nakashima, Tsuji, Fontaine	S.B. No. 2103, SD 2, HD 2	Yamane/Herkes, Co-Chrs.; M. Lee, Ching
H.B. No. 2852, HD 1, SD 1	Keith-Agaran, Chr.; Hashem, Mizuno, Thielen	S.B. No. 2115, SD 2, HD 2	Belatti/Rhoads/Yamashita, Co-Chrs.; Takumi, Johanson
H.B. No. 2871, HD 1, SD 1	Chang/Har, Co-Chrs.; McKelvey, Riviere	S.B. No. 2116, SD 2, HD 1	Belatti/Yamashita, Co-Chrs.; Takumi, Johanson
H.B. No. 2872, HD 3, SD 2	McKelvey/Chang/Oshiro, Co-Chrs.; Choy, Nakashima, Tsuji, Marumoto	S.B. No. 2123, SD 2, HD 2	Mizuno/Rhoads/Souki/Jordan, Co-Chrs.; Awana, Pine
H.B. No. 2873, HD 2, SD 2	McKelvey/Nishimoto/Oshiro, Co-Chrs.; Choy, Nakashima, Marumoto	S.B. No. 2158, HD 1	Keith-Agaran/Har, Co-Chrs.; Ito, Tokioka, Thielen
H.B. No. 2875, SD 2	Hanohano/Takumi/Oshiro, Co-Chrs.; Jordan, C. Lee, Ward	S.B. No. 2213, SD 2, HD 2	Rhoads/Yamashita, Co-Chrs.; M. Lee, Fontaine
H.B. No. 2883, HD 2, SD 2	Chang/Har, Co-Chrs.; Awana, Jordan, Riviere	S.B. No. 2214, SD 2, HD 2	Rhoads/Oshiro, Co-Chrs.; Yamashita, Johanson
House Communication dated April 16, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:		S.B. No. 2220, SD 1, HD 2	Rhoads/McKelvey/Yamashita, Co-Chrs.; Cabanilla, Ichiyama, Fontaine
		S.B. No. 2221, SD 1, HD 1	Mizuno/Keith-Agaran, Co-Chrs.; Cabanilla, Jordan, Pine
		S.B. No. 2222, SD 2, HD 1	Mizuno/Keith-Agaran, Co-Chrs.; Cabanilla, Jordan, Pine
		S.B. No. 2226, SD 2, HD 2	McKelvey/Oshiro, Co-Chrs.; Choy
S.B. No. 223, SD 1, HD 1	Mizuno/Keith-Agaran, Co-Chrs.; Jordan, Tsuji, Pine	S.B. No. 2228, SD 2, HD 2	Yamane/Keith-Agaran, Co-Chrs.; Ito, Morikawa, Ching
S.B. No. 490, SD 3, HD 1	Brower/Awana/Oshiro, Co-Chrs.; Tokioka, Marumoto	S.B. No. 2235, SD 2, HD 2	McKelvey/Yamashita, Co-Chrs.; Choy, Har, Marumoto
S.B. No. 580, SD 2, HD 2	Chang/Keith-Agaran/Har, Co-Chrs.; McKelvey, Riviere	S.B. No. 2236, HD 2	McKelvey/Yamashita, Co-Chrs.; Choy, Har, Marumoto
S.B. No. 583, SD 1, HD 2	Herkes/Choy, Co-Chrs.; Yamashita, Marumoto		

S.B. No. 2238, SD 1, HD 2	McKelvey/Choy, Co-Chrs.; Tsuji, Marumoto	S.B. No. 2435, SD 1, HD 1	Mizuno/Yamane/Jordan, Co-Chrs.; Morikawa, Pine
S.B. No. 2239, SD 1, HD 1	McKelvey/Coffman/Choy, Co-Chrs.; Yamashita, Marumoto	S.B. No. 2438, SD 1, HD 2	Coffman/Herkes, Co-Chrs.; Kawakami, Riviere
S.B. No. 2248, SD 2, HD 3	Aquino/Yamane/Keith-Agaran/Cullen, Co-Chrs.; Fontaine	S.B. No. 2466, SD 2, HD 2	Yamane/Mizuno/Oshiro, Co-Chrs.; Jordan, Morikawa, Ching
S.B. No. 2256, HD 2	Cabanilla/Herkes, Co-Chrs.; Belatti, Ito, Pine	S.B. No. 2486, SD 1, HD 1	Keith-Agaran, Chr.; Ito, Fontaine
S.B. No. 2261, HD 1	Aquino/Rhoads/Har/Cullen, Co-Chrs.; Cabanilla, Fontaine	S.B. No. 2489, SD 2, HD 2	Aquino/McKelvey/Cullen, Co-Chrs.; Cabanilla, Ito, Johanson
S.B. No. 2277, SD 2, HD 2	Chang/Keith-Agaran/Har, Co-Chrs.; Ito, Nakashima, Riviere	S.B. No. 2506, SD 2, HD 1	Souki/Rhoads/Ichiyama, Co-Chrs.; Fontaine
S.B. No. 2281, SD 1, HD 1	Coffman/Kawakami, Co-Chrs.; Ito, Thielen	S.B. No. 2508, SD 2, HD 1	Keith-Agaran, Chr.; Ito, Tsuji, Thielen
S.B. No. 2318, SD 1, HD 2	Mizuno/Rhoads/Jordan, Co-Chrs.; Cabanilla, Pine	S.B. No. 2528, SD 2, HD 3	McKelvey/Takumi/Choy, Co-Chrs.; Nakashima, Nishimoto, Marumoto
S.B. No. 2320, SD 2, HD 2	Yamane/Mizuno/Oshiro, Co-Chrs.; Jordan, M. Lee, Morikawa, Ching	S.B. No. 2534, SD 2, HD 2	Chang/Takumi/Har, Co-Chrs.; Ito, Riviere
S.B. No. 2335, HD 2	Chang/Coffman/Har, Co-Chrs.; Kawakami, Riviere	S.B. No. 2536, HD 2	Yamane/Mizuno/Morikawa, Co-Chrs.; Jordan, Ching
S.B. No. 2341, SD 2, HD 2	Tsuji/McKelvey/Chang/Brower, Co-Chrs.; Tokioka, Riviere	S.B. No. 2540, SD 2, HD 2	Takumi/M. Lee, Co-Chrs.; Belatti, Saiki, Johanson
S.B. No. 2344, SD 2, HD 1	Yamane/Morikawa, Co-Chrs.; M. Lee, Ching	S.B. No. 2545, SD 2, HD 2	Takumi/Mizuno/Jordan, Co-Chrs.; Belatti, Johanson
S.B. No. 2354, SD 1, HD 2	Tsuji/Keith-Agaran, Co-Chrs.; Hashem, Nishimoto, Riviere	S.B. No. 2568, HD 2	Cabanilla/Yamashita, Co-Chrs.; Ito, Mizuno, Pine
S.B. No. 2375, SD 3, HD 2	Tsuji/McKelvey/Chang, Co-Chrs.; Har, Riviere	S.B. No. 2576, SD 1, HD 3	Mizuno/Keith-Agaran/Har, Co-Chrs.; Jordan, Pine
S.B. No. 2378, SD 1, HD 1	Chang/Tsuji/Har, Co-Chrs.; Hashem, Riviere	S.B. No. 2579, SD 2, HD 3	Mizuno/Keith-Agaran/Har, Co-Chrs.; Jordan, Pine
S.B. No. 2383, SD 1, HD 1	Yamane/Morikawa, Co-Chrs.; Ching	S.B. No. 2584, SD 1, HD 1	Aquino/Nishimoto/Cullen, Co-Chrs.; Ito, Nakashima, Johanson
S.B. No. 2394, SD 1, HD 3	Aquino/Herkes/Oshiro, Co-Chrs.; Tsuji, Pine	S.B. No. 2630, HD 2	Coffman/Herkes, Co-Chrs.; Kawakami, Thielen
S.B. No. 2398, SD 2, HD 1	Yamane/Herkes/Yamashita, Co-Chrs.; Morikawa, Ching	S.B. No. 2632, SD 1, HD 1	Brower/Chang/Yamane/Rhoads/Tokioka, Co-Chrs.; Marumoto
S.B. No. 2402, SD 1, HD 1	Souki/Coffman/McKelvey/Ichiyama, Co-Chrs.; Kawakami, Fontaine	S.B. No. 2640, SD 1, HD 1	Keith-Agaran/Coffman/Chang, Co-Chrs.; Kawakami, Thielen
S.B. No. 2412, SD 2, HD 2	McKelvey/Yamane/Keith-Agaran, Co-Chrs.; Ito, Marumoto	S.B. No. 2646, SD 1, HD 2	Tsuji/Chang, Co-Chrs.; Hashem, Tokioka, Riviere
S.B. No. 2419, SD 2, HD 3	Souki/McKelvey/Keith-Agaran/Yamane, Co-Chrs.; Fontaine	S.B. No. 2655, SD 2, HD 3	McKelvey/Herkes/Choy, Co-Chrs.; Marumoto
S.B. No. 2424, SD 2, HD 2	Rhoads/McKelvey/Herkes/Ito/Yamashita, Co-Chrs.; Johanson	S.B. No. 2678, SD 2, HD 2	Chang/Har, Co-Chrs.; Cabanilla, Riviere
S.B. No. 2429, SD 2, HD 1	Herkes/Keith-Agaran/Oshiro, Co-Chrs.; Tsuji, Riviere	S.B. No. 2695, SD 2, HD 2	Tsuji/Hashem, Co-Chrs.; Nakashima, Riviere
S.B. No. 2434, SD 1, HD 3	Yamane/Herkes/Oshiro, Co-Chrs.; Pine	S.B. No. 2703, SD 1, HD 1	Mizuno/Keith-Agaran, Co-Chrs.; Belatti, Ito, Pine

S.B. No. 2712, HD 2	Mizuno/Yamane/Keith-Agaran/Jordan, Co-Chrs.; Pine	S.B. No. 2798, SD 1, HD 1	Mizuno/Yamane/Jordan, Co-Chrs.; Morikawa, Pine
S.B. No. 2713, SD 1, HD 2	Mizuno/Keith-Agaran/Jordan, Co-Chrs.; Morikawa, Pine	S.B. No. 2800, SD 1, HD 1	Mizuno/Takumi/Jordan, Co-Chrs.; Belatti, Pine
S.B. No. 2737, SD 1, HD 2	Keith-Agaran/Tokioka, Co-Chrs.; Tsuji, Thielen	S.B. No. 2804, SD 2, HD 2	Cabanilla/Kawakami, Co-Chrs.; Ito, Jordan, Mizuno, Pine
S.B. No. 2739, SD 2, HD 1	McKelvey/Choy, Co-Chrs.; Yamashita, Marumoto	S.B. No. 2805, HD 1	Cabanilla/Kawakami, Co-Chrs.; Ito, Pine
S.B. No. 2742, SD 1, HD 2	Chang/Har, Co-Chrs.; Awana, Brower, Ito, Rhoads, Riviere	S.B. No. 2810, SD 1, HD 1	Mizuno/Rhoads/Jordan, Co-Chrs.; Yamashita, Pine
S.B. No. 2745, SD 1, HD 2	Coffman/Chang/Kawakami, Co-Chrs.; Ito, Thielen	S.B. No. 2813, SD 1, HD 1	Yamane/M. Lee, Co-Chrs.; Morikawa, Tokioka, Ching
S.B. No. 2746, SD 1, HD 3	Souki/Coffman/Ichiyama, Co-Chrs.; Kawakami, Fontaine	S.B. No. 2816, SD 1, HD 1	Yamane/Morikawa, Co-Chrs.; M. Lee, Ward
S.B. No. 2748, SD 1, HD 1	Rhoads/Yamane/Har, Co-Chrs.; Thielen	S.B. No. 2821, HD 3	Yamane/Rhoads/Morikawa, Co-Chrs.; Mizuno, Ching
S.B. No. 2750, SD 1, HD 2	Rhoads/Oshiro, Co-Chrs.; Choy, Yamashita, Fontaine	S.B. No. 2825, SD 1, HD 1	Yamane/Herkes/Morikawa, Co-Chrs.; M. Lee, Mizuno, Ching
S.B. No. 2763, SD 2, HD 2	Herkes/Choy, Co-Chrs.; Tsuji, Riviere	S.B. No. 2827, SD 1, HD 1	Yamane/Morikawa, Co-Chrs.; M. Lee, Ching
S.B. No. 2765, SD 2, HD 2	Yamane/Choy, Co-Chrs.; Marumoto	S.B. No. 2833, SD 1, HD 2	Mizuno/Rhoads/Jordan, Co-Chrs.; Yamashita, Pine
S.B. No. 2766, SD 2, HD 2	Yamane/Herkes/Morikawa, Co-Chrs.; Mizuno, Pine	S.B. No. 2858, SD 1, HD 2	Keith-Agaran/Har, Co-Chrs.; Tokioka, Riviere
S.B. No. 2767, SD 2, HD 1	Herkes/Choy, Co-Chrs.; Tsuji, Marumoto	S.B. No. 2859, SD 1, HD 2	Keith-Agaran/Har, Co-Chrs.; Tokioka, Thielen
S.B. No. 2769, SD 2, HD 3	Cabanilla/Herkes/Kawakami, Co-Chrs.; Pine	S.B. No. 2868, SD 1, HD 1	Oshiro, Chr.; Choy, Yamashita
S.B. No. 2773, SD 1, HD 1	Takumi/M. Lee, Co-Chrs.; Belatti, Takai, Johanson	S.B. No. 2871, SD 1, HD 2	Souki/Keith-Agaran, Co-Chrs.; Ichiyama, Ito, Fontaine
S.B. No. 2776, SD 2, HD 2	Aquino/Keith-Agaran/Oshiro, Co-Chrs.; Cullen, Ito, Fontaine	S.B. No. 2873, SD 1, HD 3	Souki/Coffman/Keith-Agaran, Co-Chrs.; Ito, Fontaine
S.B. No. 2778, SD 1, HD 1	Yamane/Morikawa, Co-Chrs.; M. Lee, Mizuno, Ching	S.B. No. 2876, SD 2, HD 3	Souki/Keith-Agaran/Ichiyama, Co-Chrs.; Fontaine
S.B. No. 2779, SD 2, HD 1	Mizuno/Yamane/Jordan, Co-Chrs.; M. Lee, Morikawa, Pine	S.B. No. 2933, SD 2, HD 2	Chang/Har, Co-Chrs.; McKelvey, Riviere
S.B. No. 2780, SD 1, HD 2	McKelvey/Oshiro, Co-Chrs.; Choy, Yamashita, Marumoto	S.B. No. 2939, SD 1, HD 1	Yamane/Morikawa, Co-Chrs.; Aquino, Cabanilla, Cullen, Har, Ching
S.B. No. 2782, SD 2, HD 2	Chang/Coffman/Har, Co-Chrs.; Kawakami, Nakashima, Riviere	S.B. No. 2941, SD 2, HD 2	McKelvey/Oshiro, Co-Chrs.; Choy, Nakashima, Nishimoto, Tsuji, Marumoto
S.B. No. 2784, SD 2, HD 1	Oshiro, Chr.; Choy, M. Lee, Ward	S.B. No. 2946, SD 2, HD 2	Souki/Oshiro, Co-Chrs.; Ichiyama, Johanson
S.B. No. 2787, SD 2, HD 1	Coffman/Herkes/Kawakami, Co-Chrs.; Tsuji, Thielen	S.B. No. 2947, SD 2, HD 2	McKelvey/Keith-Agaran/Choy, Co-Chrs.; Marumoto
S.B. No. 2790, SD 1, HD 1	Hanohano/Chang/Oshiro, Co-Chrs.; Har, Ward	S.B. No. 2958, SD 2, HD 2	Yamane/Morikawa, Co-Chrs.; M. Lee, Mizuno, Ching
S.B. No. 2797, SD 1, HD 1	Mizuno/Yamane/Jordan, Co-Chrs.; Morikawa, Pine	S.B. No. 2967, SD 2, HD 1	Rhoads/Aquino/Oshiro, Co-Chrs.; Cullen, Kawakami, Ward

S.B. No. 2981, SD 2, HD 2	Coffman/Herkes/Kawakami, Co-Chrs.; Ito, Thielen
S.B. No. 3001, SD 2, HD 2	Chang/Keith-Agaran/Har, Co-Chrs.; Riviere
S.B. No. 3002, SD 2, HD 1	Yamane/Keith-Agaran, Co-Chrs.; Tsuji, Marumoto
S.B. No. 3006, SD 2, HD 2	Coffman/Kawakami, Co-Chrs.; Awana, Jordan, Thielen
S.B. No. 3008, HD 3	Mizuno/Keith-Agaran/Jordan, Co-Chrs.; Ito, Pine
S.B. No. 3011, SD 2, HD 2	Chang/Tsuji/Har, Co-Chrs.; Hashem, Riviere
S.B. No. 3039, SD 1, HD 1	Yamane/Keith-Agaran, Co-Chrs.; M. Lee, Ching
S.B. No. 3053, SD 2, HD 2	Hanohano/Chang/Oshiro, Co-Chrs.; Awana, Carroll, Har, Ward
S.B. No. 3062, SD 1, HD 2	Herkes/Choy, Co-Chrs.; Tsuji, Marumoto

House Communication dated April 16, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 112, SD 1, HD 1	McKelvey/Brower/Choy, Co-Chrs.; Evans, Marumoto
S.B. No. 1332, SD 2, HD 2	Nishimoto/Choy, Co-Chrs.; Nakashima, Yamashita, Johanson

House Communication dated April 16, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 2226, HD 2, SD 2	Added Representative M. Lee as a member.
H.B. No. 2873, HD 2, SD 2	Added Representative Tsuji as a member.

FIFTIETH DAY

Tuesday, April 17, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:39 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Mr. Kauila Clark, Board Chairman of the National Association of Community Health Centers, after which the Roll was called showing all Members present with the exception of Representatives Say and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 1120) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 1120, informing the House that on April 13, 2012, the following bill was signed into law:

S.B. No. 2648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE." (ACT 020)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 749 through 755) were received and announced by the Clerk:

Sen. Com. No. 749, dated April 16, 2012, informing the House that the Senate has on April 13, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2084, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

S.B. No. 2101, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM."

S.B. No. 2126, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE."

S.B. No. 2247, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

S.B. No. 2386, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION."

S.B. No. 2709, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION."

S.B. No. 2818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES."

S.B. No. 2820, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES."

S.B. No. 2828, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL."

Sen. Com. No. 750, dated April 16, 2012, informing the House that the Senate has on April 13, 2012, reconsidered its action taken on April 4,

2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 3003, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES."

Sen. Com. No. 751, dated April 16, 2012, informing the House that the Senate has on April 12, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2397, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS."

Sen. Com. No. 752, dated April 16, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 223, SD 1, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 580, SD 2, HD 2 Dela Cruz, Chair; Solomon/Hee, Co-Chairs; English

S.B. No. 824, SD 2, HD 2 English, Chair; Hee, Co-Chair; Slom

S.B. No. 1168, SD 1, HD 1 Chun Oakland, Chair; Hee, Co-Chair; Green, Wakai, Slom

S.B. No. 1500, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 2001, SD 1, HD 2 Dela Cruz, Chair; Gabbard, Co-Chair; Solomon, Slom

S.B. No. 2030, SD 2, HD 1 Espero, Chair; Hee, Co-Chair; Slom

S.B. No. 2056, HD 2 Hee, Chair; Shimabukuro, Slom

S.B. No. 2103, SD 2, HD 2 Green, Chair; Baker/Espero, Co-Chairs; Slom

S.B. No. 2158, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 2221, SD 1, HD 1 Chun Oakland, Chair; Shimabukuro, Co-Chair; Ihara, Slom

S.B. No. 2222, SD 2, HD 1 Fukunaga, Chair; Hee, Co-Chair; Slom

S.B. No. 2228, SD 2, HD 2 Green, Chair; Baker, Co-Chair; Espero

S.B. No. 2236, HD 2 Fukunaga, Chair; Ige, Co-Chair; Slom

S.B. No. 2248, SD 2, HD 3 Chun Oakland, Chair; Green/Espero, Co-Chairs; Slom

S.B. No. 2277, SD 2, HD 2 Gabbard, Chair; Dela Cruz/Hee, Co-Chairs; Ihara, Slom

S.B. No. 2318, SD 1, HD 2 Chun Oakland, Chair; Hee, Co-Chair; Ihara, Slom

S.B. No. 2341, SD 2, HD 2 Nishihara, Chair; Dela Cruz/Kim, Co-Chairs; Slom

S.B. No. 2354, SD 1, HD 2 Nishihara, Chair; Hee/Wakai, Co-Chairs; Slom

S.B. No. 2375, SD 3, HD 2 Nishihara, Chair; Dela Cruz, Co-Chair; Wakai, Slom

S.B. No. 2394, SD 1, HD 3 Espero, Chair; Baker, Co-Chair; Slom

S.B. No. 2398, SD 2, HD 1 Espero, Chair; Green/Baker, Co-Chairs

S.B. No. 2419, SD 2, HD 3 Baker, Chair; Fukunaga/Hee, Co-Chairs; Taniguchi, Slom

S.B. No. 2486, SD 1, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 2508, SD 2, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 2576, SD 1, HD 3 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 2630, HD 2 Espero, Chair; Baker, Co-Chair; Slom

S.B. No. 2640, SD 1, HD 1 Espero, Chair; Gabbard/Kouchi, Co-Chairs; Slom

S.B. No. 2646, SD 1, HD 2 Nishihara, Chair; Espero/Kouchi, Co-Chairs; Wakai, Slom

S.B. No. 2712, HD 2 Chun Oakland, Chair; Ihara, Slom

S.B. No. 2713, SD 1, HD 2 Chun Oakland, Chair; Green, Slom

S.B. No. 2737, SD 1, HD 2 Fukunaga, Chair; Hee, Co-Chair; Slom

S.B. No. 2742, SD 1, HD 2 Dela Cruz, Chair; Fukunaga, Galuteria, Shimabukuro, Slom

S.B. No. 2745, SD 1, HD 2 Gabbard, Chair; Dela Cruz, Co-Chair; Ihara, Nishihara, Solomon

S.B. No. 2798, SD 1, HD 1 Chun Oakland, Chair; Baker, Co-Chair; Slom

S.B. No. 2800, SD 1, HD 1 Chun Oakland, Chair; Tokuda, Co-Chair; Slom

S.B. No. 2805, HD 1 Chun Oakland, Chair; Ihara, Slom

S.B. No. 2810, SD 1, HD 1 Chun Oakland, Chair; Hee, Co-Chair; Ihara, Shimabukuro, Slom

S.B. No. 2816, SD 1, HD 1 Green, Chair; Baker, Co-Chair; Espero, Slom

S.B. No. 2821, HD 3 Green, Chair; Chun Oakland, Co-Chair; Nishihara, Slom

S.B. No. 2825, SD 1, HD 1 Green, Chair; Hee/Baker, Co-Chairs

S.B. No. 2833, SD 1, HD 2 Green, Chair; Hee/Chun Oakland, Co-Chairs; Slom

S.B. No. 2858, SD 1, HD 2 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 2859, SD 1, HD 2 Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom

S.B. No. 2868, SD 1, HD 1 Ige, Chair; Fukunaga, Wakai

Sen. Com. No. 753, dated April 16, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 46, HD 2, SD 2 Chun Oakland, Chair; Hee, Co-Chair; Green

H.B. No. 238, HD 2, SD 1 Chun Oakland, Chair; Hee, Co-Chair; Slom

H.B. No. 425, HD 3, SD 2 Gabbard, Chair; Baker, Co-Chair; Ihara

H.B. No. 755, HD 3, SD 2 Chun Oakland, Chair; Hee, Co-Chair; Slom

H.B. No. 1788, HD 1, SD 1 Fukunaga, Chair; Hee, Co-Chair; Slom

H.B. No. 1925, HD 1, SD 1 Nishihara, Chair; Espero, Co-Chair; Wakai, Slom

H.B. No. 1928, SD 1 English, Chair; Hee, Co-Chair; Slom

H.B. No. 1957, HD 2, SD 2 Green, Chair; Baker/Hee, Co-Chairs; Slom

H.B. No. 1967, HD 2, SD 2 Green, Chair; Baker, Co-Chair; Slom

H.B. No. 1984, SD 1 Galuteria, Chair; Fukunaga/English, Co-Chairs; Slom

H.B. No. 2013, HD 2, SD 1 Fukunaga, Chair; Baker, Co-Chair; Wakai

H.B. No. 2030, HD 2, SD 1 English, Chair; Espero, Co-Chair; Slom

H.B. No. 2232, HD 2, SD 1 Green, Chair; Hee, Co-Chair; Baker, Slom

H.B. No. 2266, HD 1, SD 1 Fukunaga, Chair; Wakai, Slom

H.B. No. 2295, HD 1, SD 2 Fukunaga, Chair; Hee, Co-Chair; Slom

H.B. No. 2312, HD 2, SD 2 Green, Chair; Hee, Co-Chair; Slom

H.B. No. 2429, HD 1, SD 1 Nishihara, Chair; Kahele, Wakai, Slom

H.B. No. 2564, HD 1, SD 1 Green, Chair; Hee, Co-Chair; Chun Oakland

H.B. No. 2568, HD 2, SD 1	Green, Chair; Nishihara, Co-Chair; Slom	H.B. No. 2244, HD 1, SD 2	Nishihara, Chair; Espero/Kidani, Co-Chairs; Slom
Sen. Com. No. 754, dated April 16, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:		H.B. No. 2246, HD 2, SD 2	Dela Cruz, Chair; Solomon/Hee/Kidani, Co-Chairs; Tokuda, Slom
H.B. No. 101, HD 2, SD 2	English, Chair; Espero, Co-Chair; Slom	H.B. No. 2250, HD 2, SD 1	Dela Cruz, Chair; Solomon/Gabbard/Ige, Co-Chairs; Slom
H.B. No. 280, HD 1, SD 2	Nishihara, Chair; Kidani, Co-Chair; Wakai, Slom	H.B. No. 2262, HD 2, SD 2	Gabbard, Chair; Fukunaga/Ige/Kouchi, Co-Chairs; Kidani
H.B. No. 283, HD 1, SD 2	Nishihara, Chair; Kidani, Co-Chair; Wakai, Slom	H.B. No. 2290, HD 1, SD 2	Chun Oakland, Chair; Ige/Kouchi, Co-Chairs; Fukunaga, Slom
H.B. No. 609, HD 2, SD 2	Green, Chair; Nishihara/Chun Oakland, Co-Chairs	H.B. No. 2319, HD 2, SD 1	Fukunaga, Chair; Ige, Co-Chair; Slom
H.B. No. 1306, HD 2, SD 1	Dela Cruz, Chair; Solomon/Kidani, Co-Chairs; Slom	H.B. No. 2374, SD 1	Green, Chair; Hee/Chun Oakland, Co-Chairs; Slom
H.B. No. 1398, HD 1, SD 1	Chun Oakland, Chair; Dela Cruz/Espero/Ige, Co-Chairs; Slom	H.B. No. 2375, SD 2	Baker, Chair; Hee/Espero, Co-Chairs; Taniguchi, Slom
H.B. No. 1551, HD 2, SD 2	Fukunaga, Chair; Ige, Co-Chair; Slom	H.B. No. 2380, HD 2, SD 2	Fukunaga, Chair; English/Wakai, Co-Chairs; Baker, Slom
H.B. No. 1617, HD 2, SD 2	Dela Cruz, Chair; Solomon/Hee/Ige, Co-Chairs; Slom	H.B. No. 2404, HD 1, SD 2	Fukunaga, Chair; Hee/Ige/Baker, Co-Chairs; English, Slom
H.B. No. 1689, HD 1, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Green, Ihara	H.B. No. 2415, HD 2, SD 1	Chun Oakland, Chair; Ige, Co-Chair; Green, Slom
H.B. No. 1724, HD 1, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Green	H.B. No. 2448, HD 2, SD 2	Chun Oakland, Chair; Hee/Ige, Co-Chairs
H.B. No. 1875, HD 2, SD 2	Baker, Chair; Hee, Co-Chair; Galuteria, Taniguchi, Slom	H.B. No. 2483, HD 1, SD 1	Gabbard, Chair; Ige, Co-Chair; English, Ihara, Kouchi
H.B. No. 1879, HD 2, SD 1	Baker, Chair; Taniguchi, Slom	H.B. No. 2501, HD 1, SD 2	Baker, Chair; Espero, Co-Chair; Taniguchi
H.B. No. 1905, HD 2, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Green, Ihara, Slom	H.B. No. 2502, HD 2, SD 2	Baker, Chair; Espero, Co-Chair; Slom
H.B. No. 1942, HD 2, SD 2	Nishihara, Chair; Kidani, Co-Chair; Wakai, Slom	H.B. No. 2540, HD 2, SD 1	Chun Oakland, Chair; Ige, Co-Chair; Ihara
H.B. No. 1943, HD 2, SD 2	Nishihara, Chair; Kidani, Co-Chair; Wakai, Slom	H.B. No. 2553, HD 2, SD 2	Green, Chair; Chun Oakland, Co-Chair; Nishihara
H.B. No. 1953, HD 1, SD 1	Green, Chair; Chun Oakland, Co-Chair; Espero, Nishihara, Slom	H.B. No. 2589, HD 2, SD 2	Dela Cruz, Chair; Solomon/Hee/Kidani, Co-Chairs; Slom
H.B. No. 1972, HD 2, SD 1	Fukunaga, Chair; Dela Cruz/Wakai, Co-Chairs; Slom	H.B. No. 2594, HD 2, SD 1	Dela Cruz, Chair; Solomon/Hee/Kidani/Kouchi, Co-Chairs; Slom
H.B. No. 2004, HD 2, SD 2	English, Chair; Espero, Co-Chair; Slom	H.B. No. 2595, HD 2, SD 2	Dela Cruz, Chair; Solomon/Kidani/Kouchi, Co-Chairs; Slom
H.B. No. 2152, HD 2, SD 2	Green, Chair; Hee/Ige, Co-Chairs; Chun Oakland, Espero, Kouchi, Slom	H.B. No. 2608, HD 1, SD 2	English, Chair; Espero/Ige, Co-Chairs; Slom
H.B. No. 2227, HD 1, SD 2	Green, Chair; Hee/Chun Oakland, Co-Chairs	H.B. No. 2644, HD 2, SD 1	Baker, Chair; Ige, Co-Chair; Green, Solomon, Slom
H.B. No. 2242, HD 1, SD 1	Baker, Chair; Taniguchi, Slom	H.B. No. 2656, HD 2, SD 2	Green, Chair; Gabbard/Ige, Co-Chairs; Slom
		H.B. No. 2664, HD 1, SD 1	Green, Chair; Baker/Chun Oakland, Co-Chairs; Slom

H.B. No. 2668, HD 2, SD 2	Nishihara, Chair; Ige/Wakai, Co-Chairs; Espero, Slom	S.B. No. 2213, SD 2, HD 2	Hee, Chair; Kidani/Kim, Co-Chairs; Ihara, Shimabukuro
H.B. No. 2682, HD 1, SD 1	Fukunaga, Chair; Dela Cruz/Wakai, Co-Chairs; Slom	S.B. No. 2214, SD 2, HD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2684, HD 2, SD 2	English, Chair; Espero, Co-Chair; Slom	S.B. No. 2220, SD 1, HD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2685, HD 2, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Ihara, Slom	S.B. No. 2226, SD 2, HD 2	Fukunaga, Chair; Ige, Co-Chair; Chun Oakland
H.B. No. 2703, HD 2, SD 2	Nishihara, Chair; Ige, Co-Chair; Wakai	S.B. No. 2238, SD 1, HD 2	Fukunaga, Chair; Ige, Co-Chair; Slom
H.B. No. 2740, HD 1, SD 1	Gabbard, Chair; Kouchi, Co-Chair; Slom	S.B. No. 2239, SD 1, HD 1	Fukunaga, Chair; Espero, Co-Chair; Ryan
H.B. No. 2760, HD 2, SD 2	English, Chair; Espero, Co-Chair; Kahele, Kouchi	S.B. No. 2261, HD 1	Espero, Chair; Hee/Kidani, Co-Chairs; Slom
H.B. No. 2800, HD 1, SD 2	English, Chair; Espero, Co-Chair; Solomon, Slom	S.B. No. 2320, SD 2, HD 2	Chun Oakland, Chair; Ige, Co-Chair; Ihara, Slom
H.B. No. 2806, HD 2, SD 2	Galuteria, Chair; Dela Cruz/Kidani, Co-Chairs; Hee, Kahele, Ryan, Slom	S.B. No. 2323, SD 1, HD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2819, HD 1, SD 2	Dela Cruz, Chair; Hee/Ige, Co-Chairs	S.B. No. 2324, SD 1, HD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2848, HD 3, SD 2	Galuteria, Chair; Espero/Kidani, Co-Chairs; Kahele, Ryan, Solomon	S.B. No. 2335, HD 2	Dela Cruz, Chair; Solomon/Espero, Co-Chairs; Slom
H.B. No. 2869, HD 2, SD 2	Fukunaga, Chair; Ige/Kouchi, Co-Chairs; Wakai	S.B. No. 2344, SD 2, HD 1	Green, Chair; Chun Oakland/Kidani, Co-Chairs; Slom
H.B. No. 2871, HD 1, SD 1	Dela Cruz, Chair; Solomon/Kidani, Co-Chairs; Slom	S.B. No. 2378, SD 1, HD 1	Dela Cruz, Chair; Nishihara/Ige, Co-Chairs; Solomon, Slom
H.B. No. 2875, SD 2	Galuteria, Chair; Tokuda/Ige, Co-Chairs; Ryan, Slom	S.B. No. 2383, SD 1, HD 1	Green, Chair; Chun Oakland, Co-Chair; Slom
H.B. No. 2883, HD 2, SD 2	Dela Cruz, Chair; Solomon/Kidani, Co-Chairs; Shimabukuro, Slom	S.B. No. 2424, SD 2, HD 2	Baker, Chair; Hee/Espero, Co-Chairs
Sen. Com. No. 755, dated April 16, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:		S.B. No. 2429, SD 2, HD 1	Baker, Chair; Hee, Co-Chair; Kidani, Taniguchi
		S.B. No. 2435, SD 1, HD 1	Chun Oakland, Chair; Ige, Co-Chair; Green, Slom
S.B. No. 490, SD 3, HD 1	Kim, Chair; Ige, Co-Chair; Kouchi, Slom	S.B. No. 2466, SD 2, HD 2	Chun Oakland, Chair; Ige, Co-Chair; Green
S.B. No. 1142, SD 2, HD 1	Nishihara, Chair; Ige, Co-Chair; Kahele, Slom	S.B. No. 2489, SD 2, HD 2	Espero, Chair; Kidani, Co-Chair; Slom
S.B. No. 1197, SD 2, HD 2	Gabbard, Chair; Tokuda/Kouchi, Co-Chairs; Baker, Slom	S.B. No. 2506, SD 2, HD 1	English, Chair; Espero/Hee, Co-Chairs
S.B. No. 1496, SD 1, HD 1	Espero, Chair; Fukunaga/Kidani, Co-Chairs; Slom	S.B. No. 2528, SD 2, HD 3	Tokuda, Chair; Fukunaga/Ige, Co-Chairs
S.B. No. 2115, SD 2, HD 2	Tokuda, Chair; Ige, Co-Chair; Kidani, Slom	S.B. No. 2534, SD 2, HD 2	Tokuda, Chair; Dela Cruz/Ige, Co-Chairs
S.B. No. 2116, SD 2, HD 1	Tokuda, Chair; Ige, Co-Chair; Kidani, Slom	S.B. No. 2536, HD 2	Green, Chair; Espero/Chun Oakland, Co-Chairs; Slom
S.B. No. 2123, SD 2, HD 2	Chun Oakland, Chair; Ige, Co-Chair; Slom	S.B. No. 2540, SD 2, HD 2	Tokuda, Chair; Kidani, Co-Chair; Slom

S.B. No. 2545, SD 2, HD 2	Tokuda, Chair; Ige, Co-Chair; Kidani	S.B. No. 2797, SD 1, HD 1	Green, Chair; Chun Oakland, Co-Chair; Ryan, Slom
S.B. No. 2579, SD 2, HD 3	Chun Oakland, Chair; Hee/Ige, Co-Chairs	S.B. No. 2804, SD 2, HD 2	Chun Oakland, Chair; Ige, Co-Chair; Espero, Ryan, Slom
S.B. No. 2584, SD 1, HD 1	Espero, Chair; Tokuda/Kidani, Co-Chairs; Slom	S.B. No. 2813, SD 1, HD 1	Chun Oakland, Chair; Ige, Co-Chair; Slom
S.B. No. 2632, SD 1, HD 1	Baker, Chair; Hee/Espero, Co-Chairs	S.B. No. 2827, SD 1, HD 1	Green, Chair; Chun Oakland, Co-Chair; Slom
S.B. No. 2655, SD 2, HD 3	Fukunaga, Chair; Baker/Wakai, Co-Chairs	S.B. No. 2871, SD 1, HD 2	English, Chair; Espero, Co-Chair; Slom
S.B. No. 2678, SD 2, HD 2	Fukunaga, Chair; Dela Cruz/Espero, Co-Chairs; Slom	S.B. No. 2876, SD 2, HD 3	Dela Cruz, Chair; English/Kidani, Co-Chairs; Solomon, Slom
S.B. No. 2695, SD 2, HD 2	Nishihara, Chair; Kidani, Co-Chair; Kahele	S.B. No. 2927, SD 2, HD 1	Dela Cruz, Chair; Solomon/Ige, Co-Chairs; Fukunaga, Ihara
S.B. No. 2739, SD 2, HD 1	Fukunaga, Chair; Baker/Espero, Co-Chairs; Wakai, Slom	S.B. No. 2933, SD 2, HD 2	Dela Cruz, Chair; Solomon/Kidani, Co-Chairs; Baker, Slom
S.B. No. 2746, SD 1, HD 3	English, Chair; Gabbard/Espero, Co-Chairs	S.B. No. 2939, SD 1, HD 1	Green, Chair; Chun Oakland, Co-Chair; Slom
S.B. No. 2748, SD 1, HD 1	Baker, Chair; Hee/Espero, Co-Chairs; Taniguchi, Slom	S.B. No. 2941, SD 2, HD 2	Fukunaga, Chair; Ige, Co-Chair; Kahele, Slom
S.B. No. 2750, SD 1, HD 2	Hee, Chair; Ige, Co-Chair; Slom	S.B. No. 2946, SD 2, HD 2	English, Chair; Ige, Co-Chair; Kouchi
S.B. No. 2763, SD 2, HD 2	Baker, Chair; Espero, Co-Chair; Taniguchi	S.B. No. 2947, SD 2, HD 2	Fukunaga, Chair; Ige, Co-Chair; Slom
S.B. No. 2765, SD 2, HD 2	Baker, Chair; Espero, Co-Chair; Galuteria, Taniguchi, Slom	S.B. No. 3062, SD 1, HD 2	Baker, Chair; Taniguchi, Slom
S.B. No. 2766, SD 2, HD 2	Baker, Chair; Espero, Co-Chair; Kouchi, Taniguchi, Slom		
S.B. No. 2767, SD 2, HD 1	Baker, Chair; Espero, Co-Chair; Galuteria, Taniguchi, Slom		
S.B. No. 2769, SD 2, HD 3	Baker, Chair; Espero, Co-Chair; Galuteria, Taniguchi, Slom		
S.B. No. 2773, SD 1, HD 1	Tokuda, Chair; Ige/Kidani, Co-Chairs; Ryan		
S.B. No. 2776, SD 2, HD 2	Espero, Chair; Hee/Kidani, Co-Chairs; Ryan, Slom		
S.B. No. 2778, SD 1, HD 1	Green, Chair; Chun Oakland, Co-Chair; Ryan, Slom		
S.B. No. 2779, SD 2, HD 1	Chun Oakland, Chair; Ige, Co-Chair; Ihara, Ryan, Slom		
S.B. No. 2780, SD 1, HD 2	Fukunaga, Chair; Ige, Co-Chair; Slom		
S.B. No. 2782, SD 2, HD 2	Dela Cruz, Chair; Solomon/Gabbard/Kidani, Co-Chairs; Slom		
S.B. No. 2787, SD 2, HD 1	Baker, Chair; Espero, Co-Chair; Taniguchi		
S.B. No. 2790, SD 1, HD 1	Galuteria, Chair; Kidani/Ryan, Co-Chairs		

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1781-12), recommending that S.C.R. No. 135, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 135, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. The first one here on the Order of the Day, Stand. Com. Rep. 1781, S.C.R. No. 135 introduced by the good Senator, the Chair of Ag on the other side of the Legislature, has a couple of statements that I thought I'd repeat, in strong support, Mr. Speaker.

"Diversified agriculture results in a variety of locally grown and produced agricultural products available for local consumption, but for export and increases the viability of the ag industry. Job opportunities, it goes on in the fifth paragraph. And agricultural exports that diversify, again, the economy. I don't think our bill made it, the one that is supposed to be for chocolate month. But the business is doing it on its own anyway, but not with help from us. But that's not the subject of the Reso.

"The reason I support one of the ag products, and I think it qualifies for this Reso is because it increases jobs, it's actually been touted as the brightest light on the agricultural horizon right now. More and more coffee people, because of coffee farmers, because of the borer beetle, are now, thank goodness, being saved by cacao. More and more interests. I get calls every day. Whole Foods in Kailua will open tomorrow, and it'll be

carrying 100% Hawaiian Grown Chocolate. It is listed on a very prestigious world list now. It's the brightest light.

"It's nice to have a Resolution that says to support the Department of Ag's efforts to stimulate the ag industry. See cacao, actually helps ag products. It helps all of the other ag products. It's not just about itself. It's about other ag products. It's about jobs. It's about the cosmetic industry. But I don't know when this State is going to start to look to bright ideas that are unique to Hawaii, but I'm happy to support this Concurrent Resolution that says that ag is important."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was referred to the Committee on Finance, with Representatives Say and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1782-12), recommending that S.C.R. No. 97, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 97, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO EXPLORE THE CREATION OF A WEB SERVICES-BASED DATABASE PROGRAM TO TRACK UNINSURED MOTORISTS," was referred to the Committee on Finance, with Representatives Say and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1783-12), recommending that S.C.R. No. 49, SD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 49, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker. In support of Stand. Com. Rep. No. 1783-12. I just wanted to hope that the Committees that look at this later, in the Conference, if there is a Conference Committee, also look at the fact that we have these roads in limbos on other islands as well. On Oahu of course, we have in both your and my Districts, there are a number of lanes where the ownership is either not known, or people are not taking care of it. So I just hope we'll look at the issue at a statewide level. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 49, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO IN MAUI COUNTY," was referred to the Committee on Finance, with Representatives Say and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1784-12) recommending that S.C.R. No. 59, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 59, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker. I rise in brief support for Stand. Com. No. 1784. Mr. Speaker, I have a good word about old cars. In the Hawaii Kai Christmas Parade, we have all of the Tin Lizzies and you can imagine how many

different old cars. So, having a celebration on July 13th is going to be great news for my community, and for the gentleman who stands and watches over us during the House, who puts so much of his time, off session, in keeping his car an antique, the vintage of which I'd forgotten. He does great honor, and we give you honor for July 13th. Thank you. And thank you, Mr. Speaker."

Representative C. Lee rose to speak in support of the measure, stating:

"Thank you. In support. Having spent a number of years rebuilding and restoring cars I just wanted to note my support, please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," was adopted, with Representatives Say and Takumi being excused.

At 11:54 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:54 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Say and Takumi were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Say and Takumi were excused.)

H.B. No. 238, HD 2, (SD 1)
H.B. No. 425, HD 3, (SD 2)
H.B. No. 2013, HD 2, (SD 1)
H.B. No. 2436, HD 1, (SD 1)
H.B. No. 2564, HD 1, (SD 1)

ANNOUNCEMENTS

Representative Brower: "Mr. Speaker, thank you. Two quick items, first I want to wish our Waikiki Office Manager a happy birthday today. We're celebrating her work this afternoon in the office.

"And the second item, Mr. Speaker, after last night, I finally feel like I've done something with my life. Unlike kickball where everyone was a winner, perhaps last night there were winners and loser in the First Annual House and Senate Talent Competition. I would like to commend the Senate. It had more of what I'd call legitimate talent. But the House's success was its creativity and shameless desire to entertain the Capitol audience.

"Speaking of which, I congratulate the Finance Chair, she was outstanding. The Wahiawa Representative basically went on stage and acted like himself and he won the Individual Performer category.

"In addition, the House took home the Team Competition Award. Last night reminded me that working at the Capitol is kind of like a family because there were many people I don't get to see on a daily basis. The Auditorium was packed. Mahalo to the Representative from North Kona, South Kohala, for her work, and if we may request a few words from her. Thank you."

Representative Evans: "Thank you, Mr. Speaker. I have the pleasure, I know Marcus has not seen this, but this is yours. This is what you won last night for the Individual category. We are going to return it to the Senate who's going to put a nameplate on this for you.

"Another thing is, I'm so pleased to announce that the House won this. They're going to put a plaque on this and it is a perpetual trophy with the hope that this becomes an annual event.

"But I want to really thank all of my colleagues that really stepped up and were willing to put themselves out there on the stage. I know when you're up there, it's pretty bright lights and it's hard to see people. It's a little strange being up there. But you know, it was a lot of fun, and everybody really got into it.

"I really want to thank everyone who gave money because this was a Foodbank fundraiser, and we raised \$1,400. So again, thank you, everybody. Thank you, everybody that came. And thank you, Marcus, for showing us the other side."

Representative Morikawa: "Thank you, Mr. Speaker. As the lead singer of the Sisters Act for the House, I would like to really thank, especially those who put Jacksons in our basket. That was very impressive. Thank you for your support and for showing up for us."

Representative Ichiyama: "Thank you very much, Mr. Speaker. Following along the lines of the previous announcements, on behalf of Co-Chair Representative Ken Ito and myself for the Hawaii Foodbank, we just wanted to thank all of the offices and members and staff who participated in this year's Foodbank drive. We raised a little over \$10,000 to benefit the Hawaii Foodbank, the Food Basket on the Big Island, the Maui Food Bank, and the Kauai Independent Food Bank.

"If I could just briefly acknowledge the staff members who helped make this year a success. From Representative Ito's office, Melissa Miranda-Johnson, Also our Chief Clerk, CJ Leong, and the House Accounting Office. And from my own office, Melanie Kuroiwa-Steiner and Cu Ri Lee. Members if you could please join me in a round of applause, thanking them for their hard work. Thank you."

Representative Ito: "Mr. Speaker and Members, this is a reminder. Tomorrow we're having our informational briefing on the Marine Debris from the 2011 Japan tsunami. It's going to be tomorrow, Wednesday April 18, from 2 o'clock to 5 o'clock at the Capitol Auditorium. The panel will include representatives from the National Oceanic and Atmospheric Administration, National Park Service, US Coast Guard, US Environmental Protection Agency, the Department of the Navy, the Army Corps of Engineers, and the Department of Forestry and Wildlife. This is being coordinated by my office, and Senator Dan Inouye. So, tomorrow, 2 o'clock at the Capitol Auditorium. Thank you."

Representative Ward: "Mr. Speaker, on behalf of the Minority, I'd like to congratulate all the winners, the humorists, the singers, those who are multitalented. And I would also add to the gentleman from Waikiki, who tried to change history in the kickball game. Due to a sudden death, the Republicans were declared the winner. Thank you."

Representative Evans: "Yes, Mr. Speaker. I'd just like to make a few comments. It is Equal Pay Day, and I've always stood up and said a few words just as a reminder that today is the day where women now, it takes this many days into the year, before we finally reach equality in terms of pay. I have just a few comments.

"Pay and equity remains a persistent problem that continues to affect women today. It's hard to believe that less than a century ago, the subject of gender equality was little more than a fledgling ideology. Little more than a hope in the hearts of a few brave women suffragists, and other women rights pioneers of the early 19th and 20th centuries throughout the US.

"Today, the hope of these pioneers is manifested in the massive cultural shift we've experienced as a society in regard to women in the workplace. Women are no longer regulated to domestic capacities. Today, women

serve as Supreme Court Justices, teach at the front of Ivy League classrooms, and run as Presidential candidates.

"According to a study conducted by John W. Curtis, the Director of Research and Public Policy for the American Association of University of Professors, on the equity between genders, within academic employment. Women make up the majority of the undergraduates and graduate student population in the United States. An even more dramatic figure is the type of degrees earned by women students. More specifically, first professional degrees such as law and medicine have risen from 3% in 1960-61, to an impressive 51% in 2011.

"Despite these figures, women remain at a disadvantage when it comes to employment and competitive pay within these institutions of higher education. Curtis illustrates that even after four decades of efforts to fully involve women in the academic workforce, only 42% of all fulltime faculty staff are women.

"He goes on to explain that women's overall average salary has remained at around 80% of the average for men, since the 1970s. So, Mr. Speaker, I just want to point that out, and acknowledge that we are closing the gap. But we still have 20% to go. Thank you."

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 18, 2012. (Representatives Say and Takumi were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 17, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 2457, McKelvey/Choy, Co-Chrs.;
SD 2, HD 2 Yamashita, Marumoto

House Communication dated April 17, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2524, Added Representative McKelvey as a member.
HD 2, SD 2

House Communication dated April 17, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2569, Representative Fontaine replaced Representative
HD 2, SD 1 Thielen as conferee.

House Communication dated April 17, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on February 13, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 238, HD 2, SD 1

House Communication dated April 17, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by

the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 425, HD 3, SD 2
H.B. No. 2013, HD 2, SD 1
H.B. No. 2564, HD 1, SD 1

House Communication dated April 17, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2436, HD 1, SD 1

FIFTY-FIRST DAY

Wednesday, April 18, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:43 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Cindy Evans, after which the Roll was called showing all Members present with the exception of Representative Souki, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fiftieth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 756 through 760) were received and announced by the Clerk:

Sen. Com. No. 756, dated April 17, 2012, informing the House that the Senate has on April 16, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 3025, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS."

Sen. Com. No. 757, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 112, SD 1, HD 1	Espero, Chair; Fukunaga/Kim/Kidani, Co-Chairs; Slom
S.B. No. 155, SD 2, HD 1	Baker, Chair; Espero, Co-Chair; Taniguchi
S.B. No. 1065, SD 1, HD 1	Espero, Chair; Hee, Co-Chair; Ryan
S.B. No. 2784, SD 2, HD 1	Baker, Chair; Ige, Co-Chair; Kidani, Taniguchi, Slom
S.B. No. 2785, SD 2, HD 2	Gabbard, Chair; Baker/Kouchi, Co-Chairs; English
S.B. No. 2958, SD 2, HD 2	Green, Chair; Baker/Chun Oakland, Co-Chairs; Slom
S.B. No. 2967, SD 2, HD 1	Hee, Chair; Ige, Co-Chair; Shimabukuro
S.B. No. 2981, SD 2, HD 2	Gabbard, Chair; Baker, Co-Chair; Ihara
S.B. No. 3001, SD 2, HD 2	Hee, Chair; Kidani, Co-Chair; Kahele, Slom
S.B. No. 3006, SD 2, HD 2	Green, Chair; Gabbard/Chun Oakland, Co-Chairs; Shimabukuro, Slom
S.B. No. 3008, HD 3	Hee, Chair; Kidani, Co-Chair; Slom
S.B. No. 3010, SD 2, HD 1	English, Chair; Espero/Gabbard, Co-Chairs; Kidani, Slom

S.B. No. 3011, SD 2, HD 2	Dela Cruz, Chair; Solomon/Nishihara/Ige, Co-Chairs; Slom
S.B. No. 3039, SD 1, HD 1	Green, Chair; Hee, Co-Chair; Slom
S.B. No. 3048, SD 2, HD 1	Kim, Chair; Ige, Co-Chair; Galuteria, Slom
S.B. No. 3050, SD 2, HD 1	Fukunaga, Chair; Kim/Ige, Co-Chairs
S.B. No. 3053, SD 2, HD 2	Galuteria, Chair; Dela Cruz/Kidani, Co-Chairs; Hee, Kahele, Ryan, Slom

Sen. Com. No. 758, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 121, HD 1, SD 1	Espero, Chair; Kidani, Co-Chair; Slom
H.B. No. 246, HD 1, SD 2	Hee, Chair; Espero/Kidani, Co-Chairs; Slom
H.B. No. 297, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 302, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 304, HD 1, SD 1	Ige, Chair; Chun Oakland, Co-Chair; Kidani
H.B. No. 461, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Espero, Slom
H.B. No. 468, HD 1, SD 2	Espero, Chair; Hee, Co-Chair; Slom
H.B. No. 626, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 679, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1054, HD 1, SD 1	Tokuda, Chair; Kidani, Co-Chair; Slom
H.B. No. 1181, HD 1, SD 1	Espero, Chair; Hee/Kidani, Co-Chairs; Slom
H.B. No. 1295, HD 3, SD 2	Hee, Chair; Kidani/Baker, Co-Chairs; Slom
H.B. No. 1524, HD 2, SD 2	Nishihara, Chair; Shimabukuro/Wakai, Co-Chairs; Slom
H.B. No. 1543, SD 1	Baker, Chair; Taniguchi, Nishihara
H.B. No. 1666, HD 1, SD 1	Hee, Chair; Shimabukuro/Gabbard, Co-Chairs
H.B. No. 1671, HD 2, SD 2	Espero, Chair; Hee/Kidani, Co-Chairs; Slom
H.B. No. 1695, SD 1	Ige, Chair; Fukunaga, Kidani, Slom

H.B. No. 1705, HD 1, SD 1 Ige, Chair; Kidani, Co-Chair; Wakai, Slom

H.B. No. 1706, HD 1, SD 1 Baker, Chair; Nishihara, Taniguchi

H.B. No. 1754, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 1755, HD 2, SD 2 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 1764, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 1765, HD 2, SD 1 Espero, Chair; Chun Oakland, Co-Chair; Shimabukuro, Slom

H.B. No. 1771, HD 1, SD 1 Hee, Chair; Gabbard, Co-Chair; Slom

H.B. No. 1777, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom

H.B. No. 1791, SD 1 English, Chair; Hee, Co-Chair; Slom

H.B. No. 1800, HD 2, SD 2 Hee, Chair; Ige, Co-Chair; Slom

H.B. No. 1838, SD 1 Ige, Chair; Kidani, Slom

H.B. No. 1848, HD 2, SD 1 Hee, Chair; Ige, Co-Chair; Shimabukuro

H.B. No. 1892, SD 1 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 1941, HD 2, SD 2 Nishihara, Chair; English/Kidani, Co-Chairs; Kahele, Slom

H.B. No. 1968, HD 1, SD 2 Baker, Chair; Espero, Co-Chair; Taniguchi

H.B. No. 1974, HD 2, SD 1 Espero, Chair; Kidani, Co-Chair; Ryan, Slom

H.B. No. 2093, HD 2, SD 2 Tokuda, Chair; Nishihara/Kidani, Co-Chairs; Kahele, Slom

H.B. No. 2099, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 2100, HD 2, SD 1 Tokuda, Chair; Nishihara/Kidani, Co-Chairs; Kahele, Slom

H.B. No. 2113, HD 1, SD 1 Espero, Chair; Shimabukuro/Kidani, Co-Chairs; Ihara, Slom

H.B. No. 2145, HD 2, SD 1 Ige, Chair; Kouchi, Co-Chair; Kidani

H.B. No. 2150, HD 2, SD 1 Nishihara, Chair; Dela Cruz/Gabbard, Co-Chairs; Slom

H.B. No. 2169, HD 2, SD 1 Baker, Chair; Taniguchi, Slom

H.B. No. 2174, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom

H.B. No. 2179, SD 1 Hee, Chair; Kidani, Co-Chair; Ihara, Slom

H.B. No. 2248, HD 2, SD 2 Tokuda, Chair; Kidani, Co-Chair; Slom

H.B. No. 2257, HD 1, SD 1 Baker, Chair; Taniguchi, Slom

H.B. No. 2258, HD 2, SD 1 Baker, Chair; Taniguchi, Slom

H.B. No. 2264, HD 2, SD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2273, SD 1 Tokuda, Chair; Green/Kidani, Co-Chairs; Ryan, Slom

Sen. Com. No. 759, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2226, HD 2, SD 2 Espero, Chair; Kidani, Co-Chair; Ryan

H.B. No. 2296, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2302, HD 2, SD 1 Chun Oakland, Chair; Ige/Hee, Co-Chairs; Ihara, Slom

H.B. No. 2320, HD 2, SD 2 English, Chair; Hee/Espero, Co-Chairs

H.B. No. 2326, HD 1, SD 1 Ige, Chair; Kidani, Slom

H.B. No. 2347, SD 1 Espero, Chair; Kidani, Co-Chair; Kouchi, Ryan

H.B. No. 2361, HD 2, SD 2 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 2409, SD 1 Espero, Chair; Baker, Co-Chair; Slom

H.B. No. 2454, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2476, HD 1, SD 2 Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2487, HD 1, SD 2 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 2491, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 2493, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2494, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2495, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2513, HD 1, SD 2 Tokuda, Chair; Kidani, Co-Chair; Slom

H.B. No. 2514, Espero, Chair; Hee/Kidani, Co-Chairs; Ihara, Slom
HD 3, SD 1

H.B. No. 2515, Espero, Chair; Hee/Kidani, Co-Chairs; Ihara
HD 3, SD 2

H.B. No. 2569, Hee, Chair; Green, Co-Chair; Ihara
HD 2, SD 1

H.B. No. 2574, Hee, Chair; Kidani, Co-Chair; Slom
HD 1, SD 1

H.B. No. 2584, Hee, Chair; Shimabukuro, Co-Chair; Slom
HD 1, SD 1

H.B. No. 2593, Gabbard, Chair; Dela Cruz/Hee, Co-Chairs; Ihara,
Slom
HD 2, SD 1

H.B. No. 2599, Espero, Chair; Hee, Co-Chair; Ihara, Ryan, Slom
HD 1, SD 1

H.B. No. 2601, Espero, Chair; Shimabukuro, Co-Chair; Slom
HD 3, SD 1

H.B. No. 2605, Ige, Chair; Fukunaga, Kidani
HD 1, SD 1

H.B. No. 2623, Hee, Chair; Shimabukuro, Co-Chair; Slom
HD 1, SD 1

H.B. No. 2626, Tokuda, Chair; English/Kidani, Co-Chairs
HD 2, SD 2

H.B. No. 2655, Hee, Chair; Ige, Co-Chair; Slom
HD 2, SD 1

H.B. No. 2686, Hee, Chair; Shimabukuro, Co-Chair; Slom
HD 1, SD 1

H.B. No. 2751, Espero, Chair; Shimabukuro, Co-Chair; Slom
HD 2, SD 1

H.B. No. 2766, Hee, Chair; Ige, Co-Chair; Ihara
HD 2, SD 1

H.B. No. 2776, Green, Chair; Chun Oakland/Ige, Co-Chairs; Ihara,
Slom
HD 2, SD 2

H.B. No. 2798, Espero, Chair; Hee/Green/Kidani, Co-Chairs; Slom
HD 3, SD 2

H.B. No. 2852, Hee, Chair; Shimabukuro, Co-Chair; Slom
HD 1, SD 1

H.B. No. 2872, Espero, Chair; Fukunaga/Dela Cruz/Kidani, Co-
Chairs; Kahele, Slom
HD 3, SD 2

H.B. No. 2873, Espero, Chair; Tokuda/Fukunaga/Kidani, Co-
Chairs; Slom
HD 2, SD 2

Sen. Com. No. 760, dated April 17, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 2429, Senator Galuteria added as conferee.
SD 2, HD 1

S.B. No. 2798, Senate Conferees discharged.
SD 1, HD 1

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Souki was excused.)

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Souki was excused.)

H.B. No. 238, HD 2, (SD 1)
H.B. No. 425, HD 3, (SD 2)
H.B. No. 2013, HD 2, (SD 1)
H.B. No. 2436, HD 1, (SD 1)
H.B. No. 2564, HD 1, (SD 1)

At 11:48 o'clock a.m., Representative Chong requested a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:49 o'clock a.m.

H.B. No. 238, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 238, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

H.B. No. 425, HD 3, SD 2:

Representative Chong moved that H.B. No. 425, HD 3, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against H.B. 425, as amended. Mr. Speaker, the bill is related to public utilities. What the bill states on page one is that, and I quote, 'It is anticipated that in 2030, 60% of electricity generation will come from fossil fuels.' Mr. Speaker, I'm not ready to take that defeatist attitude, and I don't think we should as a Body. We're saying that we're going to virtually give up on being able to accomplish what we want to accomplish, getting off a larger percentage of fossil fuel, by the year 2030. But the bill says, in the next 18 years, we're not going to accomplish what we want to, and I think that is a very defeatist attitude. I just can't accept that.

"It seemed to me as a Legislature, we should be saying to the Public Utilities Commission, 'Do everything that you can to even exceed what we're trying to accomplish with the clean energy initiative. Do everything that you can to move us off of fossil fuel.' There are young people in this Legislature that within 18 years will be, if they're still here, will be more mature. And they'll look back to today, and say, 'Couldn't we have done better with what we're saying as public policy? Shouldn't we instead say, Public Utilities Commission, you need to do more?'

"The bill in its new language says that the Public Utilities Commission shall consider the costs and benefits of a diverse fossil fuel portfolio, still mired in oil. That's the new language in the bill. I know that there's a savings clause that says, 'Well, we're not excluding the utilities from meeting the renewable portfolios standards.' But here's the plain language. Public Utilities Commission shall consider the costs and benefits of a diverse fossil fuel portfolio.

"And then what's even more puzzling, the Committee Report that we're adopting through this motion, states that, and I quote, 'Careful consideration and planning must therefore be given to the future supply and pricing of fossil fuels in order to mitigate the negative impacts of high fossil fuel costs on this State's residents and businesses.'

"Well that's pretty arrogant. How the blazes can we, Hawaii, an island state, have any impact, mitigate high fossil fuel costs. What are we going to do? Say to the nations that really prefer to do us great harm, give us your oil at a cheaper cost. We import, basically from other countries, not from our mainland United States. Now how the blazes are we going to mitigate those costs? The only way we're going to mitigate them is if we get off of fossil fuel. We can't be arrogant enough to say, 'Hey, we can have an impact on mitigating those costs of fossil fuel in the future.' I mean, that just, I'm sorry. That just can't happen. But we can have a huge impact if we really move forward more aggressively with our renewable energy. I know I've talked to you all about wave energy again, and again, and again.

"Let me just remind you, that the United States Department of Energy's Wave Report has come out this year, and they're indicating that we will have, on Oahu, three times the amount of wave energy power than we need for the entire Island. Why aren't we instead saying, 'Okay, let's move ahead with this new industry. Let's give the focus to that.' We're surrounded by the ocean that has great energy, and great power that can light up our buildings, can light up our State at a much lower cost. Single digit per kilowatt hour, versus the 30 some-odd cents we're now paying. Why aren't we moving ahead with that as our public policy, and saying this is the way we need to go?"

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you, Representative. I don't like to stand here at my age and say, 'I'm going to be a defeatist.' And say, 'In the next 18 years we can't really reduce our use of fossil fuel.' And for the young people in this Body, you youngsters. I would expect you would want to stand up and say, 'I know we can do better.' Because it's the young people that are really reaching out to do that. And instead what we're doing is saying, 'Go ahead. Assume we'll be stuck, mired in the fossil fuel.' And we'll be able to have some impact on changing the international cost of providing that polluting material to light up our islands.

"Well the Marines within about a year and a half are going to have a wave hub in the water on the Windward side of the Island. There were a number of international and local companies meeting with the Marines, talking about the procedure for hooking up their wave energy converters. That's the way we can go, Mr. Speaker. And that would say something if this Body instead said that we're not going to accept the status quo. We're going to listen to the young people in our State that want a green energy future. And we're going to set forth the policy for the Public Utilities Commission that says, 'Let's get there,' and we're going to get all the other arms of government working ahead to do that. I'm proudly voting no on this, because I don't agree we need to stay mired in fossil fuel. And I wish others would join me. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. May I have the words of the Representative from Kailua entered into the Journal as my own? I have a few footnotes to that. I would describe the bill as a loosey-goosey language which gives an out, an excuse, for not realizing who we are and where we're going in the future. It's like, Mr. Speaker, someone said, 'You know when I grow up, I might be a fireman.' How much commitment does that really say about what you really want to be when you grow up?

"If we really want to get rid of that \$5 billion import of fossil fuel, we can't have language at the beginning of this bill that says, 'You know, unless there's a technological breakthrough that we have got to have 60% still in fossil fuel.' That really turns the odds on its head, and I think everyone genuinely in their heart wants to get off of fossil fuels. But when we do bills like this, it makes us look like we're really not sincere. It looks

like, well, there's more political rhetoric. Because I know someone may stand up and say, 'But look, in the last part of the new language it says that, nothing in this section shall subvert the obligation of electrical utilities to meet the renewable portfolio standards set forth in section 269-92.'

"If that is true, Mr. Speaker, why do we even need this bill? Why are we giving an out or a possibility if there's no technological lightning from heaven that changes this formula, then we're going to need this. As leaders, we're supposed to mean what we say, and say what we mean. And this bill makes us look like we don't know what either we mean, or what we say that we mean. We're going to keep our word. So, for those reasons, I join my colleague in voting no."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'm not sure where to start. This is a good piece of legislation that is for the benefit of the entire State. If you look at the renewable portfolio standards, if you look at the clean energy initiative, yes, by 2030 get off oil by 60%. So where is the other 40% going to come from? Where? 40% is still going to have to be, at some point, fossil fuel, because we need firm power. Not when the sun's outside, or when the wind is blowing. When we need firm power. Think about it.

"If you're a utility, Hawaiian Electric or otherwise, it is the only industry I know of, where you don't need a reservation to use the service. We all go home. We plug in our Mac Airbooks, or our soy latte maker, it's got to work. We expect it to be on. We don't all plug into a PV panel. So where does the power have to come from? At some point, for the foreseeable future, we're going to have to use a mix. It is like any other difficult problem. There is not one single bullet solution. It is not always going to be only renewable. You know people talk about sustainability on this Floor. Guess what? It's not just environmental. It has to be economically feasible and socially equitable.

"So, how do you tell somebody, that someone who has money and is willing to pay 5 bucks a kilowatt hour for some renewable. Pat themselves on the back and show the rest of the world, 'Look how clean we are.' While another person who is working two jobs and has a \$300 electric bill just so somebody else can feel good about themselves. This is about socio-economic equality. Are we still for renewable? Absolutely. Is renewable the only solution? No. And it's kind of interesting that when we talk about renewable, nobody here wants to really build the cable for the only firm power that is here, which is geothermal. So I ask my colleagues to take a look at the broader picture. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representatives Thielen and Ward be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to respond, stating:

"Mr. Speaker, I would ask for a point of information, but I believe that I heard the Representative say that it's going to be 60% renewable and 40% fossil fuel. If as his predecessor would say, according to the bill, if you read it, it says on line 5, it is anticipated that in 2030, 60% of electricity generation will come from fossil fuel, not 40%, 60% fossil fuels. I heard 40%. If it was 40%, I would agree with you. That's good enough. But it's 60% which means, Mr. Speaker, we haven't come very far.

"In fact, we've been 3 years really pushing this. On Oahu we're at 3% renewable. And I'm not going to get into the way that we're taking away tax credits to disincentivize the PV industry, which we are doing. But if this says that 60% is going to be there in 2030, I think it's a very, very poor example of leadership. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you, Mr. Speaker, I disagree with a lot of comments I heard earlier. But part of it is because, taking a sentence or two out of the context of the whole bill sometimes creates an image of what the bill is about. I want to clearly state that I read the bill totally different from what I heard previous speakers say. What this is really talking about, in my opinion, is that realistically we have to realize

that we're very invested in the State of Hawaii in terms of our current assets. A lot of investment in the grid and generation facilities. A lot of investment going on right now in research and development. We have discussions about tax credits, trying to get people converted. But those generally go for people that can afford paying for those systems, which are extremely expensive for some of these renewable energies.

"So what I think this bill's trying to say is, ideally we want to get to a certain place. But realistically, along the way, we're going to have to work together like with the Public Utility Commission and make sure that whatever we're doing generating electricity has to be efficient. It has to be the best it can be. The other more important piece to this is we have to change behaviors. So a big part of this is the Public Utility Commission, working on, you know, making sure that our behaviors are such that we have energy efficiencies.

"So I think the goal of the bill is to give the Public Utilities Commission more 'umph' in saying, that while research and development is out there, while we're trying to get the cost of renewables down to where people can afford them. Until such time we have breakthrough technologies, so we can have batteries, so that with wind energy, and all the other renewables, we can actually store the energy. Until we have some breakthroughs, we, collectively, we have to address this problem. We have to stop using electricity. Electricity generation, I think, is the bigger policy discussion that we're trying to address in this bill. And I'm really glad that we're moving it forward, because I'd like it to be a reality check.

"You know, ideally we're going to get to renewable. Renewable, at this point in time is extremely expensive. I can tell you, in Waikoloa, everybody's talking about how they can get on renewable. But when you look at the cost of photovoltaic, and solar, and just the whole, trying to get there. Unless people have saved a lot of money, they really can't afford to do it. So what do we do in the meantime? Well, we better work with the people that are generating electricity, and figure out a way to make sure they're more efficient to drive down those costs, because in the end it's the rate taxpayers that are getting hurt. So I strongly support the bill. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Thank you. My second time, Mr. Speaker, I know. I'd like to respond to the Majority Leader's comments. That we need firm power. The head of Maui Electric who has attended wave energy conferences overseas because of his interest in and awareness that is a power source for Hawaii. He made this statement that wave energy is essentially a firm power. Well how? How is that happening? Because of the NOAA satellites where the utility can obtain the forecast 24 to 48 hours out, to know whether there's going to be a change within that wave energy resource, and then make the adjustments. So it's not like solar, which is not a firm power. It's not like wind, which is not a firm power. Wave energy, surrounding our islands, is a firm power.

"The other thing I found very puzzling that the Majority Leader said, was his plea for socially equitable power sources. If that's the case, wave energy comes in at single digit cost, delivered. Hawaiian Electric's fossil fuel raises our rates to about the highest in the nation, 30 some-odd cents or more per kilowatt hour. We're talking about wave energy, which is essentially a firm power that can cost one-third of what the utility presently uses.

"So what I'm saying is, where is the policy direction of this Body. Why aren't we being more positive, more farsighted, looking ahead toward a source that, really, will reduce our rates for all of our consumers? Will provide the firmness that the utilities need? And saying to the public utilities, help us to get there. This Body has been so silent on giving the support to this technology, and yet young people in this State are coming up with designs for wave energy converters. That's our youth. That's the youth I'm talking about. They wouldn't sit here saying, 'We'll keep our feet mired in fossil fuel and believe that we can't do any better by the year 2030.'

"Thank God for the young, and thank God for the Marines, because they're going to be moving us. But unfortunately, the majority of the

Members in here are going to take the defeatist attitude and vote in favor of this bill. I'm not. I say no. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, one point that I like about the bill is, I think it tries to bring some honesty in our efforts to meet our energy needs, and hopefully we will exceed what this bill asks for. I think that this bill is setting a basement, not a ceiling. Now, I don't know what type of military the Minority Party envisions. Will we be sending tanks into battle that run on solar energy, or gas energy. The military uses oil and nuclear for all its major combat energy needs. They do experimental energy items regarding the sea, as was brought by the Representative from Kailua.

"And when I read the bill, since everyone's reading the bill more clearly, it says that by 2030, we anticipate 60% of our energy needs for electricity will come from fossil fuels. The key word is anticipate. Because in the same line it says, it depends on technological breakthroughs. And lastly, I would like to conclude with, in our life, generally speaking, use of fuel is voluntary. Thank you."

Representative Ching rose to respond, stating:

"I'm sorry, Mr. Speaker. In opposition still. I think it's clear that the Representative that spoke, from Kailua, regarding the Marines' use of wave energy was not, again, was not referring to tanks and things that are going to be used in warfare. But to the alternative energy available here for the State of Hawaii, and what they're utilizing. You know, in terms of financing, and making sure that people have help, leadership. Leadership starts with vision. You really want it. You've got to see it. And you've got to explore those who have the same vision as you, and ask them, how can we do it. If other jurisdictions can do it, I don't understand why we cannot do it.

"It kind of reminds me of when I was a teacher back at Ma'ema'e. I never thought my kids couldn't do it. There's no glass ceiling for a kid. You say he can do it, he can do it. You help him. You help him. And with the clean energy initiative, if you have vision. You have the will to do it. You'll start to find people who can make it happen. I seem to recollect that we did have legislation in the last Administration that was focused particularly, in fact with the Obama Administration, to help finance things.

"You've got to want to do it. But if you say things, like this legislation, will kind of. Okay. Maybe. You've got to want it. And we all know that concept, because you wouldn't be elected here, if you didn't have that. So if you had that fire in the belly for clean energy, for doing what the young, what we need now. We could do it. I think we could do it. I know we can do it."

Representative Herkes rose to speak in support of the measure, stating:

"In support, Mr. Speaker. We've heard a lot about wave energy, Mr. Speaker. I've cleaned up, and been through, seen five different tsunamis. With rising sea levels and climate change, the entire plant of ocean energy could end up about a half a mile inland."

The motion was put to vote by the Chair and carried, and H.B. No. 425, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Pine, Thielen and Ward voting no, and with Representatives Chang and Souki being excused.

H.B. No. 2013, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2013, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

H.B. No. 2436, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2436, HD 1, SD 1, entitled: "A BILL FOR AN ACT

RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

H.B. No. 2564, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2564, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

At 12:14 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 238, HD 2, SD 1
H.B. No. 425, HD 3, SD 2
H.B. No. 2013, HD 2, SD 1
H.B. No. 2436, HD 1, SD 1
H.B. No. 2564, HD 1, SD 1

SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House Bill. (Representatives Chang and Souki were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bill, seconded by Representative Evans and carried: (Representatives Chang and Souki were excused.)

H.B. No. 2497, (SD 1)

ANNOUNCEMENTS

Representative Ito: "Mr. Speaker and Members, just a short reminder, that today we're having that informational briefing on the marine debris from the 2011 Japan tsunami. It's going to be at 2 o'clock at the Capitol Auditorium. Thank you."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

**S.B.
No.**

Re-referred to:

2927, SD2, HD1 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then jointly to the Committee on Transportation and the Committee on Economic Revitalization & Business, then to the Committee on Finance

**S.C.R.
Nos.**

Re-referred to:

63, SD1 Committee on Hawaiian Affairs
77, SD1 Committee on Education

79 Committee on Education

80, SD1 Committee on Education

87, SD1 Committee on Hawaiian Affairs, then to the Committee on Finance

120, SD1 Committee on Education

121, SD1 Committee on Education

122 Committee on Education

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 19, 2012. (Representatives Chang and Souki were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1764, Rhoads/Keith-Agaran, Co-Chrs.;
HD 1, SD 1 Johanson

H.B. No. 1765, Rhoads/Keith-Agaran/Yamashita, Co-Chrs.;
HD 2, SD 1 Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1269, Rhoads/Oshiro, Co-Chrs.;
SD 2, HD 2 Yamashita, Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1065, Rhoads/Aquino/Oshiro, Co-Chrs.;
SD 1, HD 1 Cullen, Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 155, Herkes/Keith-Agaran/Tokioka, Co-Chrs.;
SD 2, HD 1 Chang, Marumoto

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 2927, Chang/Cabanilla/McKelvey/Souki/Har, Co-Chrs.;
SD 2, HD 1 Pine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2569, Representative Thielen replaced Representative
HD 2, SD 1 Fontaine as conferee.

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2497, SD 1

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 238, HD 2, SD 1
H.B. No. 425, HD 3, SD 2
H.B. No. 2013, HD 2, SD 1
H.B. No. 2436, HD 1, SD 1
H.B. No. 2564, HD 1, SD 1

FIFTY-SECOND DAY

Thursday, April 19, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:39 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by former Representative Kirk Caldwell, after which the Roll was called showing all Members present with the exception of Representatives Ching and Tokioka, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth and Thirty-First Days were approved. (Representatives Ching and Tokioka were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1121 through 1128) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1121, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES." (ACT 021)

Gov. Msg. No. 1122, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES." (ACT 022)

Gov. Msg. No. 1123, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2650, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES." (ACT 023)

Gov. Msg. No. 1124, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 1965, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR PHARMACISTS." (ACT 024)

Gov. Msg. No. 1125, informing the House that on April 17, 2012, the following bill was signed into law:

S.B. No. 2503, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY." (ACT 025)

Gov. Msg. No. 1126, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 2181, entitled: "A BILL FOR AN ACT RELATING TO VACANCIES." (ACT 026)

Gov. Msg. No. 1127, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAILING SCHOOL VESSELS." (ACT 027)

Gov. Msg. No. 1128, informing the House that on April 17, 2012, the following bill was signed into law:

H.B. No. 2533, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF AGGRAVATED CIRCUMSTANCES IN THE CHILD PROTECTIVE ACT." (ACT 028)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 761 through 765) were received and announced by the Clerk:

Sen. Com. No. 761, dated April 18, 2012, informing the House that the Senate has on April 17, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2798, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS."

Sen. Com. No. 762, dated April 18, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 240, Tokuda, Chair; Green/Ige, Co-Chairs
SD 2, HD 2

S.B. No. 243, Tokuda, Chair; Ige, Co-Chair; Kidani
SD 2, HD 1

S.B. No. 596, Green, Chair; Tokuda/Ige, Co-Chairs
SD 2, HD 1

S.B. No. 1276, Baker, Chair; Espero, Co-Chair; Chun Oakland,
SD 2, HD 2 Taniguchi, Slom

S.B. No. 1332, Tokuda, Chair; Espero/Kouchi, Co-Chairs; English,
SD 2, HD 2 Slom

S.B. No. 1382, Tokuda, Chair; Kidani, Co-Chair; Slom
SD 2, HD 1

S.B. No. 2873, Gabbard, Chair; Ihara, Slom
SD 1, HD 3

Sen. Com. No. 763, dated April 18, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2251, Hee, Chair; Kidani, Co-Chair; English, Kouchi,
SD 1 Slom

H.B. No. 2265, Espero, Chair; Kidani, Co-Chair; Kouchi
HD 2, SD 2

H.B. No. 2275, Green, Chair; Chun Oakland/Ige, Co-Chairs; Baker,
HD 2, SD 2 Kouchi

H.B. No. 2314, Kim, Chair; Ige, Co-Chair; Kouchi, Slom
HD 1, SD 1

H.B. No. 2338, Fukunaga, Chair; Ige/Dela Cruz, Co-Chairs
HD 2, SD 1

H.B. No. 2417, Gabbard, Chair; Ige, Co-Chair; Espero, Slom
HD 2, SD 2

H.B. No. 2524, Fukunaga, Chair; Baker/Espero, Co-Chairs; Kouchi
HD 2, SD 2

H.B. No. 2526, Fukunaga, Chair; Baker/Wakai, Co-Chairs; Kouchi,
HD 2, SD 2 Slom

Sen. Com. No. 764, transmitting H.C.R. No. 12, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE

FOURTH WEEK OF JANUARY OF EVERY YEAR AS "REPRODUCTIVE RIGHTS AWARENESS WEEK," TO ENCOURAGE PUBLIC AWARENESS, CONVERSATION, AND SUPPORT FOR REPRODUCTIVE RIGHTS AWARENESS," which was adopted by the Senate on April 18, 2012.

Sen. Com. No. 765, transmitting H.C.R. No. 150, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," which was adopted by the Senate on April 18, 2012.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1785-12), recommending that S.C.R. No. 74, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 74, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Souki rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker and Members of the House. I have to speak against this motion. I know that the intent is good, and I respect the Chairman for providing this. But the State Constitution provides that all property tax responsibilities belong to the county, and I don't believe that we can supersede the Constitution. Thank you, very much."

Representative Awana rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. Our family owns Kuleana lands," and the Chair ruled, "no conflict."

Representative Marumoto 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.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO PRESERVE PROPERTY TAX EXEMPTIONS FOR KULEANA LANDS," was referred to the Committee on Finance, with Representative Souki voting no, and with Representatives Ching and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1786-12), recommending that S.C.R. No. 151, SD 1, be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 151, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF HEALTH, AND OFFICE OF PLANNING TO STREAMLINE THE PERMITTING PROCESS FOR THE RESTORATION OF HAWAIIAN FISHPONDS," was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives Ching and Tokioka being excused.

Representatives Hanohano and Wooley, for the Committee on Hawaiian Affairs and the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1787-12) recommending that S.C.R. No. 116, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 116, be adopted, seconded by Representative Evans.

Representative Takai rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Thank you, Mr. Speaker, for allowing me to submit written comments in support of Senate Concurrent Resolution 116, approving the selection of Daniel Kahikina Akaka to be inducted into the Aloha Order of Merit.

"It is an honor and privilege to stand in support of Senator Akaka, our United States Senator, and to recognize him for his many years of dedicated service to our country and his unwavering commitment to the people of Hawaii.

"He is a longstanding member of the U.S. Senate Armed Services and Veterans' Affairs Committees and was honored by the National Guard Association of the United States at the National Guard Memorial in Washington, D.C. on November 5, 2011 as the 2011 recipient of the Harry S. Truman Award for Distinguished Service.

"Senator Akaka was recognized for his work in helping to increase benefits, full-time manning, and the availability of body armor for the National Guard. He was also recognized for rewriting the Post-9/11 GI Bill to include National Guardsmen mobilized while on Title 32 status. Sen. Akaka was nominated for this award by retired United States Army Col. Raymond Jardine, Jr.

"The Truman award is the highest award given by the National Guard Association of the United States. Past recipients have been Presidents, Senators, Congressmen, Governors and senior general officers.

"Senator Akaka joins Senator Daniel K. Inouye and Governor Neil Abercrombie as the third recipient of this national award from Hawaii. Despite being one of the smallest states in the Union, Hawaii, with three recipients, has the most Truman Award recipients of all the 50 states.

"Senator Akaka is a combat and war veteran who served in the Pacific, with the United States Army Corp of Engineers, during World War II. He was initially based at Schofield Barracks and then assigned to the Pacific islands of Tinian and Saipan.

"After the war, Senator Akaka returned to Hawaii, and like many young veterans of his generation, he attended college with the help of the GI Bill. Upon graduating from the University of Hawaii at Manoa, he became a teacher and spent many years educating the young people of Hawaii. Since 1976, he has represented Hawaii in Washington D.C., first in the House of Representatives and currently in the Senate. That's 36 years of service to our state and our people.

"Senator Akaka is the only Native Hawaiian and the only member of Chinese ancestry serving in the United States Senate. As the first United States Senator of Native Hawaiian ancestry, Sen. Akaka brings the unique perspective of Hawaii's history and multicultural society to bear in his effort to promote dialogue and reconciliation between Native Hawaiians and the Federal Government. Not only does he represent the people of Hawaii in Washington, but he is also an example to us of the way to live and serve with aloha. He has taught us all that you can be nice, pleasant, and gracious – you can have the spirit of aloha as you work with others – and still be an effective and powerful lawmaker.

"I have many personal memories of Senator Akaka. I recall a time that I was walking through the Senate's Hart Building with some National Guard buddies from other states. There in front of us was Senator Akaka. As is the case on many occasions with people from Hawaii, Senator Akaka embraced me with his signature hug of aloha. We briefly talked about the National Guard priorities before his Committee. After parting, my fellow Guard colleagues couldn't believe what they just witnessed. A U.S. senator full of welcome, full of aloha.

"I also will cherish the many times we would see him and Auntie Millie with Grand Master Hong. They would spend hours, if not days, with Master Hong either at the Chi Center or at Master's Punaluu home. There Senator Akaka and all of us would have some time to get re-energized. There's something to be said about spending time in the *furo* and watching as the days turn to nights, and back to days.

"A few years ago Senator Akaka sat down with Leslie Wilcox on the PBS Hawaii show "Long Story Short." These are some of the words of wisdom that Senator Akaka shared during that interview. He said:

The people of Hawaii tend to work together so much better than other places. And I feel that that style is really needed in the Capitol and in the country. And I think the diversity of Hawaii, the diversity of people has helped to bring that about. Hawaii is Hawaii because of its culture, its people, its diversity; and we need to keep that.

"Grace, dignity and aloha. These are the words that reminded me of day when Senator Akaka announced that he would retire from the U.S. Senate. He will leave his seat this year. But, he leaves on his own terms and at his own time. He leaves public office just as he's worked throughout his nearly 40 years in Washington, D.C. – with grace, dignity and aloha.

"Hawaii is Hawaii also because of the lifetime commitment and tremendous contributions of Senator Akaka. For these reasons, I strongly support this Resolution."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SELECTION OF DANIEL KAHIKINA AKAKA TO BE INDUCTED INTO THE ALOHA ORDER OF MERIT," was adopted, with Representatives Ching and Tokioka being excused.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

At this time, the Chair announced:

"Yesterday, Members, we reconsidered our previous disagreement and gave notice to intent to agree to amendments made by the Senate to H.B. No. 2497.

"Subsequent to our action yesterday, it was learned that the companion measure, S.B. No. 2759 had passed Final Reading in the Senate and was enrolled to the Governor. As a result, we need not take action on H.B. 2497 for agreement for Final Reading."

SUSPENSION OF RULES

The Chair also announced:

"Members, please note that the Chair has discharged the House Conferees previously appointed to the following House Bills: H.B. No. 2374 SD1, and H.B. No. 2454 HD1 SD1. The House will now proceed to reconsider its disagreement to the Senate amendments of certain House Bills, including the aforementioned measures."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Ching and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following

House Bills, seconded by Representative Evans and carried: (Representatives Ching and Tokioka were excused.)

H.B. No. 297, HD 1, (SD 1)
H.B. No. 626, (SD 1)
H.B. No. 1671, HD 2, (SD 2)
H.B. No. 1754, HD 1, (SD 1)
H.B. No. 1967, HD 2, (SD 2)
H.B. No. 2169, HD 2, (SD 1)
H.B. No. 2374, (SD 1)
H.B. No. 2454, HD 1, (SD 1)
H.B. No. 2574, HD 1, (SD 1)
H.B. No. 2656, HD 2, (SD 2)

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. I just wanted to remind Members that tomorrow is our annual Hemp Aloha Friday, and to either wear your hemp shirt or natural fiber shirt in honor of Earth Day. Thank you."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.C.R. Nos.</u>	<u>Re-referred to:</u>
87, SD1	Committee on Hawaiian Affairs
109, SD1	Jointly to the Committee on Hawaiian Affairs and the Committee on Culture & the Arts
137, SD1	Committee on Economic Revitalization & Business

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 20, 2012. (Representatives Ching and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1054, Takumi/Yamashita, Co-Chrs.;
HD 1, SD 1 Hashem, Mizuno, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2152, Rhoads/McKelvey/Oshiro, Co-Chrs.;
HD 2, SD 2 Yamashita, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 240, Yamane/M. Lee, Co-Chrs.;
SD 2, HD 2 Morikawa, Pine

reconsidered its action taken in disagreeing to the amendments made by the Senate on March 27, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 1754, HD 1, SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 243, Nishimoto/Tokioka, Co-Chrs.;
SD 2, HD 1 Nakashima, Saiki, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1382, Nishimoto/Takumi/Yamashita/Tokioka, Co-Chrs.;
SD 2, HD 1 Belatti, Nakashima, Johanson

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2374, Discharged all conferees.
SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1065, Added Representative Awana as a member.
SD 1, HD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2454, Discharged all conferees.
HD 1, SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2169, HD 2, SD 1

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 297, HD 1, SD 1
H.B. No. 626, SD 1
H.B. No. 1671, HD 2, SD 2
H.B. No. 1967, HD 2, SD 2
H.B. No. 2374, SD 1
H.B. No. 2454, HD 1, SD 1
H.B. No. 2574, HD 1, SD 1
H.B. No. 2656, HD 2, SD 2

House Communication dated April 19, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has

FIFTY-THIRD DAY

Friday, April 20, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:37 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Mr. Milton Mikishi's 2nd Grade Class of Maryknoll Elementary School, including Daniel Yamane, Son of Representative Ryan Yamane, after which the Roll was called showing all Members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-First and Fifty-Second Days was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 238 and 1129) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 238, dated April 16, 2012, transmitting the Relating to the State Budget Quarterly Report on the progress made of all DOE's CIP appropriations, prepared by the Department of Education pursuant to Act 164, Section 47, SLH 2011.

Gov. Msg. No. 1129, informing the House that on April 19, 2012, the following bill was signed into law:

H.B. No. 2600, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES." (ACT 029)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 766 through 768) were received and announced by the Clerk:

Sen. Com. No. 766, dated April 19, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1726, Gabbard, Chair; Ige, Co-Chair; Ihara
HD 1, SD 2

H.B. No. 2078, Kouchi, Chair; Baker, Co-Chair; Kahele
HD 2, SD 2

Sen. Com. No. 767, dated April 19, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 1875, Senator Taniguchi discharged as conferee and
HD 2, SD 2 Senator Kidani added as conferee.

Sen. Com. No. 768, dated April 19, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following House Bill:

H.B. No. 1980 Ige, Chair; Fukunaga, Kidani, Slom
HD 1, SD 1

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Mizuno introduced members of the American Massage Therapy Association, Hawaii Chapter who were at the Capitol for Massage

Awareness Day: President, Poalani Gellesie, Ms. Arlene Estrella and Ms. Anne Fritz.

Representative Pine introduced her constituent, Mr. Steve Carol.

Representative Marumoto, on behalf of Representative Nishimoto and herself, introduced the 5th grade students of King Liholiho Elementary School accompanied by their teachers, Mr. Fred Magnenat, Mr. Matthew Negele; and Ms. Venus visiting from Korea.

Representative Nakashima introduced the award-winning Honokaa High School Jazz Band who entertained Capitol visitors while on their Big City Tour. They were accompanied by their teacher, Mr. Gary Washburn.

Honokaa Jazz Band Members:

Hildhang Adona;
Jadelynn Alvarez;
Jacy Anderson;
Halana Birch;
Camelia Calo-Witt;
Elijah Carvalho;
Cjay Carvalho;
Payton Cawagas;
Nar Daguna;
Jevin Dement;
Brandon Gomez;
Ciani Gonsalves;
Shawn Guerpo;
Kaitlin Hall;
Marion Ignacio;
Runa Ikeno;
Kaeo Ishikuro;
Zach Kamali-Spivey;
Jackie Lacanlale;
Kellen Lambert;
Justin Aguirre;
Koten Macomber;
Kayla Maikui;
Alexcilla Mateo-Panilo;
Jorel Mateo-Panilo;
Skye Mercado;
Cortney Oshiro;
Kenika Peters;
Christian Potter;
Gabriel Ramirez;
Emma Reddenkopp;
Micah Saito;
Elizabeth Sekona;
Anthony Shaw;
Chaundra Silvano;
Kaua Sproat; and
Nicole Tabac.

Representative Yamane introduced the 2nd grade students of Maryknoll School who sang two songs for this day's invocation. They were accompanied by their teacher, Mr. Milton Mikishi; Maryknoll music teacher, Mrs. Wendy Chong; and grandparent/chaperone, Mrs. Jane Loo.

Maryknoll Students:

Liliana Awaya;
Kahokunani Canlas;
Taylor Capps;
Aerin Dias;
Winston Freitas;
Noah Hata;
Kyle Ho;
Kyla Hong;
Landon Hung;
Crishell-Ann Ildefonso;
Amy Kaku;
Allison Kanenaga;

Noah Kitts;
 Lane Nishida;
 Alexander Parks;
 Alyssa Rossio;
 Chelsea Sawai;
 Jillian Simpson;
 Tammy Tam;
 Noah Tanioka-Abelardo;
 Wade Williams;
 Karter Wong;
 Daniel Yamane;
 Carson Yano; and
 Ayden Yung.

Representative Yamane also introduced his son, Master Daniel Yamane, who gave this day's invocation, as well as his wife, Mrs. Jennifer Higa Yamane; and his mother, grandma Jean K. Yamane. They were accompanied by his Office Manager, Ms. Danielle Bass.

At 11:52 o'clock a.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:12 o'clock p.m.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1788-12), recommending that H.R. No. 151, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 151, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN UPDATE OF THE HAWAII ENERGY FORUM'S REPORT ON LIQUEFIED NATURAL GAS OPTIONS FOR THE STATE," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1789-12), recommending that S.C.R. No. 57, SD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 57, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ESTABLISH A WORKING GROUP TO DEVELOP RECOMMENDATIONS REGARDING THE ADMINISTRATIVE PLACEMENT OF THE STATE FOUNDATION ON CULTURE AND THE ARTS," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1790-12), recommending that S.C.R. No. 34, SD 1, as amended in HD 1, be referred jointly to the Committee on Finance and the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 34, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AUDITS OF STATE DEPARTMENT OPERATIONS THAT RESULT IN HIGH NON-BASE COMPENSATION OF STATE EMPLOYEES, PAY FOR NOT WORKING, AND SALARY OVERPAYMENTS," was referred jointly to the Committee on Finance and the Committee on Legislative Management, with Representative Saiki being excused.

Representatives Nishimoto and McKelvey, for the Committee on Higher Education and the Committee on Economic Revitalization & Business

presented a report (Stand. Com. Rep. No. 1791-12), recommending that S.C.R. No. 36, SD 2, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 36, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A PLAN TO EXAMINE THE LONG-TERM USES OF THE HAWAII FILM STUDIO DIAMOND HEAD CAMPUS," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Saiki being excused.

Representatives Coffman and Awana, for the Committee on Energy & Environmental Protection and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1792-12) recommending that S.C.R. No. 162, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 162, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO REQUEST THAT THE DIRECTOR OF THE OFFICE OF GLOBAL CHANGE OF THE UNITED STATES DEPARTMENT OF STATE PROPOSE TO THE CONFERENCE OF PARTIES FOR THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE THAT THE UNITED STATES HOST THE 2015 UNITED NATIONS CLIMATE CHANGE CONFERENCE IN HONOLULU, HAWAII," was adopted, with Representative Saiki being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Saiki was excused.)

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Saiki was excused.)

H.B. No. 297, HD 1, (SD 1)
 H.B. No. 626, (SD 1)
 H.B. No. 1671, HD 2, (SD 2)
 H.B. No. 1754, HD 1, (SD 1)
 H.B. No. 1967, HD 2, (SD 2)
 H.B. No. 2169, HD 2, (SD 1)
 H.B. No. 2374, (SD 1)
 H.B. No. 2454, HD 1, (SD 1)
 H.B. No. 2574, HD 1, (SD 1)

At this time, the Chair announced:

"Members, on page 2 of your Order of the Day, H.B. No 2656 will be deferred one legislative day."

H.B. No. 2656, HD 2, SD 2:

By unanimous consent, action was deferred one legislative day.

H.B. No. 297, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 297, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES FEE," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 626, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 1671, HD 2, SD 2:

Representative Chong moved that H.B. No. 1671, HD 2, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to express my reservations regarding H.B. 1671. This bill imposes time limits on rendering administrative and judicial review decisions. It limits protests to those of a minimum percentage of the contract value, and requires posting of a protest bond, which is to be forfeited if the protesting party does not prevail.

"My concerns rest with comments stated by DCCA that this bill allows inadequate time to review an agency decision. The original House Draft appropriately revived Act 175 which streamlined the procurement process for two years following its passage in 2009. This version unfortunately does not. Furthermore, the City & County Department of Budget and Fiscal Services also suggests that a 20 day deadline for protest review may yield increased requests for appeals because initial government reviews and determinations were rushed to meet the deadline.

"In the end, the public may pay a dear price for minor degrees of efficiency saved by administration. Citizens who seek an administrative hearing or judicial relief might not receive court hearings just because the administrative staff or court may not have processed applications promptly. The protest bond deposit, moreover, punishes those who try to seek relief just because they lose. Instead, we should examine whether those seeking reviews had frivolous claims or not. Thank you."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto 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 an aye vote with reservations for her, and the Chair "so ordered."

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"Mr. Speaker, I rise in support of H.B. 1671. This measure is the accountants answer to decreasing the amount of lengthy and frivolous procurement protests. As you know, protests have taken on the role as a way to frustrate the procurement process. This bill discourages frivolous protest by adding materiality as an eligibility criterion for protests. In addition, a bond requirement by the protestor was added to the protest.

"This measure also limits the time for the protest process. Time limits have been added to the administrative process. These time limits dictate when a protest must be filed to the amount of time a procurement officer or hearings officer must render a decision. To accommodate these timelines the rules of evidence was changed to quicken the process.

"These changes should make the protest process faster and should also lessen the amount of protests in the procurement process. For these reasons, I stand in support of H. B. 1671."

The motion was put to vote by the Chair and carried, and H.B. No. 1671, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 1754, HD 1, SD 1:

Representative Chong moved that H.B. No. 1754, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Although I value the considerations of efficiency taken into account by H.B. 1754, I must express sincere reservations as well. H.B. 1754 permits the mailing of absentee ballots to all registered voters in areas with fewer than five hundred voters. Without this bill, each of those small districts would require a unique ballot type and an individual polling place.

"Logistically, this bill was clearly founded by sound logic: more voters are now voting by mail than in person. Indeed, there have been cases where only 75 voters show up in person to cast ballots in districts of several hundred registered voters. Given reapportionment delays, we may inevitably end up with small voting pockets each requiring unique ballot types. Mail out ballots would save some capital, in costs and operators needed to run a polling place. Residents of these small districts would also have the option to vote in person at an early polling site.

"Nonetheless, this bill violates our founding principle of good governance, allowing a Chief Election Officer or Clerk to unilaterally decide not to establish a polling place in certain areas. In the unlikely event that political biases arise, unethical decisions could skew the integrity of Hawaii's voting process altogether.

"Furthermore, many individuals still prefer to vote in person, distrusting the mail service, or because they want help to understand voting procedures. Often, these highly concerned individuals are also those most diligent about the voting process, and those who consider their selections most thoroughly. They are also often elderly residents seeking to honor the American tradition of in-person voting. There is a good chance that these voters will not be able to make it to an early voting site, for they may not be able to leave work outside the official Election Day holiday. If we rob these individuals the ability to vote in person, being uncomfortable with their limited alternatives they may not be able to vote at all.

"We must not disregard the rights of certain minority groups, such as the elderly, for when we do so we upset the equilibrium in Hawaii's selection pool of voters. Votes should accurately reflect the distribution of a population, and by biasing the system against certain preferences – especially those most loyal to diligent voting – we violate our nation's core values. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1754, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 1967, HD 2, SD 2:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1967, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2169, HD 2, SD 1:

Representative Chong moved that H.B. No. 2169, HD 2, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Choy rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a ruling on a potential conflict of interest. I'm a CPA. I'm a Certified Public Accountant," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 2169, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2374, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2374, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2454, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2454, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2574, HD 1, SD 1:

Representative Chong moved that H.B. No. 2574, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Awana 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 H.B. No. 2574, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

At 12:18 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 297, HD 1, SD 1
H.B. No. 626, SD 1
H.B. No. 1671, HD 2, SD 2
H.B. No. 1754, HD 1, SD 1
H.B. No. 1967, HD 2, SD 2
H.B. No. 2169, HD 2, SD 1
H.B. No. 2374, SD 1
H.B. No. 2454, HD 1, SD 1
H.B. No. 2574, HD 1, SD 1

SUSPENSION OF RULES

At this time, the Chair announced:

"Members, please note that the Chair has discharged the House Conferees previously appointed to H.B. No. 1524, HD1, SD2; H.B. No. 2296, HD1, SD1; H.B. No. 2429, HD1, SD1; and finally H.B. No. 2491, HD1, SD1."

"At this time, the House will now proceed to reconsider its disagreement to the Senate amendments made to certain House bills, including the aforementioned measures that were just stated."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representative Saiki was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representative Saiki was excused.)

H.B. No. 1524, HD 2, (SD 2)
H.B. No. 2242, HD 1, (SD 1)
H.B. No. 2264, HD 2, (SD 1)
H.B. No. 2266, HD 1, (SD 1)
H.B. No. 2273, (SD 1)
H.B. No. 2296, HD 1, (SD 1)
H.B. No. 2429, HD 1, (SD 1)
H.B. No. 2491, HD 1, (SD 1)

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker, I have two announcements. The first is, that on this Sunday, April 22nd, the I Love Kailua Town party will be held. And that's from 11:00 till 4:00. Live entertainment, food booths, crafts and plants. It is on the roadway area fronting Macy's.

"The second announcement is I would like to thank the Members for participating in our annual Hemp Aloha Friday. For those of you that wore hemp shirts or natural fiber shirts in honor of Earth Day, I thank you very much. Mr. Speaker, in 1999, the Legislature passed a bill establishing the Industrial Hemp Research Project. Governor Cayetano signed that into law. The research project took place over a three-year period, and was highly successful in identifying the strain, and the variety that would work best in Hawaii. The industrial hemp variety.

"The University of Hawaii at the same time did research out there, and discovered that hemp is one of the best crops to pull contaminants from the soil. So, in other words, when you have a Super Fund site, one of your best ways of cleaning that up is to plant industrial hemp.

"The former Kentucky State Treasurer has just commented in his leading sentence that, 'Smoking hemp can't get you high. It just might make you feel a little foolish that you tried.' And then he goes on with, 'More significantly, legalized industrial hemp production could emerge as a prolific cash crop that could bring hundreds of millions of dollars of revenue to Kentucky, and many billions of dollars to the United States.' He notes that, there are more than 25,000 uses for the crop, including rope, clothing, automotive paneling, door installation, and even makeup.

"More exciting to the former Kentucky State Treasurer, is hemp's application as a clean burning alternative fuel. He notes, 'Hemp burns with no carbon emissions, produces twice as much ethanol per acre as corn. And while bio-fuel critics have raised alarms at the diversion of food products into fuel production causing a recent spike in food prices, hemp has no such negative economic side effects. Moreover, hemp crops need no pesticides to flourish and their cultivation leaves the soil more enriched. Legalizing industrial hemp would provide a no risk, no victim, economic jackpot for the United States.' Then he notes, '70% of the Kentuckians, support the legalized use of industrial hemp.'

"Equally exciting, Mr. Speaker, is hemp as a building product. This is a legal product, produced in the United Kingdom and brought back by me, to Hawaii. This is a hemp and lime composite and they are building homes out of this in England. The homes are termite impervious. Termites don't like it. They just leave it alone, which would be wonderful for Hawaii. It's also a very insulating material. When your walls are built out of this industrial hemp, you don't need air conditioning, and the termites won't eat it. So, when you take a look at our ag land, Mr. Speaker, and you realize that we want in an active agricultural production, we also want to stimulate building. Both of these work together. And while Hawaii had its initial research project, I would like to see Hawaii move forward into full-grown agricultural production.

"Speaker Emeritus had an excellent bill to start that. I think that we have to look at industrial hemp as economic development. Those bills should not be referred to Public Safety. They don't have any business there. Pry some of this off, and try to smoke it. You'll just get diarrhea and a headache. This is not hallucinogenic, and the bills that are promoting industrial hemp need to be put into Economic Development and Agriculture. People in this Body need to realize, this is Hawaii's future, its green future. Happy Earth Day."

Representative Ching: "Thank you, Mr. Speaker. Just an announcement. The Kam Lions will be doing their Earth Day project at the Palama Settlement, planting flowers there. I'll be there."

"And it is, starting tomorrow, National Park Week. National Park Week was started by President Theodore Roosevelt in 1906 and it is why he is considered the greatest preservationist President of all Presidents. It started with Yellowstone. It's also to conserve the scenery, the national and historic objects, and wildlife to give everlasting breath to a step back from the hustle and bustle of life. And it is also accessible for everyone, unlike expensive parks and cruises that at the time charged money."

"It was to defend against encroaching pollution and it says, 'Theodore Roosevelt said it's important we value the prosperity of our National Parks. Not just for the enjoyment of posterity, but for land, water animals that we aim to maintain symbiotic relationships with. The National Park shall be forever the fountain of youth for Mother Nature in our aging and expanding world.'"

"Our National Parks here in Hawaii are Haleakala, obviously, Hawaii Volcanoes on the Big Island, Kalaupapa on Maui, Kaloko Honokohau National Historical Park, Pu'uuhonua o Haunau Hōnaunau, and of course, Pu'ukohola Heiau on the Big Island and the Pearl Harbor. It's National Park Week, starting tomorrow. Thank you."

Representative Hanohano, for the Committee on Hawaiian Affairs and the Committee on Culture and the Arts requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making today, Friday, April 20th at 3:25 o'clock p.m. in Room 329," and the Chair "so ordered."

Representative C. Lee: "Lastly, Mr. Speaker, I'd be remiss if I didn't stand up and share this. On behalf of my fellow colleague from Kailua, I was at the new Whole Foods opening a couple days ago, and in one of the cereal bins I look down, and it's hemp cereal. It looks just like, I'm told, it looks just like oregano, Mr. Speaker. But you can consume it all you like, without even having to light up. Thank you, very much."

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Monday, April 23, 2012. (Representatives Belatti and Saiki were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2703, Tsuji/Oshiro, Co-Chrs.;
HD 2, SD 2 Riviere

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 70, Cabanilla/Mizuno/Kawakami, Co-Chrs.;
HD 2, SD 1 Pine

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 596, Yamane/Nishimoto/Morikawa, Co-Chrs.;
SD 2, HD 1 Nakashima, Saiki, Pine

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2319, Added Representative Yamashita as a member.
HD 2, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 1524, Discharged all conferees.
HD 2, SD 2

H.B. No. 2296, Discharged all conferees.
HD 1, SD 1

H.B. No. 2429, Discharged all conferees.
HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2491, Discharged all conferees.
HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 1524, HD 2, SD 2
H.B. No. 2242, HD 1, SD 1
H.B. No. 2264, HD 2, SD 1
H.B. No. 2266, HD 1, SD 1
H.B. No. 2273, SD 1
H.B. No. 2296, HD 1, SD 1
H.B. No. 2491, HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 27, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2429, HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 297, HD 1, SD 1

H.B. No. 626, SD 1
H.B. No. 1671, HD 2, SD 2
H.B. No. 1754, HD 1, SD 1
H.B. No. 1967, HD 2, SD 2
H.B. No. 2169, HD 2, SD 1
H.B. No. 2374, SD 1
H.B. No. 2454, HD 1, SD 1
H.B. No. 2574, HD 1, SD 1

"April 20, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie,

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of a proposed constitutional amendment, as agreed upon by the appointed conference managers on the part of the House and the Senate on this date, to be included in the final conference draft of the following bill:

H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1 entitled:

"PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12,
OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND
RESERVOIR OWNERS."

A copy of the proposed constitutional amendment in its final form is attached hereto.

Respectfully,
/s/ CJ Leong
CJ Leong
Chief Clerk

Enclosures

cc: Carol Taniguchi, Senate Chief Clerk
Scott Nago, Chief Election Officer"

FIFTH-FOURTH DAY

Monday, April 23, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:37 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Miss Emma Belatti, daughter of Representative Belatti, after which the Roll was called showing all Members present with the exception of Representatives Marumoto, Oshiro and Wooley, who were excused.

At 11:40 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:07 o'clock p.m.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 239 through 241) were received and announced by the Clerk:

Gov. Msg. No. 239, dated April 20, 2012, submitting a proposed conference draft for H.B. No. 2495 to fund the supplemental agreement concerning Bargaining Units 2, 3, 4 and 8:

	<u>FY 12</u>	<u>FY 13</u>	<u>Biennium</u>
<u>Salaries and Fringe</u>			
General	\$ 69,544	\$ 73,718	\$ 143,262
Other	1,264	1,346	2,610
Total	\$ 70,808	\$ 75,064	\$ 145,872
<u>EUTF</u>			
General		\$ 788,079	\$ 788,079

Gov. Msg. No. 240, dated April 20, 2012, submitting a proposed conference draft for S.B. No. 2323 to fund the supplemental agreement concerning Bargaining Units 2, 3, 4, 6 and 13:

	<u>FY 12</u>	<u>FY 13</u>	<u>Biennium</u>
<u>Salaries and Fringe</u>			
General	\$ 589,194	\$ 622,760	\$ 1,211,954
Other	118,283	126,682	244,965
Total	\$ 707,477	\$ 749,442	\$ 1,456,919
<u>EUTF</u>			
General		\$ 255,744	\$ 255,744

Gov. Msg. No. 241, dated April 20, 2012, submitting a proposed conference draft for S.B. No. 2324 to fund the supplemental agreement concerning Bargaining Units 2, 3, 4 and 13:

	<u>FY 12</u>	<u>FY 13</u>	<u>Biennium</u>
<u>Salaries and Fringe</u>			
General	\$ 2,442,060	\$ 2,657,201	\$ 5,099,261
Other	12,407,007	13,291,394	25,698,401
Total	\$14,849,067	\$15,948,595	\$30,797,662
<u>EUTF</u>			
General		\$ 5,157,835	\$ 5,157,835

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 769 through 784) were received and announced by the Clerk:

Sen. Com. No. 769, dated April 20, 2012, informing the House that the Senate has on April 19, 2012, reconsidered its action taken on April 19,

2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2412, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS."

Sen. Com. No. 770, dated April 20, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 2338, Senator Kim added as Co-Chair.
HD 2, SD 1

S.B. No. 1065, Senator Kim added as Co-Chair and Senator Kouchi
SD 1, HD 1 added as conferee.

Sen. Com. No. 771, transmitting H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 772, transmitting H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 773, transmitting H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 774, transmitting H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 775, transmitting H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 776, transmitting H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAAINA PLACE, WAIMANALO, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 777, transmitting H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 778, transmitting H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 779, transmitting H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 780, transmitting H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION

OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 781, transmitting H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 782, transmitting H.C.R. No. 143, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 783, transmitting S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RETURN SENATE BILL NO. 650, H.D. 1, TO THE SENATE TO RECONSIDER ACTION TAKEN," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 784, dated April 20, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 2927, SD 2, HD 1	Senator Ihara discharged as conferee and Senator Kouchi added as conferee.
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S.B. No. 2967, SD 2, HD 1	Senator Kim added as Co-Chair and Senator Kouchi added as conferee.
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On motion by Representative Chong, seconded by Representative Evans and carried, S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RETURN SENATE BILL NO. 650, H.D. 1, TO THE SENATE TO RECONSIDER ACTION TAKEN," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 80) was received by the Clerk and was placed on file:

Dept. Com. No. 80, dated April 19, 2012, from Hermina Morita, Chair, Public Utilities Commission, transmitting a report pursuant to HRS 269-16(d), on Docket No. 2009-0164, Hawaii Electric Light Company, Inc. – Application for Approval of a General Rate Increase and Other Related Matters.

At 12:09 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representatives Marumoto, Oshiro and Tokioka were excused.)

UNFINISHED BUSINESS

Representative Chong moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Marumoto, Oshiro and Tokioka were excused.)

H.B. No. 2656, HD 2, (SD 2)

H.B. No. 2656, HD 2, SD 2:

Representative Chong moved that H.B. No. 2656, HD 2, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Coffman rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Coffman's written remarks are as follows:

"The intent of HB2656 is to provide a date certain that three in-state crematoriums, that have been exempt from air permits since they were in operation before March 20, 1972, begin the process of obtaining air permits. Several Representatives expressed concern that the crematoriums had to be in compliance with all regulatory requirements by the application deadline. This issue created unfounded concerns that the crematoriums could or would be shut down on the application deadline of December 31, 2013.

"Based upon an email response from Nolan Hirai, Acting Program Manager Clean Air Branch, the required deadline of December 31, 2013 specified in HB2656, SD2, is the date when a permit application is required to be submitted to the Department of Health. There are no changes in compliance standards to be dealt with by the affected crematoriums before submitting a permit application. Although the additional requirements will only be determined after completing the permit review process, they may consist of primarily monitoring, recordkeeping and reporting provisions. There are no anticipated major physical changes to the facilities, assuming they are currently abiding by the standards that apply to them. The Department will work closely with the facility to make sure they can comply with their requirements without placing undue hardship on the facility. Upon issuance of an air permit, additional requirements in the form of permit conditions will become applicable to the facility.

"In telephone conversations, the Department of Health Clean Air Branch has stated that there would only be an operational problem with any crematorium if the facility were not actively working to resolve any non-compliance issues. Based upon these comments, any action to replace an existing crematorium with a new facility in order to become compliant with the requirements of an air permit would indicate action and allow operations of the older facility to continue until replaced by the new facility within a reasonable (several years) time frame."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you, Mr. Speaker. I know there's been some discussion over the past couple of days and I appreciate the extra day that we had, from Friday to today. I made a request to you, Mr. Speaker, and Leadership, to give us one more day, I think there's some misunderstanding regarding what this bill and what it will do as it relates to the cemetery, the Oahu Cemetery Association, OCA, in Nuuanu.

"The fact is, Mr. Speaker, this bill, according to their attorney, if implemented, will put them out of business. The December 31, 2013 date, in the bill on page 1, section 2, requires them to submit a permit. And as we all know, this crematory has been in existence for more than 100 years. This permit will be on the current facility, Mr. Speaker, and we all know, everybody knows, without a doubt, that they are not in compliance. I think reasonable minds will look at this and recommend, if given some

additional time, that we should take a look at a dropping of the grandfather provision, put in force through federal and State laws for crematoriums constructed prior to March 20th, 1972. I think that's the better solution to this situation.

"We recognize the concern of the community, but I do believe, and support OCA's commitment to addressing the concerns. They want to build. They want to rebuild the crematoriums to be in compliance with the Clean Air Act. They also want to comply with the concerns or address the concerns of the community. But this bill, Mr. Speaker, in its current form will not do that. It will not give them the opportunity. It will shut them down. And that will be a public health crisis for this State, because as you know, Mr. Speaker, this is the only crematorium in the State that can cremate remains of people, 300 pounds and over.

"So again, I publicly request an extra day, so that we can address this. But if not, I urge the Governor to veto this measure. Thank you, Mr. Speaker."

Representative Ching rose, stating:

"Thank you, Mr. Speaker. Actually I know that my Community is divided on that. I was going to explain that in written comments. But at this time, I'd like to change my vote to a no vote, with written comments. And I ask that the words of Representative from Pearl City be entered as my own," and the Chair "so ordered." (By reference only.)

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Clearly, H.B. 2656 was composed with the best intentions to monitor environmental hazards, and as a longtime environmental advocate and member of relevant House Committees, I do not readily dismiss such concerns. Let me then explain my reasons for voting against this bill. This bill requires all crematoriums operating without air pollution control permits and that were constructed prior to March 20, 1972, to submit permit applications to the Department of Health by December 31, 2013.

"My concerns surround the ability of Oahu Cemetery Association, a nonprofit organization, to maintain the irreplaceable services offered by Oahu Cemetery: one of Hawaii's gems on the National Registry of Historic Places. Three crematory units operating within Oahu Cemetery are over one hundred years old, and the State's only crematory facilities able to accommodate deceased persons exceeding three hundred pounds in weight. About one-third of the two hundred cremations performed at Oahu Cemetery each month are for such large bodies that would not have qualified for cremation elsewhere.

"Advocates for H.B. 2656 claim that it merely calls for permit applications to be submitted by 2013, and does not demand that final air quality standards be already met. Nonetheless, such applications will very likely include checklists for basic requirements, and if Oahu Cemetery cannot check off all necessary items they may not be permitted to operate for a significant number of years. If shut down, three of Oahu's seven crematoriums – almost half of the island's total crematory capacity – will be lost. To quote my colleague, Representative Mark Takai, "we cannot afford to let these guys go out of business. It will be a public health crisis."

"Oahu Cemetery Association is now actively pursuing construction and installation of new crematory units, which will allow it to meet clean air standards. Efforts are expected to be complete no later than 2018, but that leaves many years in jeopardy of H.B. 2656 and its red tape. As Clifford Hosoi, President of a local mortuary for the last 35 years and son of his predecessor, explains, "If Oahu Cemetery is shut down for any length of time it is uncertain whether the other crematory operators can efficiently absorb the increased cremations." Oahu Cemetery, he catalogues, holds many invaluable attributes: its crematorium is centrally located within the cemetery grounds, and its accessibility controls transportation costs; it offers special services upon request, such as peace of mind and witness cremations; it maintains a beautiful, well-funded cemetery for plot holders and families with members interred there; it keeps services affordable; it

accommodates turnaround times to bereavement schedules; it remains dependable when other vendors need to repair their crematoriums.

"Cremation is commonly deemed ecologically superior to body burial. I agree with the advocates of H.B. 2656 that proper repairs to antiquated crematory facilities will ultimately benefit all. However, without enough time, immediate and chronic public health hazards far worse than any we experience now will afflict us without the necessary services offered by Oahu Cemetery. Thank you."

Representative Giugni rose in opposition to the measure and asked that the remarks of Representative Takai be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Har rose in opposition to the measure and asked that the remarks of Representative Takai be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana rose in opposition to the measure and asked that the remarks of Representative Takai be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Takai rose, stating:

"Thank you, Mr. Speaker. I just wanted to insert into the record, an email that we received today at 12:06 from Nanette Napoleon, the Trustee, and Hal Lewis Jr., Superintendent of the Oahu Cemetery Association, into the record."

Representative Takai submitted the following email:

"From: Middendorf, Bernadette [bjm@torkildson.com]
Sent: Monday, April 23, 2012 12:06 PM
To: All Reps
Cc: Hetherington, J. George
Subject: HB 2656 HD2 SD2 Dear Representative,

This e-mail requests an amendment to HB 2656 HD2 SD2, extending the deadline by which all crematoriums constructed prior to March 20, 1972 must submit permit applications to the Department of Health ("DOH") until December 31, 2018.

Oahu Cemetery Association ("OCA") is a Hawaii non-profit corporation that owns and operates Oahu Cemetery. OCA operates three crematory units all of which are more than 100 years old. OCA is actively pursuing construction and installation of new crematory units, which will make OCA's compliance with clean air standards technically feasible. OCA expects to complete this effort by no later than the end of 2018. OCA opposes HB 2656 HD2 SD2 **only because the December 31, 2013 deadline does not provide enough time for OCA to replace our existing crematoriums and comply with permit requirements.**

Proponents of HB 2656 HD2 SD2 contend that this bill will have no real effect on the operation of OCA's crematoriums because it requires only that OCA submit an application for an air pollution control permit no later than December 31, 2013. However, the permit process, as described in Hawaii Revised Statutes Chapter 342B and Hawaii Administrative Rules Chapter 11.60.1, is ambiguous as to whether OCA's three 100-year old crematoriums could meet the necessary standards and approvals to obtain a permit. Although OCA has initiated communications with the DOH, we have not yet received any guidance about the permitting process. If the permits are submitted prior to December 31, 2013, we anticipate that OCA's crematoriums will be unable to comply with the existing air quality standards. Accordingly, the permits will be denied, and three of Oahu's seven crematoriums – almost one-half of the island's total crematory capacity – will be closed sometime in 2014.

HB 2656 HD2 SD2 needs to be amended to provide OCA time to complete the replacement process. The practical consequence of the passage of HB 2656 HD2 SD2 in its current form will likely be that OCA's three crematoriums will close in 2014 and its services to John A. Burns School of Medicine and the four mortuaries that lack crematory

facilities of their own will cease. At current levels of cremation, Oahu's four remaining crematories are unlikely to have the capacity to satisfy the Oahu residents' demand for cremation services. OCA now performs about 200 cremations each month. About 30% of those cremations are for large bodies weighing more than 300 pounds, which cannot be accommodated by Oahu's remaining crematories. Upon the closure of OCA's crematories there will be **no** facility on Oahu that will provide cremation services for such large bodies. Such an outcome would have an obvious, devastating impact on countless Oahu families and could result in a public backlash against this bill.

OCA understands the concerns of the community and is committed to operating a clean and efficient crematory. As we proceed with our plans to replace and upgrade the crematory units, we have implemented new operating and training procedures to reduce emissions as much as possible. OCA has cooperated, and will continue to cooperate, with the Clean Air Branch in its effort to maintain optimal air quality. As requested, we have submitted monthly cremation logs and reported each cremation of a large body to the Clean Air Branch. When the Clean Air Branch conducts inspections and takes opacity readings at our facilities, we make sure we have an active cremation in progress for them to observe and inspect. To date, we have not had been cited for any violation or assessed any penalty for noncompliance with regulations administered by the Clean Air Branch.

OCA understands and agrees with the purpose of this measure. It requests an amendment extending the deadline for submission of a permit application to December 31, 2018 to allow us adequate time to replace our crematory units prior to implementation of the requirement for a permit application, thereby ensuring that sufficient crematory facilities are available to meet the needs of all Oahu residents while the new units are being constructed. Please feel free to contact us if you should have any questions. Thank you for your consideration of this matter.

Sincerely Yours,

Nanette Napoleon, Trustee
Hal Lewis, Jr., Superintendent

Oahu Cemetery Association
2162 Nuuanu Avenue
Honolulu, Hawaii 96817
(808) 538-1538"

The motion was put to vote by the Chair and carried, and H.B. No. 2656, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," passed Final Reading by a vote of 42 ayes to 6 noes, with Representatives Awana, Ching, Giugni, Har, Morikawa and Takai voting no, and with Representatives Marumoto, Oshiro and Tokioka being excused.

At 12:16 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2656, HD 2, SD 2

REPORTS OF STANDING COMMITTEES

Representatives Awana and Coffman, for the Committee on International Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1793-12) recommending that S.C.R. No. 73, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committees be adopted, and that S.C.R. No. 73, HD 1, be adopted, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, may I just please note my strong support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 73, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1794-12) recommending that S.C.R. No. 137, SD 1, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 137, SD 1, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, a brief note in support. Mr. Speaker, aerospace is an up and coming industry. It's moving from the public sector as NASA privatizes. And as we all know, NASA is in love with the Big Island, the Lunar Research Park. And this now, relationship with Alaska. Alaska will make good partners.

"I was honored to be with the Lt. Governor in your office when this was conceived and hopefully, this will lead to something great, like the Stevens-Inouye and other partnerships that we can have at the legislative level for the future economies of both states. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 137, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF AEROSPACE DEVELOPMENT TO DEVELOP AND PROMOTE A PARTNERSHIP IN AEROSPACE WITH THE STATE OF ALASKA TO EXPAND AND DIVERSIFY BOTH STATES' ECONOMIES AND THE UNITED STATES SPACE PROGRAM," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representatives Hanohano and Wooley, for the Committee on Hawaiian Affairs and the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1795-12) recommending that S.C.R. No. 109, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.C.R. No. 109, SD 1, entitled: "SENATE CONCURRENT RESOLUTION HONORING UNITED STATES PRESIDENT GROVER CLEVELAND FOR HIS SUPPORT OF THE HAWAIIAN MONARCHY AND EFFORTS TO PRESERVE THE HAWAIIAN KINGDOM, BY REQUESTING THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, COUNTY OF KAUAI, AND COUNTY OF HAWAII TO NAME A STATE OR COUNTY PROPERTY IN HIS NAME, AND REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO COMMISSION, PURCHASE, OR PARTNER WITH ANOTHER ENTITY TO CREATE OR OBTAIN A WORK OF ART, WHETHER VISUAL OR LITERARY, IN HIS NAME," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1796-12) recommending that S.C.R. No. 63, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 63, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT OF THE KAHŌ'OLAWĒ REHABILITATION TRUST FUND," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1797-12) recommending that S.C.R. No. 87, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 87, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ENGLISH AS A SECOND LANGUAGE INSTRUCTION AND ACTIVITIES AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1798-12) recommending that S.C.R. No. 40, SD 1, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 40, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RENAMING OF AND THE EXTENSION OF THE PROMPT PAYMENT TASK FORCE TO DEVELOP RECOMMENDATIONS TO ADDRESS ISSUES THAT AFFECT PROCUREMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, INCLUDING HUMAN SERVICE NONPROFIT ORGANIZATIONS THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES, COMMUNITIES, AND OTHER SMALL BUSINESSES," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1799-12) recommending that S.C.R. No. 49, SD 1, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 49, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO STATEWIDE," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1800-12), recommending that S.C.R. No. 155, SD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 155, SD 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:

"Thank you. Mr. Speaker, I'm rising in support, but with reservations, and I'd like to explain why. My concern is that the Resolution is requesting, or urging the Kahoolawe Island Reserve Commission to require each, and I want to stress each, stewardship program conducting activities on Kahoolawe to obtain liability and property damage insurance.

"The difficulty will be, that this will prevent a lot of the smaller groups from being able to go out. Individual insurance policies, particularly, when they're going to cover the youth that travel to the island can be very expensive. I think there's a better way to do this, to make sure that there is insurance coverage, but not requiring each of the different stewardship programs to get their own policy. That's going to prevent a lot of young people from being able to reach the island and learn about their heritage and the cultural significance of Kahoolawe. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, also with reservations, and a couple of comments. Mr. Speaker, I too concur that we should keep as many visitors, encourage to visit and to participate in the rebuilding and the enjoyment of Kahoolawe. I know when we had the opportunity to go to the Island of Niihau, we didn't have to have insurance. So to have insurance, it looks like it's getting too formal, too restrictive. And Mr. Speaker, I'm sure when Pat Saiki had elder Bush, President Bush, stop the bombing of this, the intent was not to put up a gate of taxation, insurance, or other things, but to have the great and full enjoyment of that Island by as many people as possible. Thank you."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her 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 Committee was adopted and S.C.R. No. 155, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE KAHO'OLAWA ISLAND RESERVE COMMISSION TO REQUIRE EACH STEWARDSHIP PROGRAM CONDUCTING ACTIVITIES ON THE KAHO'OLAWA ISLAND RESERVE TO OBTAIN LIABILITY AND PROPERTY DAMAGE INSURANCE AND LIST THE STATE AS AN ADDITIONAL INSURED," was referred to the Committee on Finance, with Representatives Marumoto, Oshiro and Tokioka being excused.

REPORTS OF CONFERENCE COMMITTEES

At this time, the Chair announced:

"Members, please note the 10-day notice for H.B. No. 2594, HD2, SD1, CD1, as required by the Hawaii State Constitution for any constitutional amendments.

"Notice of the final form of the amendment was given to the Governor on April 20th, 2012. The House and Senate will address this measure for Final Reading on May 1st.

"Also Members, please note, Conf. Com. Rep. No. 27-12 for the 48 hour notice, which is the statutory language."

Representatives Chang, Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2594, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 26-12) recommending that H.B. No. 2594, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article XVII, Section 3, of the Constitution of the State of Hawaii, consideration of Conf. Com. Rep. No. 26-12 and H.B. No. 2594, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," was deferred to May 1, 2012.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2595, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 27-12) recommending that H.B. No. 2595, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27-12 and H.B. No. 2595, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," was deferred for a period of 48 hours.

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans

and carried: (Representatives Marumoto, Oshiro and Tokioka were excused.)

H.B. No. 1524, HD 2, (SD 2)
H.B. No. 2242, HD 1, (SD 1)
H.B. No. 2264, HD 2, (SD 1)
H.B. No. 2266, HD 1, (SD 1)
H.B. No. 2273, (SD 1)
H.B. No. 2296, HD 1, (SD 1)
H.B. No. 2429, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 2242, HD 1, SD 1, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measure to the Floor for final disposition.

H.B. No. 1524, HD 2, SD 2:

Representative Chong moved that H.B. No. 1524, HD 2, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 1524 HD2 SD2 which would not only establish clear criminal penalties for agricultural theft, but provide restitution to victims of this crime. Based on requests from a number of constituents on the Windward side of Oahu, I introduced the first plant theft bill, HB 12, last year. Although HB 12 was deferred in Committee, it was combined with HB 1524 HD1, as an HD2, which requires "those convicted of theft in the First, Second, Third or Fourth degree of an agricultural product or commodity to pay restitution to the victim, in an amount equal to the value of what was stolen and the cost of replanting". Unfortunately last Session, HB 1524 was passed by the House and stalled in the Senate.

"During the interim, I met with a Windward Resident Task Force who worked hard to educate key legislators on the devastating impact agricultural theft has had on our farming communities. Millions of dollars, not to mention man-hours, have been lost due to agricultural theft. We were pleased to have concerned legislators visit Waimanalo farmers and speak directly with them about how theft has affected their businesses. The decision to keep HB 1524 HD2 moving this Session through the legislative process was applauded by many, including these small businesses that survive on very tight profit margins.

"Beginning as HB 12, and ending as HB 1524 HD2 SD2, plant theft legislation has travelled a challenging road. Passage of this bill will mean so much for so many. Stronger laws that protect our constituents from vandalism and theft will send out a strong message that violence and crime will not be tolerated in our islands. This bill is needed and necessary. Thank you for voting yes on HB 1524 HD2 SD2."

The motion was put to vote by the Chair and carried, and H.B. No. 1524, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2242, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2242, HD 1, on the following showing of Ayes and Noes:

Ayes, 5 (Herkes, Choy, Hashem, Tsuji and Marumoto). Noes, none. Excused, none.

Representative Chong moved that H.B. No. 2242, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 2242, HD1 SD1 which would establish 20-hour continuing education requirements for veterinarians seeking to renew their Hawaii licenses. Almost every state has some type of requirement to insure that licensed veterinarians keep current with the latest in research, prescription medications, medical procedures and animal health concerns. Hawaii does not.

"Last year, after meeting and talking with several veterinarians, as well as the Hawaii Veterinary Medical Association, I introduced HB 13 which established requirements for 45 hours of continuing education credits for veterinarians. The average number of hours most states require is 40. Although HB 13 did not make it through the legislative process, I was pleased to see that the substance of this bill was incorporated into HB 2242 this Session. Most professional licensees have continuing education requirements, which is especially important in the medical fields where treatment options can change on an almost daily basis. I know Hawaii's veterinarians join me in thanking you for voting yes on HB 2242, HD1 SD1."

The motion was put to vote by the Chair and carried, and H.B. No. 2242, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2264, HD 2, SD 1:

Representative Chong moved that H.B. No. 2264, HD 2, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against the bill, and I will be voting no on this measure. Mr. Speaker, it's a difficult no vote, but I am thinking about the companies that are struggling so hard to still stay in business. A year or so ago, we reduced the UI rates, and then at the same time the benefits had been increased to about 70%, I believe is the present number at this point. Now for certain sectors that are having the most difficulty, we're going to be increasing the UI rates again.

"My feeling is that, what we should do at this point in time with our economy still really in a recession, is just hold the line. Not do anything. Instead this bill singles out the sectors that are having the most difficulty and it increases their cost. I don't see how that is going to keep those sectors in business, and I don't see how it will keep employees employed.

"So this very measure could be the death nail for some of the employees in these sectors. I don't want to do that. Thank you."

Representative Johanson 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 Johanson's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations on HB 2264 regarding the unemployment insurance contribution schedule and employment security. I am supporting this measure because I do believe it is important to take steps to make sure the Unemployment Insurance Fund is solvent. This Fund is an important one and we need to ensure its stability so that those individuals who face unemployment still have some cushion to weather difficult economic times.

"My concerns, however, revolve around potentially exacerbating the burden placed on struggling businesses. Under this measure, those businesses who may have to lay off people to remain afloat would be asked to pay more. Although understandable, this proposed change may continue to add to their financial burdens and ultimately drive some struggling small businesses out of business. In this case, more workers will lose their jobs. It is for these reasons, I am supporting this measure with reservations."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"I rise to stand in support of House Bill 2264, HD2, SD1. The purpose of this bill is to increase employer contribution rates to the State Unemployment Compensation Fund, which has become precariously low due to the State's slow economic recovery.

"I want to point out, Mr. Speaker, that the bill also does something very important by raising the percentage cap for the employers who fall into the range of the highest number of claims. Over the past four years, our unemployment claims have risen dramatically due to the economic downturn, yet those employers who have experienced more claims against their account do not have to pay more once they reach the cap.

"The intent of the law is to create a schedule in which the payment of contributions closely reflects the actual experience of employers regarding the benefits charged to their account. Consequently, the formula should be adjusted from time to time to determine the proper contribution rates, based on this actual experience.

"This is what HB 2264 accomplishes. According to information received from the Department of Labor and Industrial Relations, capping the contribution rate at 5.4% does not accurately reflect the experience of employers at the high end of the schedule. The high end employers are paying less than they should, based on the amount of claims against their account, and the middle range employers are ultimately contributing a greater percentage to the Unemployment Fund. By raising the standard contribution rate and cap at the higher end of the schedule, with the maximum at 6.6%, the contributions are more fairly calculated.

"HB 2264 is in line with the original intent of the law, and proposes a formula that is fair and based on actual experience."

The motion was put to vote by the Chair and carried, and H.B. No. 2264, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Ching and Thielen voting no, and with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2266, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2266, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2273, SD 1:

Representative Chong moved that H.B. No. 2273, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, on HB 2273, SD1, I'm in strong support."

The motion was put to vote by the Chair and carried, and H.B. No. 2273, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2296, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2296, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE," passed Final Reading by a vote of 46 ayes to 1 no, with Representative Har voting no, and with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2429, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2429, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

At 12:27 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1524, HD 2, SD 2
H.B. No. 2242, HD 1, SD 1
H.B. No. 2264, HD 2, SD 1
H.B. No. 2266, HD 1, SD 1
H.B. No. 2273, SD 1
H.B. No. 2296, HD 1, SD 1
H.B. No. 2429, HD 1, SD 1

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

H.B. No. 1695, (SD 1)
H.B. No. 1764, HD 1, (SD 1)
H.B. No. 2295, HD 1, (SD 2)
H.B. No. 2584, HD 1, (SD 1)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Chong moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried: (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

H.C.R. No. 12 (SD 1)
H.C.R. No. 143, (SD 1)
H.C.R. No. 150, (SD 1)

H.C.R. No. 12, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 12, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FOURTH WEEK OF JANUARY OF EVERY YEAR AS "REPRODUCTIVE RIGHTS AWARENESS WEEK," TO ENCOURAGE PUBLIC AWARENESS, CONVERSATION, AND SUPPORT FOR REPRODUCTIVE RIGHTS AWARENESS," was Adopted, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.C.R. No. 143, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 143, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," was Adopted, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.C.R. No. 150, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 150, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," was Adopted, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

H.B. No. Re-referred to:

101, HD2, SD2	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
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ADJOURNMENT

At 12:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 24, 2012. (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

HOUSE COMMUNICATIONS

"April 20, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie,

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form

of a proposed constitutional amendment, as agreed upon by the appointed conference managers on the part of the House and the Senate on this date, to be included in the final conference draft of the following bill:

H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1 entitled:

"PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS."

A copy of the proposed constitutional amendment in its final form is attached hereto.

Respectfully,
/s/ CJ Leong
CJ Leong
Chief Clerk

Enclosures

cc: Carol Taniguchi, Senate Chief Clerk
Scott Nago, Chief Election Officer"

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2495, HD 1, SD 1	Rhoads/Oshiro, Co-Chrs.; Ward
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House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2290, HD 1, SD 2	Mizuno/Jordan, Co-Chrs.; Pine
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House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 2323, SD 1, HD 1	Rhoads/Oshiro, Co-Chrs.; Ward
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S.B. No. 2324, SD 1, HD 1	Rhoads/Oshiro, Co-Chrs.; Ward
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House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 46, HD 2, SD 2	Discharged all conferees.
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House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 28, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2584, HD 1, SD 1

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and

Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 1695, SD 1

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 1764, HD 1, SD 1

H.B. No. 2295, HD 1, SD 2

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 1524, HD 2, SD 2

H.B. No. 2242, HD 1, SD 1

H.B. No. 2264, HD 2, SD 1

H.B. No. 2266, HD 1, SD 1

H.B. No. 2273, SD 1

H.B. No. 2296, HD 1, SD 1

H.B. No. 2429, HD 1, SD 1

H.B. No. 2656, HD 2, SD 2

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 12 SD 1

H.C.R. No. 143, SD 1

H.C.R. No. 150, SD 1

FIFTY-FIFTH DAY

Tuesday, April 24, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:37 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Tom Brower, after which the Roll was called showing all Members present with the exception of Representatives Ching, Oshiro, Say and Tokioka, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fourth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1130 through 1157) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1130, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 1964, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 030)

Gov. Msg. No. 1131, informing the House that on April 20, 2012, the following bill was signed into law:

S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS." (ACT 031)

Gov. Msg. No. 1132, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE." (ACT 032)

Gov. Msg. No. 1133, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9." (ACT 033)

Gov. Msg. No. 1134, informing the House that on April 20, 2012, the following bill was signed into law:

S.B. No. 3029, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE." (ACT 034)

Gov. Msg. No. 1135, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2441, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT." (ACT 035)

Gov. Msg. No. 1136, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." (ACT 036)

Gov. Msg. No. 1137, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO CONVERSIONS BY NONPROFIT CORPORATIONS." (ACT 037)

Gov. Msg. No. 1138, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." (ACT 038)

Gov. Msg. No. 1139, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR COMMUNITY SERVICES." (ACT 039)

Gov. Msg. No. 1140, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2547, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES." (ACT 040)

Gov. Msg. No. 1141, informing the House that on April 20, 2012, the following bill was signed into law:

H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS." (ACT 041)

Gov. Msg. No. 1142, informing the House that on April 20, 2012, the following bill was signed into law:

S.B. No. 2229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS." (ACT 042)

Gov. Msg. No. 1143, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2628, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE." (ACT 043)

Gov. Msg. No. 1144, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 1698, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS." (ACT 044)

Gov. Msg. No. 1145, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRETAX TRANSPORTATION BENEFIT." (ACT 045)

Gov. Msg. No. 1146, informing the House that on April 23, 2012, the following bill was signed into law:

S.B. No. 2337, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 046)

Gov. Msg. No. 1147, informing the House that on April 23, 2012, the following bill was signed into law:

S.B. No. 2874, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE." (ACT 047)

Gov. Msg. No. 1148, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 1744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION." (ACT 048)

Gov. Msg. No. 1149, informing the House that on April 23, 2012, the following bill was signed into law:

S.B. No. 2671, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING." (ACT 049)

Gov. Msg. No. 1150, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2602, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE." (ACT 050)

Gov. Msg. No. 1151, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE REPORTS." (ACT 051)

Gov. Msg. No. 1152, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2508, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES." (ACT 052)

Gov. Msg. No. 1153, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING." (ACT 053)

Gov. Msg. No. 1154, informing the House that on April 23, 2012, the following bill was signed into law:

S.B. No. 2759, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES." (ACT 054)

Gov. Msg. No. 1155, informing the House that on April 23, 2012, the following bill was signed into law:

S.B. No. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES." (ACT 055)

Gov. Msg. No. 1156, informing the House that on April 23, 2012, the following bill was signed into law:

H.B. No. 2591, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS." (ACT 056)

Gov. Msg. No. 1157, informing the House that on April 23, 2012, the following bill was signed into law:

S.B. No. 2850, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS." (ACT 057)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 785 through 797) were received and announced by the Clerk:

Sen. Com. No. 785, transmitting H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 786, transmitting H.C.R. No. 9, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING

HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 787, transmitting H.C.R. No. 50, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF COMMEMORATIVE PLAQUES DESIGNATING THE FORMER SITES OF THE KOREAN CHRISTIAN INSTITUTE," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 788, transmitting H.C.R. No. 51, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 789, transmitting H.C.R. No. 58, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY STRATEGIES IN THE INTEGRATED RESOURCE PLANNING PROCESS," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 790, transmitting H.C.R. No. 92, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO CREATE AND ADOPT AN APPROPRIATE FLAG HONORING VETERANS," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 791, transmitting H.C.R. No. 118, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 792, transmitting H.C.R. No. 169, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 793, transmitting H.C.R. No. 177, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 794, transmitting H.C.R. No. 178, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF STATE EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," which was adopted by the Senate on April 23, 2012.

Sen. Com. No. 795, dated April 23, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 108, Hee, Chair; Kim, Co-Chair; Espero
HD 1, SD 2

H.B. No. 1033, Gabbard, Chair; Baker/Ige, Co-Chairs; Kidani,
HD 1, SD 2 Kouchi

H.B. No. 2121, Gabbard, Chair; Baker/Ige, Co-Chairs; Kouchi,
HD 2, SD 1 Slom

- H.B. No. 2328, Ige, Chair; Fukunaga, Kidani, Slom
HD 1, SD 1
- H.B. No. 2529, Galuteria, Chair; Espero/Kidani, Co-Chairs
HD 1, SD 1
- H.B. No. 2681, Espero, Chair; Dela Cruz, Co-Chair; Ryan, Slom
HD 1, SD 1

Sen. Com. No. 796, dated April 23, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

- H.B. No. 1875, Senator Galuteria discharged as conferee and
HD 2, SD 2 Senator Ihara added as conferee.

Sen. Com. No. 797, dated April 23, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

- S.B. No. 2235, Fukunaga, Chair; Ige/Baker, Co-Chairs; Slom
SD 2, HD 2
- S.B. No. 2288, Gabbard, Chair; Espero/Ige, Co-Chairs; Kouchi
SD 1, HD 1
- S.B. No. 2402, Wakai, Chair; Gabbard/Espero, Co-Chairs
SD 1, HD 1
- S.B. No. 2568, Chun Oakland, Chair; Espero, Co-Chair; Ihara,
HD 2 Slom
- S.B. No. 3002, Baker, Chair; Hee, Co-Chair; Slom
SD 2, HD 1

ORDER OF THE DAY

UNFINISHED BUSINESS

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

REPORTS OF STANDING COMMITTEES

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1801-12) recommending that S.C.R. No. 90, SD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 90, SD 1, be adopted, seconded by Representative Evans.

Representative Saiki rose to speak in opposition to the measure, stating:

"I have comments in opposition to this measure. My comments are that this measure is part and parcel of a decade-long effort to undo commercial leases in Hawaii which began in the early 2000s in the report issued by the Legislative Reference Bureau. It was a report that was pushed by one of the proponents for this Resolution. Unfortunately, that report did not find in the favor of the proponent, so here we are, back again, requesting the LRB to update its report.

"What's significant is that the LRB in testimony, when this Resolution was heard, concluded that it would be futile to issue an updated report, because, I'll just quote from their testimony, 'Consequently, since no legislative or other effort has been successful in mandating the removal of "not less than" clauses in lease rent contract, it seems that the recommendations made in the 2003 report would still be applicable and thus, an update by the Bureau would not add any new additional useful

information to inform their legislature on this issue.' Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 90, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE THEIR 2003 REPORT ANALYZING THE MAJOR PROBLEMS FACED BY COMMERCIAL LESSEES BY INCORPORATING AN ECONOMIC ANALYSIS TO DETERMINE IF THERE IS A NEXUS BETWEEN THE EXISTENCE OF HIGH LEASE RENTS IN HAWAII AND THE STAGNATION OF HAWAII'S ECONOMY," was adopted, with Representative Saiki voting no, and with Representatives Oshiro, Say and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1802-12) recommending that S.C.R. No. 77, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 77, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ESTABLISH A STATEWIDE RESOURCE DEVELOPMENT PROGRAM TO ASSIST THE COMPLEX AREAS IN CREATING ENDOWMENTS TO BENEFIT HAWAII'S PUBLIC SCHOOLS," was adopted, with Representatives Oshiro, Say and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1803-12) recommending that S.C.R. No. 79, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COLLABORATE WITH PARENT ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY ENGAGEMENT IN HAWAII'S PUBLIC SCHOOLS," was adopted, with Representatives Oshiro, Say and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1804-12) recommending that S.C.R. No. 80, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 80, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH ON THE CORRELATION BETWEEN CHILDREN WHO ARE LATE-BORN AND EDUCATIONAL OUTCOMES," was adopted, with Representatives Oshiro, Say and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1805-12) recommending that S.C.R. No. 122, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 122, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND STATE LIBRARIAN TO DEVELOP A STRATEGIC PLAN TO OPTIMIZE THE USE OF STATE PUBLIC LIBRARY FACILITIES," was adopted, with Representatives Oshiro, Say and Tokioka being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1806-12) recommending that S.C.R. No. 120, SD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 120, SD 1, be adopted, seconded by Representative Evans.

Representative Takai rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support with some reservations on this measure. Thank you, very much. I just don't think it's necessary for the Legislature to request the Board of Education and the Department on their application to United States Department of Education for a waiver of some of the requirements of the No Child Left Behind Act. We already know that they're going to do it.

"In testimony to the Education Committee, the Superintendent said she was already in the process of putting it together, and will be making the request in September. I just have problems with us supporting waiver requirements to the NCLB. Now I agree with it, but I just don't think that this Resolution is necessary. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 120, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO APPLY TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR A WAIVER OF THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was adopted, with Representatives Oshiro, Say and Tokioka being excused.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Ward introduced Ms. Sharon Nagasako with the Friends of the Aina Haina Library.

REPORTS OF CONFERENCE COMMITTEES

Representatives Souki, Herkes and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 824, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 5-12) recommending that S.B. No. 824, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5-12 and S.B. No. 824, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred for a period of 48 hours.

Representatives Souki, McKelvey, Keith-Agaran and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2419, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 6-12) recommending that S.B. No. 2419, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6-12 and S.B. No. 2419, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1957, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 28-12) recommending that H.B. No. 1957, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28-12 and H.B. No. 1957, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering

certain House Bills for Final Reading by consent calendar. (Representatives Oshiro, Say and Tokioka were excused.)

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Oshiro, Say and Tokioka were excused.)

H.B. No. 1695, (SD 1)
H.B. No. 1764, HD 1, (SD 1)
H.B. No. 2295, HD 1, (SD 2)
H.B. No. 2584, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 1764, HD 1, SD 1; and H.B. No. 2295, HD 1, SD 2, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

H.B. No. 1695, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1695, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 48 ayes, with Representatives Oshiro, Say and Tokioka being excused.

H.B. No. 1764, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1764, HD 1, on the following showing of Ayes and Noes:

Ayes, 2 (Rhoads and Keith-Agaran). Noes, none. Excused, 1 (Johanson).

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1764, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," passed Final Reading by a vote of 48 ayes, with Representatives Oshiro, Say and Tokioka being excused.

H.B. No. 2295, HD 1, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2295, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Keith-Agaran, Belatti, Har and McKelvey). Noes, none. Excused, 1 (Thielen).

Representative Chong moved that H.B. No. 2295, HD 1, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I stand in strong support of HB 2295, which criminalizes the use of electronic media by perpetrators with the purpose of harassing, alarming, or annoying a victim. New technologies have provided criminals with an alternative means for harassing and annoying their victims. Prior to this bill, those who were victimized stood defenseless, lacking the necessary protection from criminals who sought to destroy their reputations and cause them mental anguish.

"Our State's prosperity is dependent upon the passing of this bill, as small businesses in the community are among those who have suffered from victimization which has resulted in a loss of profits, and in some cases their business has been entirely destroyed.

"Children in particular are among the most vulnerable to humiliation online. Cyberbullying by classmates has led many teenagers and preteens to commit suicide and experience severe depression. We must ensure that we consider the necessity of severe punishments for online stalkers since harassment can lead to long-term emotional damage for its victims.

"Cyber harassment has the capacity to destroy people's lives and livelihoods to the same extent that other forms of harassment do. We need this bill which adds additional offenses to ensure that the severity of the crimes match the punishment to enable those who have been targeted to find relief.

"For these reasons, I stand in strong support of HB 2295, which adds stiffer penalties for harassing a person through the use of digital media."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to express my strong support for H.B. 2295. While we have several reasons to remain cautious in interpreting and applying this bill and its language, it leads us in directions crucial to our urgent fight against cyberbullying. H.B. 2295 amends the offense of use of a computer in the commission of a separate crime to also include knowingly using a computer to pursue, servile, contact, harass, annoy or alarm a victim or intended victim of certain offenses.

"Cyberbullying is a growing, and often fatal, problem throughout Hawaii. Whether done among elementary students or corporate co-workers, abuse of the Internet and its uncensored reach can threaten jobs, marriages, and even lives. In 2011, Hawaii suffered the highest attempted suicide rate among teens, approximately double the national average, of 13%. At the 2011 Children and Youth Summit of 125 participants, bullying was voted the top priority for legislative action, receiving nearly three times as many votes as the second priority issue.

"Hawaii's high cost of living, many speculate, forces parents to work multiple jobs, and thus spend less time with their children. Moreover, many local cultures attach stigmas to openly discussing one's emotional wellbeing – or lack thereof – not to mention the topic of suicide itself. Finally, high living costs force many to move around often and stay with various relatives, leaving the online world among the only constants in their lives, and thus most often frequented. These factors render young people – and those of all ages – less likely to seek counsel, and thus to resolve issues plaguing their mental health. Particularly among members of a generation more fluent online than face-to-face, issues may diffuse so quickly via the Internet that friends and family may not become aware until it is too late.

"The Hawaii Youth Services Network suggests that, "creating a criminal offense for cyberbullying will not be sufficient to prevent it from happening and damaging the lives of the victims." Instead of criminal prosecution, the organization prefers constructive measures like mediation and restorative justice. We must not assume that, through retroactive measures like criminal prosecution, we will be taking all the steps possible to actively assisting those at risk. Some alternative suggestions include: character education, parental and community education, and intervention training for teachers and school personnel. Law enforcement should become involved only when all other means fail. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2295, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CYBERBULLYING," passed Final Reading by a vote of 48 ayes, with Representatives Oshiro, Say and Tokioka being excused.

H.B. No. 2584, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2584, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Oshiro, Say and Tokioka being excused.

At 11:49 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1695, SD 1
H.B. No. 1764, HD 1, SD 1
H.B. No. 2295, HD 1, SD 2
H.B. No. 2584, HD 1, SD 1

SUSPENSION OF RULES

At this time, the Chair announced:

"Please note that the Chair has discharged the House Conferees previously appointed to H.B. No. 46, HD2, SD2. The House will now proceed to reconsider its disagreement to the Senate amendments, to certain House Bills, including the aforementioned measure."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Oshiro, Say and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Oshiro, Say and Tokioka were excused.)

H.B. No. 46, HD 2, (SD 2)
H.B. No. 468, HD 1, (SD 2)
H.B. No. 1777, HD 1, (SD 1)

ANNOUNCEMENTS

At 11:51 o'clock a.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:51 o'clock a.m.

Representative Ching: "Thank you, Mr. Speaker. I just wanted to announce that for those of you that might be in the Nuuanu area as part of the vitality program, we are reopening the farmers market. There will be a lot of fresh fruits and vegetables for the people of Nuuanu, to include Liliha. Thank you."

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 25, 2012. (Representatives Oshiro, Say and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 24, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and

Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 1181, Discharged all conferees.
HD 1, SD 1

House Communication dated April 24, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 46, HD 2, SD 2
H.B. No. 468, HD 1, SD 2
H.B. No. 1777, HD 1, SD 1

House Communication dated April 24, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 1695, SD 1
H.B. No. 1764, HD 1, SD 1
H.B. No. 2295, HD 1, SD 2
H.B. No. 2584, HD 1, SD 1

FIFTY-SIXTH DAY

Wednesday, April 25, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:40 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Rida T.R. Cabanilla, after which the Roll was called showing all Members present with the exception of Representative Oshiro, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1158 through 1173) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1158, dated April 24, 2012, returning the following bill to the Senate for proper consideration, pursuant to S.C.R. No. 176:

S.B. No. 650, HD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES."

Gov. Msg. No. 1159, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2758, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION." (ACT 058)

Gov. Msg. No. 1160, informing the House that on April 24, 2012, the following bill was signed into law:

H.B. No. 1772, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY." (ACT 059)

Gov. Msg. No. 1161, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2803, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE." (ACT 060)

Gov. Msg. No. 1162, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2772, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM." (ACT 061)

Gov. Msg. No. 1163, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2796, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS." (ACT 062)

Gov. Msg. No. 1164, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2774, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PUBLICATIONS." (ACT 063)

Gov. Msg. No. 1165, informing the House that on April 24, 2012, the following bill was signed into law:

H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO VOG." (ACT 064)

Gov. Msg. No. 1166, informing the House that on April 24, 2012, the following bill was signed into law:

H.B. No. 2410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MILITARY." (ACT 065)

Gov. Msg. No. 1167, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 066)

Gov. Msg. No. 1168, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2224, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD." (ACT 067)

Gov. Msg. No. 1169, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2588, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS." (ACT 068)

Gov. Msg. No. 1170, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT." (ACT 069)

Gov. Msg. No. 1171, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT." (ACT 070)

Gov. Msg. No. 1172, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL." (ACT 071)

Gov. Msg. No. 1173, informing the House that on April 24, 2012, the following bill was signed into law:

S.B. No. 2751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 072)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 798 through 801) were received and announced by the Clerk:

Sen. Com. No. 798, dated April 24, 2012, informing the House that the Senate has on April 23, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2534, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES."

S.B. No. 2630, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE."

Sen. Com. No. 799, dated April 24, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the

consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1269 Hee, Chair; Shimabukuro/Ige, Co-Chairs; Slom
SD 2, HD 2

Sen. Com. No. 800, dated April 24, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2175 Hee, Chair; Shimabukuro/Gabbard, Co-Chairs;
HD 2, SD 1 Ihara

Sen. Com. No. 801, dated April 24, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 1706, Senate Conferees discharged.
HD 1, SD 1

H.B. No. 2417, Senator Kouchi added as conferee.
HD 2, SD 2

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Choy introduced students from Denmark participating in the University of Hawaii Outreach College, 2nd Danish Study Center's Special English Program. They were accompanied by their instructors, Ms. Leslie Ashburn, Ms. Lara Palafox and Ms. Carole Omura; and the Center's tour leader, Mr. Christian Bigandt Nielsen.

Representative Takai introduced individuals involved in assisting the State of Hawaii secure Federal Impact Aid funding for the Hawaii Department of Education:

Ms. Cherise Imai, Military Liaison, Hawaii Department of Education;
Ms. Cheryl Alakai of Commander Navy Region Hawaii;
Ms. Catherine Henderson of Joint Base Pearl Harbor-Hickam;
Mr. Randy Kawakami of Joint Base Pearl Harbor-Hickam;
Ms. Sandra Kimura of Commander Navy Region Hawaii;
Ms. Gail Hamada of Commander Navy Region Hawaii;
Mr. Darren Dean of Joint Base Pearl Harbor-Hickam;
Mr. Wayne Yoshino of U.S. Army Garrison, Hawaii;
Ms. Wendy Nakasone of U.S. Army Garrison, Hawaii;
Mr. Tamsin Keone of U.S. Army Garrison, Hawaii;
Ms. Elizabeth Weddle of U.S. Army Garrison, Hawaii; and
Mr. Byron Nagasako of U.S. Army Garrison, Hawaii.

ORDER OF THE DAY

UNFINISHED BUSINESS

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 27-12 and H.B. No. 2595, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred to May 1, 2012.

At this time, the Chair announced:

"Members, please also note that H.B. No. 2595, HD2, SD2, CD1, contains the enabling legislation to a proposed constitutional amendment which is currently on 10-day notice to the Governor and will be addressed for Final Reading on May 1st. Accordingly, Conf. Com. Rep. No. 27-12

and the accompanying House bill will also be deferred until May 1st so that the two related measures may be addressed at the same time."

REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1807-12), recommending that S.C.R. No. 140, SD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 140, SD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just wanted to say that I think that this is an important Resolution because the Environmental Impact Statement for the rail probably significantly underestimates the ridership numbers. The reason for that is it doesn't include transit-oriented development as a factor. And of course transit-oriented development is something the City is going to be adopting at all the rail stations. That will probably show, or give a much truer indication. If you included the TOD numbers of the residences that would be close to rail stations, the ridership numbers will go up significantly in all likelihood, and this Resolution will hopefully bring out that point. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support, but with a correction, I think it's equally plausible that many people say that they've overestimated the ridership. So I think it's yet to be known, but I think we need to study this. To say that it's a fact that it's underestimated, I think is an estimation that deserves questioning. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 140, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION TO DETERMINE COST-EFFECTIVE AND REVENUE-GENERATING RIDERSHIP LEVELS FOR THE RAIL TRANSIT SYSTEM," was referred to the Committee on Finance, with Representative Oshiro being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1808-12), recommending that S.C.R. No. 111, SD 1, be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 111, SD 1, be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm going to vote on this with reservations. Generally, I am in support of transit-oriented development. I do believe we should have more density, and retail, office, commercial opportunities around rail stations. However, as you will recall, we had a bill early in the Session that outlined the Governor's ten favorite projects and we were going to put this bill into the Session Laws.

"One of the projects included a 650 foot housing tower. A 650 feet is 250 feet over the Honolulu City and County height limit. So yes, this would really increase density, but the Governor, using certain bills can skirt environmental, permitting and procurement laws affecting the building of this project. So, I think it's a good idea to increase density, but I think we should stay within the current laws regarding City and County regulations and other environmental laws. Thank you."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm standing with strong reservations about this Resolution. My concern is that it ties right in with S.B. 2927 which I firmly oppose. I think that the transit-oriented development zones are very questionable when you end up ignoring the environmental and land use laws. This is just a Resolution so it doesn't have the force and effect of law, but it still is tied in with the S.B. 2927."

Representative Evans rose to a point of order, stating:

"Point of order. Well I think she's done, but she was referring to another bill, and I ask that she stay on the Resolution. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"I would like to express my support for this Resolution. Yes, I just would like to comment that a Resolution such as this is worthy for two reasons. First of all, it preserves affordable housing, as well as it will create new ones which is something that our State and our population much needs. And it also will help the viability of the rail project as far as ridership. 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.C.R. No. 111, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO PRESERVE EXISTING AFFORDABLE HOUSING AND CREATE NEW AFFORDABLE HOUSING OPPORTUNITIES, FAMILY-ORIENTED SUPPORT SERVICES, HEALTH CENTERS, COMMUNITY CENTERS, RETAIL SERVICES RELATED TO HEALTHY LIVING, AND COMMUNITY GARDENS WITHIN TRANSIT-ORIENTED DEVELOPMENT ZONES ALONG THE HONOLULU RAIL TRANSIT PROJECT CORRIDOR," was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, with Representative Oshiro being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1809-12), recommending that S.C.R. No. 156, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 156, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Finance, with Representative Oshiro being excused.

REPORTS OF CONFERENCE COMMITTEES

Representatives Rhoads, Yamane and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2748, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 7-12) recommending that S.B. No. 2748, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7-12 and S.B. No. 2748, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Oshiro was excused.)

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans:

H.B. No. 46, HD 2, (SD 2)
H.B. No. 468, HD 1, (SD 2)
H.B. No. 1777, HD 1, (SD 1)

At 11:55 o'clock a.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

At this time, Representative Chong withdrew his motion, and Representative Evans withdrew her second.

At this time, the Chair announced:

"Members, for H.B. No. 468, HD1, SD2, we will be deferring this measure one legislative day."

H.B. No. 468, HD 1, SD 2:

By unanimous consent, action was deferred one legislative day.

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.B. No. 46, HD 2, (SD 2)
H.B. No. 1777, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 1777, HD 1, SD 1, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measure to the Floor for final disposition.

H.B. No. 46, HD 2, SD 2:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 46, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Final Reading by a vote of 50 ayes, with Representative Oshiro being excused.

H.B. No. 1777, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1777, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Keith-Agaran, M. Lee, Tsuji and Fontaine). Noes, none. Excused, none.

Representative Chong moved that H.B. No. 1777, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I stand in strong support of HB 1777, which authorizes State of Hawaii judges to compel companies outside of Hawaii to produce records that will aid in the prosecution of cyber criminals. For years, cyber criminals have gone unpunished because the evidence needed to prosecute them was possessed by companies on the mainland, and our judges were not

provided with the jurisdiction to order these companies to produce this digital evidence. This bill is necessary to ensure that our legal system is provided with all pertinent information surrounding a case to enable them judges to make fair rulings and deliver justice to victims.

"The Honolulu Prosecutor's Office has testified that this bill is key to combating cybercrime because it would authorize it to access information from internet service providers, web-based e-mail providers, web site hosting companies, social networking providers, and cellular telephone providers. This bill makes certain that this evidence will only be requested if existing legal requirements are met by attorneys.

"Anyone can become a victim of cybercrime. Our State must be prepared to defend all of its residents from harassment and cyber crimes by having the means to retrieve evidence stored on the mainland to prosecute those who commit these crimes.

"For the above reasons, I strongly support HB 1777 which will enable our judges to gain access to digital evidence stored on mainland servers to aid in the prosecution of cybercriminals under existing legal requirements."

The motion was put to vote by the Chair and carried, and H.B. No. 1777, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," passed Final Reading by a vote of 50 ayes, with Representative Oshiro being excused.

At 12:24 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 46, HD 2, SD 2
H.B. No. 1777, HD 1, SD 1

SUSPENSION OF RULES

At this time, the Chair announced:

"Members, please note that the Chair has discharged the House Conferees previously appointed to H.B. No. 1181, HD1, SD1. The House will now proceed to reconsider its disagreement to the Senate amendments to certain House Bills, including the aforementioned measure."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representative Oshiro was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.B. No. 1181, HD 1, (SD 1)
H.B. No. 1765, HD 2, (SD 1)
H.B. No. 2179, (SD 1)
H.B. No. 2605, HD 1, (SD 1)
H.B. No. 2682, HD 1, (SD 1)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Chong moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.C.R. No. 9, (SD 1)

H.C.R. No. 58, HD 1, (SD 1)
H.C.R. No. 118, HD 1, (SD 1)
H.C.R. No. 169, HD 1, (SD 1)
H.C.R. No. 177, HD 2, (SD 1)

H.C.R. No. 9, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 9, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 58, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 58, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY STRATEGIES IN THE INTEGRATED RESOURCE PLANNING PROCESS," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 118, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 118, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 169, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 169, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN," was Adopted, with Representative Oshiro being excused.

H.C.R. No. 177, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 177, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was Adopted, with Representative Oshiro being excused.

ANNOUNCEMENTS

Representative Herkes: "Thank you. I think the House should congratulate the Speaker Emeritus on his birthday, although he still hasn't reached full maturity yet. I mean, he's still in his 70s."

Representative Ching: "Thank you, Mr. Speaker. Just a couple of announcements. We wanted to take a moment to thank all those who came out to the Nuuanu Farmers Market yesterday at the Seventh Day Adventist. It will be from 4 to 7 every Tuesday, helping people get healthy.

"But also it is Administrative Professionals Day, which was once known as Secretaries Day. It is an unofficial holiday observed, and is celebrated today. We hope that everyone will thank their Administrative Assistants who devote their time and their effort to us, and help us do what we need

to do during Session and in interim. So, for all of you, it is Administrative Professionals Day. Thank you."

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

S.C.R.

No. Re-referred to:

36, Jointly to the Committee on Higher Education and the
SD2 Committee on Economic Revitalization & Business, then to
the Committee on Finance

ADJOURNMENT

At 12:31 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 26, 2012. (Representative Oshiro was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2819, Har/Oshiro, Co-Chrs.;
HD 1, SD 1 Ito, Riviere

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1705, Oshiro, Chr.;
HD 1, SD 1 Choy, Evans, Ward

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2668 Tsuji/Oshiro, Co-Chrs.;
HD 2, SD 2 Choy, Riviere

H.B. No. 2869, Choy/Oshiro, Co-Chrs.;
HD 2, SD 2 Marumoto

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2262, Coffman/Tsuji/Kawakami, Co-Chrs.;
HD 2, SD 2 Choy, Hashem, Thielen

H.B. No. 2328, Choy, Chr.;
HD 1, SD 1 Giugni, Ichiyama, Ward

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by

the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2605, HD 1, SD 1

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 1181, HD 1, SD 1

H.B. No. 1765, HD 2, SD 1

H.B. No. 2179, SD 1

H.B. No. 2682, HD 1, SD 1

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 46, HD 2, SD 2

H.B. No. 1777, HD 1, SD 1

House Communication dated April 25, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 9, SD 1

H.C.R. No. 58, HD 1, SD 1

H.C.R. No. 118, HD 1, SD 1

H.C.R. No. 169, HD 1, SD 1

H.C.R. No. 177, HD 2, SD 1

FIFTY-SEVENTH DAY

Thursday, April 26, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 6:40 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Representative Mele Carroll, after which the Roll was called showing all Members present with the exception of Representatives Cabanilla and Oshiro, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journals of the Thirty-Second, Thirty-Third, Thirty-Fourth, Thirty-Fifth, Thirty-Sixth, Thirty-Seventh, Thirty-Eighth, Thirty-Ninth, Fortieth, Forty-First, Forty-Second, Forty-Third, Forty-Fourth and Forty-Fifth Days were approved. (Representative Cabanilla was excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 242, 243 and 1174) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 242, dated April 12, 2012, transmitting the Department of Agriculture Annual Report, pursuant to Act 100, SLH 1999.

Gov. Msg. No. 243, dated April 25, 2012, submitting a proposed conference draft for S.B. No. 1083, SD 1, HD 1, to fund the supplemental agreement concerning Bargaining Unit 7:

<u>EUTE</u>	<u>FY 12</u>	<u>FY 13</u>	<u>Biennium</u>
General		\$1,161,598	\$1,161,598

Gov. Msg. No. 1174, informing the House that on April 25, 2012, the following bill was signed into law:

H.B. No. 2133, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE." (ACT 073)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 802 through 809) were received and announced by the Clerk:

Sen. Com. No. 802, transmitting H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DESIGNATE THE MAGOON RESEARCH AND TEACHING FACILITY SITE FOR THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," which was adopted by the Senate on April 25, 2012.

Sen. Com. No. 803, dated April 25, 2012, informing the House that the Senate has on April 24, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS."

S.B. No. 2228, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE."

Sen. Com. No. 804, dated April 25, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolution:

S.C.R. No. 40, SD 1, HD 1

Sen. Com. No. 805, dated April 25, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 2434 Baker, Chair; Green/Chun Oakland, Co-Chairs
SD 1, HD 3

Sen. Com. No. 806, dated April 25, 2012, informing the House that the Senate has made the following change to Senate Conferee assignment for the following bill:

H.B. No. 2819, Senator Solomon added as Co-Chair.
HD 1, SD 2

Sen. Com. No. 807, dated April 25, 2012, informing the House that the Senate has made the following change to Senate Conferee assignments for the following bill:

S.B. No. 2790, Senate Conferees discharged.
SD 1, HD 1

Sen. Com. No. 808, dated April 25, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Concurrent Resolution:

S.C.R. No. 40, Fukunaga, Chair; Espero/Ige, Co-Chairs
SD 1, HD 1

Sen. Com. No. 809, dated April 26, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1083 Hee, Chair; Kidani, Co-Chair; Shimabukuro
SD 1, HD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 81) was received by the Clerk and was placed on file:

Dept. Com. No. 81, dated April 17, 2012, from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Semi-Annual Report on Hawai'i Cancer Research Special Fund, as required by Section 304A-2168, HRS.

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Har introduced and welcomed Hawaii County Councilmember, Dennis 'Fresh' Onishi.

ORDER OF THE DAY

UNFINISHED BUSINESS

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 468, HD 1, SD 2:

By unanimous consent, action was deferred one legislative day.

At 6:48 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:58 o'clock p.m., with Vice Speaker Manahan presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Final Reading by consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 5-12 and S.B. No. 824, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 824, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 6-12 and S.B. No. 2419, SD 2, HD 3, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2419, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 28-12 and H.B. No. 1957, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1957, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," passed Final Reading by a vote of 51 ayes.

At 7:00 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 824, SD 2, HD 2, CD 1
S.B. No. 2419, SD 2, HD 3, CD 1
H.B. No. 1957, HD 2, SD 2, CD 1

REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1810-12) recommending that S.C.R. No. 12, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was adopted.

Representative Oshiro, for the Committee on Finance presented five reports:

(Stand. Com. Rep. No. 1811-12) recommending that S.C.R. No. 18, be adopted;

(Stand. Com. Rep. No. 1812-12) recommending that S.C.R. No. 19, be adopted;

(Stand. Com. Rep. No. 1813-12) recommending that S.C.R. No. 20, be adopted;

(Stand. Com. Rep. No. 1814-12) recommending that S.C.R. No. 21, be adopted; and

(Stand. Com. Rep. No. 1815-12) recommending that S.C.R. No. 22, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that S.C.R. No. 18; S.C.R. No. 19; S.C.R. No. 20; S.C.R. No. 21; and S.C.R. No. 22, be adopted, seconded by Representative Evans.

Representative Jordan rose and asked that the Clerk record a no vote for her on all five measures, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her on all five measures, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record a no vote for her on all five measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no;

S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no;

S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no;

S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no; and

S.C.R. No. 22, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAAINA PLACE, WAIMANALO, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no.

Representative Oshiro, for the Committee on Finance presented three reports:

(Stand. Com. Rep. No. 1816-12) recommending that S.C.R. No. 23, be adopted; and

(Stand. Com. Rep. No. 1817-12) recommending that S.C.R. No. 24, be adopted; and

(Stand. Com. Rep. No. 1818-12) recommending that S.C.R. No. 25, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that S.C.R. No. 23; S.C.R. No. 24; and S.C.R. No. 25, be adopted, seconded by Representative Evans.

Representative Awana rose and asked that the Clerk record a no vote for her on all three measures, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record a no vote for her on all three measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303,

HONOLULU, HAWAII," was adopted, with Representatives Awana and Hanohano voting no;

S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," was adopted, with Representatives Awana and Hanohano voting no; and

S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," was adopted, with Representatives Awana and Hanohano voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1819-12) recommending that S.C.R. No. 97, SD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 97, SD 1, be adopted, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this particular measure. I may not know of what I speak since I was not in the hearing. But it seems to me to be very difficult to track uninsured motorists, mainly because we have a database, or probably insurance companies have databases of insured motorists. But nobody has a list of uninsured ones. And why do we want to find them? To make them buy insurance?"

"Also we really insure cars, so it's even farther removed to try and track the people who don't buy insurance. So just to make people think, I will vote no. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 97, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO EXPLORE THE CREATION OF A WEB SERVICES-BASED DATABASE PROGRAM TO TRACK UNINSURED MOTORISTS," was adopted, with Representative Marumoto voting no.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1820-12) recommending that S.C.R. No. 135, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was adopted.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1821-12) recommending that S.C.R. No. 143, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 143, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED RACE AND ETHNICITY DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was adopted.

REPORTS OF CONFERENCE COMMITTEES

Representatives Keith-Agaran, Coffman and Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2640, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 8-12) recommending that S.B. No. 2640, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8-12 and S.B. No. 2640, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," was deferred for a period of 48 hours.

Representatives Herkes and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2767, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 9-12) recommending that S.B. No. 2767, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9-12 and S.B. No. 2767, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Brower, Chang, Yamane, Rhoads and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2632, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 10-12) recommending that S.B. No. 2632, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10-12 and S.B. No. 2632, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," was deferred for a period of 48 hours.

Representatives Coffman, Chang and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2745, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 11-12) recommending that S.B. No. 2745, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11-12 and S.B. No. 2745, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred for a period of 48 hours.

Representatives Cabanilla, Herkes and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2769, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 12-12) recommending that S.B. No. 2769, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12-12 and S.B. No. 2769, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Souki and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2871, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 13-12) recommending that S.B. No. 2871, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13-12 and S.B. No. 2871, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," was deferred for a period of 48 hours.

Representatives Souki, Coffman, McKelvey and Ichiyama, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2402, SD 1, HD 1,

presented a report (Conf. Com. Rep. No. 14-12) recommending that S.B. No. 2402, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14-12 and S.B. No. 2402, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," was deferred for a period of 48 hours.

Representatives Yamane and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2765, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 15-12) recommending that S.B. No. 2765, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15-12 and S.B. No. 2765, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1276, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 16-12) recommending that S.B. No. 1276, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16-12 and S.B. No. 1276, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Herkes and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3062, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 17-12) recommending that S.B. No. 3062, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17-12 and S.B. No. 3062, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives McKelvey and Yamane, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1925, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 29-12) recommending that H.B. No. 1925, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29-12 and H.B. No. 1925, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred for a period of 48 hours.

Representative Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2686, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 30-12) recommending that H.B. No. 2686, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30-12 and H.B. No. 2686, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY," was deferred for a period of 48 hours.

Representatives Chang, Coffman and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2593, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 31-12) recommending that H.B. No. 2593, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31-12 and H.B. No. 2593, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," was deferred for a period of 48 hours.

Representatives Hanohano and McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1984, SD 1, presented a report (Conf. Com. Rep. No. 32-12) recommending that H.B. No. 1984, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32-12 and H.B. No. 1984, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," was deferred for a period of 48 hours.

Representatives Souki and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1666, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 33-12) recommending that H.B. No. 1666, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33-12 and H.B. No. 1666, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was deferred for a period of 48 hours.

Representative Yamane, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1543, SD 1, presented a report (Conf. Com. Rep. No. 34-12) recommending that H.B. No. 1543, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34-12 and H.B. No. 1543, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING LAW," was deferred for a period of 48 hours.

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried:

H.B. No. 1181, HD 1, (SD 1)
H.B. No. 1765, HD 2, (SD 1)
H.B. No. 2179, (SD 1)
H.B. No. 2605, HD 1, (SD 1)
H.B. No. 2682, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 1765, HD 1, SD 1; and H.B. No. 2682, HD 1, SD 1, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

H.B. No. 1181, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1181, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Final Reading by a vote of 51 ayes.

H.B. No. 1765, HD 2, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1765, HD 2, on the following showing of Ayes and Noes:

Ayes, 4 (Rhoads, Keith-Agaran, Yamashita and Fontaine). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1765, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES," passed Final Reading by a vote of 51 ayes.

H.B. No. 2179, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2179, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Final Reading by a vote of 51 ayes.

H.B. No. 2605, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2605, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Final Reading by a vote of 51 ayes.

H.B. No. 2682, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2682, HD 1, on the following showing of Ayes and Noes:

Ayes, 6 (Chang, McKelvey, Har, Jordan, Nakashima and Riviere). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2682, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," passed Final Reading by a vote of 51 ayes.

At 7:07 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1181, HD 1, SD 1
H.B. No. 1765, HD 2, SD 1
H.B. No. 2179, SD 1
H.B. No. 2605, HD 1, SD 1
H.B. No. 2682, HD 1, SD 1

SUSPENSION OF RULES

At this time, the Chair announced:

"Members, please note that the Chair has discharged the House Conferees previously appointed to H.B. No. 461, HD 1, SD 1, and H.B. No. 2751, HD 2, SD 1. The House will now proceed to reconsider its disagreement to the Senate amendments of certain House Bills, including the aforementioned measures."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills.

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans:

H.B. No. 461, HD 1, (SD 1)
H.B. No. 755, HD 3, (SD 2)
H.B. No. 2030, HD 2, (SD 1)
H.B. No. 2150, HD 2, (SD 1)
H.B. No. 2608, HD 1, (SD 2)
H.B. No. 2751, HD 2, (SD 1)

At 7:11 o'clock p.m., Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:11 o'clock p.m.

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House Bills.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Chong moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative Evans and carried:

H.C.R. No. 178, HD 1, (SD 1)

H.C.R. No. 178, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 178, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF STATE EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was Adopted.

ANNOUNCEMENTS

Representative Cullen: "Thank you, Mr. Speaker. Last summer, the Finance Chair hosted the CSG-West Conference with all of us. So in a show of solidarity, and being that it is Conference tomorrow, and Aloha Friday, come out with your CSG-West shirts. Those nice blue and white ones, tomorrow. I'll be wearing mine to show my support. Thank you, Mr. Speaker."

Representative M. Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making only on the following measure to be held on Friday, April 27th, 2012, at 9:00 o'clock a.m. in Conference Room 308, and the Chair, "so ordered."

S.B. 3017, SD 2 which was previously heard on April 2, 2012 on the 2:00 p.m. agenda.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.B. Nos.

Re-referred to:

304,
HD1,
SD1

Committee on Finance, then to the Committee on Health, then to the Committee on Human Services, then to the Committee on Education

1905, Committee on Human Services, then to the Committee on Health, then to the Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1905, Committee on Human Services, then to the Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

2145, Committee on Finance, then to the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Energy & Environmental Protection, then to the Committee on Transportation

OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 12:00 o'clock midnight this legislative day, seconded by Representative Pine and carried.

RECESS

At 7:15 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 6:30 o'clock p.m. tomorrow, Friday, April 27, 2012.

SUPPLEMENTAL CALENDAR #1

REPORTS OF CONFERENCE COMMITTEES

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 18-12 through 25-12; 35-12 through 46-12; and 66-12 through 73-12) were received by the Clerk prior to 12:00 o'clock midnight this legislative day:

Representatives Yamane and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3002, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 18-12) recommending that S.B. No. 3002, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18-12 and S.B. No. 3002, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," was deferred for a period of 48 hours.

Representatives Tsuji, McKelvey and Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2375, SD 3, HD 2, presented a report (Conf. Com. Rep. No. 19-12) recommending that S.B. No. 2375, SD 3, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19-12 and S.B. No. 2375, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," was deferred for a period of 48 hours.

Representatives Yamane and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1500, HD 1, presented a report (Conf. Com. Rep. No. 20-12) recommending that S.B. No. 1500, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20-12 and S.B. No. 1500, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred for a period of 48 hours.

Representative Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2508, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 21-12) recommending that S.B. No. 2508, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21-12 and S.B. No. 2508, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," was deferred for a period of 48 hours.

Representative Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2486, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 22-12) recommending that S.B. No. 2486, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22-12 and S.B. No. 2486, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was deferred for a period of 48 hours.

Representatives Souki, Coffman and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2873, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 23-12) recommending that S.B. No. 2873, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23-12 and S.B. No. 2873, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was deferred for a period of 48 hours.

Representatives Mizuno and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2221, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 24-12) recommending that S.B. No. 2221, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24-12 and S.B. No. 2221, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred for a period of 48 hours.

Representatives Mizuno and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2222, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 25-12) recommending that S.B. No. 2222, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25-12 and S.B. No. 2222, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," was deferred for a period of 48 hours.

Representative Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2623, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 35-12) recommending that H.B. No. 2623, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35-12 and H.B. No. 2623, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," was deferred for a period of 48 hours.

Representative Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1788, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 36-12) recommending that H.B. No. 1788, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36-12 and H.B. No. 1788, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," was deferred for a period of 48 hours.

Representatives Yamane and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2232, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 37-12) recommending that H.B. No. 2232, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37-12 and H.B. No. 2232, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Yamane, Keith-Agaran and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2568, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 38-12) recommending that H.B. No. 2568, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38-12 and H.B. No. 2568, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno, Keith-Agaran and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2776, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 39-12) recommending that H.B. No. 2776, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39-12 and H.B. No. 2776, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE," was deferred for a period of 48 hours.

Representatives Tsuji and Hashem, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2244, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 40-12) recommending that H.B. No. 2244, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40-12 and H.B. No. 2244, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS," was deferred for a period of 48 hours.

Representatives Aquino and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 679, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 41-12) recommending that H.B. No. 679, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41-12 and H.B. No. 679, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Representatives Cabanilla, Chang and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1398, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 42-12) recommending that H.B. No. 1398, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42-12 and H.B. No. 1398, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," was deferred for a period of 48 hours.

Representatives Chang, Rhoads and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2589, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 43-12) recommending that H.B. No. 2589, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43-12 and H.B. No. 2589, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," was deferred for a period of 48 hours.

Representatives Souki and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1791, SD 1, presented a report (Conf. Com. Rep. No. 44-12) recommending that H.B. No. 1791, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44-12 and H.B. No. 1791, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," was deferred for a period of 48 hours.

Representatives Mizuno and Jordan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2685, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 45-12) recommending that H.B. No. 2685, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45-12 and H.B. No. 2685, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred for a period of 48 hours.

Representatives Yamashita and Keith-Agaran, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2175, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 46-12) recommending that H.B. No. 2175, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46-12 and H.B. No. 2175, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," was deferred for a period of 48 hours.

Representatives Yamane and Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2103, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 66-12) recommending that S.B. No. 2103, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66-12 and S.B. No. 2103, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Tsuji, McKelvey, Chang and Brower, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2341, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 67-12) recommending that S.B. No. 2341, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67-12 and S.B. No. 2341, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred for a period of 48 hours.

Representatives Tsuji and Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2646, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 68-12) recommending that S.B. No. 2646, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68-12 and S.B. No. 2646, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," was deferred for a period of 48 hours.

Representatives Souki, Coffman and Ichiyama, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2746, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 69-12) recommending that S.B. No. 2746, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69-12 and S.B. No. 2746, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was deferred for a period of 48 hours.

Representatives Herkes, Keith-Agaran and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 155, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 70-12) recommending that S.B. No. 155, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70-12 and S.B. No. 155, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," was deferred for a period of 48 hours.

Representatives Coffman, Herkes and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2787, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 71-12) recommending that S.B. No. 2787, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71-12 and S.B. No. 2787, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2825, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 72-12) recommending that S.B. No. 2825, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72-12 and S.B. No. 2825, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2056, HD 2, presented a report (Conf. Com. Rep. No. 73-12) recommending that S.B. No. 2056, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73-12 and S.B. No. 2056, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Friday, April 27, 2012.

HOUSE COMMUNICATIONS

House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1905, HD 2, SD 2	Mizuno/Yamane/Cabanilla/Rhoads/Herkes/Keith-Agaran/Oshiro, Co-Chrs.; Pine
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2145, HD 2, SD 1	Oshiro/McKelvey/Har/Coffman/Souki, Co-Chrs.; Marumoto
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 304, HD 1, SD 1	Oshiro/Yamane/Mizuno/Takumi, Co-Chrs.; Ward
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1083, SD 1, HD 1	Rhoads/Oshiro, Co-Chrs.; Ward
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 461, HD 1, SD 1	Discharged all conferees.
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H.B. No. 2751, HD 2, SD 1	Discharged all conferees.
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 1905, HD 2, SD 2	Discharged Representative Cabanilla.
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 8, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 461, HD 1, SD 1	
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House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 20, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2030, HD 2, SD 1

House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 755, HD 3, SD 2
H.B. No. 2150, HD 2, SD 1
H.B. No. 2608, HD 1, SD 2
H.B. No. 2751, HD 2, SD 1

House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 1181, HD 1, SD 1
H.B. No. 1765, HD 2, SD 1
H.B. No. 2179, SD 1
H.B. No. 2605, HD 1, SD 1
H.B. No. 2682, HD 1, SD 1

House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bills on Final Reading:

H.B. No. 1957, HD 2, SD 2, CD 1
S.B. No. 824, SD 2, HD 2, CD 1
S.B. No. 2419, SD 2, HD 3, CD 1

House Communication dated April 26, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolution:

H.C.R. No. 178, HD 1, SD 1

FIFTY-EIGHTH DAY

Friday, April 27, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 6:32 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Miss Anna Lauren Lerner, daughter of Representative Ching, after which the Roll was called showing all Members present with the exception of Representatives Saiki, Souki and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Sixth and Fifty-Seventh Days was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 244 and 1175 through 1190) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 244, dated April 24, 2012, transmitting the Annual Report on the Operation of the Internet Portal for Fiscal Year 2011, prepared by the Department of Accounting and General Services and the Access Hawaii Committee pursuant to Act 172, SLH 2007.

Gov. Msg. No. 1175, dated April 26, 2012, informing the House that on April 25, 2012, pursuant to Section 16 of Article III of the State Constitution, the following bill will become law without his signature, stating:

"Dear President Tsutsui, Speaker Say and Members of the Legislature:

Re: HB1868 HD1

I intend HB1868 HD1, entitled "RELATING TO TELECOMMUNICATIONS," to become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to amend section 269-16.85, Hawaii Revised Statutes, to prohibit a telecommunications carrier from charging a rate for any retail telecommunications basic exchange service that is higher than the rate in the filed tariff, unless otherwise approved by the Public Utilities Commission ("PUC").

I understand the overall importance of section 269-16.85 as a means for providing telecommunication carriers with pricing flexibility in today's competitive market environment. This measure retains such flexibility except for basic exchange service, which remains subject to PUC oversight.

However, I am concerned that the competitive market today may change in the future, and/or that a service that is now considered to be a non-basic exchange service may become essential in the future. In either situation, PUC oversight may become necessary or appropriate for far more than what is now considered to be basic exchange service.

For the foregoing reasons, I intend HB1868 HD1 to become law as Act 074 (12), effective April 25, 2012, without my signature.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii"

Gov. Msg. No. 1176, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES." (ACT 075)

Gov. Msg. No. 1177, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2866, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM." (ACT 076)

Gov. Msg. No. 1178, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND." (ACT 077)

Gov. Msg. No. 1179, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2822, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING." (ACT 078)

Gov. Msg. No. 1180, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2167, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS." (ACT 079)

Gov. Msg. No. 1181, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2009, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 080)

Gov. Msg. No. 1182, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2013, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS." (ACT 081)

Gov. Msg. No. 1183, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 1312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION COMMISSION." (ACT 082)

Gov. Msg. No. 1184, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2397, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS." (ACT 083)

Gov. Msg. No. 1185, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2386, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATIVE HAWAIIAN ROLL COMMISSION." (ACT 084)

Gov. Msg. No. 1186, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2842, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL ACTIONS FOR DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS." (ACT 085)

Gov. Msg. No. 1187, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2709, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION." (ACT 086)

Gov. Msg. No. 1188, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2820, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES." (ACT 087)

Gov. Msg. No. 1189, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 3031, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR." (ACT 088)

Gov. Msg. No. 1190, informing the House that on April 26, 2012, the following bill was signed into law:

S.B. No. 2747, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE PARKING." (ACT 089)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 810 through 817) were received and announced by the Clerk:

Sen. Com. No. 810, transmitting H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," which was adopted by the Senate on April 26, 2012.

Sen. Com. No. 811, transmitting H.C.R. No. 32, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S OFFICE TO CONDUCT A STUDY ON THE EFFICACY OF COMBINING STATE GOVERNMENT HEALTH POLICY, PLANNING, AND PURCHASING IN A SINGLE AGENCY IN ORDER TO ADVANCE TRANSFORMATION OF HAWAII'S HEALTHCARE SYSTEM AND UNIVERSAL ACCESS TO CARE," which was adopted by the Senate on April 26, 2012.

Sen. Com. No. 812, transmitting H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE COUNTY OF HAWAII, TO CONDUCT A STUDY ON THE ESTABLISHMENT OF A PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AND IMPROVE THE EAST HAWAII AREA OF HAWAII COUNTY," which was adopted by the Senate on April 26, 2012.

Sen. Com. No. 813, dated April 26, 2012, informing the House that the following bills have this day passed Final Reading in the Senate:

S.B. No. 824, SD 2, HD 2, CD 1
S.B. No. 2419, SD 2, HD 3, CD 1
H.B. No. 1957, HD 2, SD 2, CD 1

Sen. Com. No. 814, dated April 26, 2012, informing the House that the Senate has on April 25, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2281, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

S.B. No. 2790, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Sen. Com. No. 815, dated April 26, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the

consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1083 Hee, Chair; Kidani, Co-Chair; Shimabukuro
SD 1, HD 1

Sen. Com. No. 816, dated April 26, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 2868, Senate Conferees discharged.
SD 1, HD 1

S.B. No. 3010, Senate Conferees discharged.
SD 2, HD 1

Sen. Com. No. 817, dated April 26, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 2819, Senator Hee discharged as Co-Chair.
HD 1, SD 2 Senator Dela Cruz discharged as Chair; Added as Co-Chair.
Senator Solomon discharged as Co-Chair; Added as Chair.

ORDER OF THE DAY

UNFINISHED BUSINESS

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 468, HD 1, SD 2:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 7-12 and S.B. No. 2748, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

At 6:37 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:02 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1822-12), recommending that S.C.R. No. 84, SD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 84, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PUBLIC HOUSING AUTHORITY'S APPLICATION FOR A CHOICE NEIGHBORHOODS GRANT AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO SELECT THE HAWAII PUBLIC HOUSING AUTHORITY AS A CHOICE NEIGHBORHOODS GRANT RECIPIENT," was referred to the Committee on Finance, with Representative Yamane being excused.

REPORTS OF CONFERENCE COMMITTEES

Representatives Souki, Rhoads and Ichiyama, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2004, HD 2, SD 2, presented a report

(Conf. Com. Rep. No. 47-12) recommending that H.B. No. 2004, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47-12 and H.B. No. 2004, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives Takumi, Rhoads and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2513, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 48-12) recommending that H.B. No. 2513, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48-12 and H.B. No. 2513, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representative Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2347, SD 1, presented a report (Conf. Com. Rep. No. 49-12) recommending that H.B. No. 2347, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49-12 and H.B. No. 2347, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS," was deferred for a period of 48 hours.

Representatives Rhoads, McKelvey and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2099, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 50-12) recommending that H.B. No. 2099, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50-12 and H.B. No. 2099, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred for a period of 48 hours.

Representatives Coffman and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2326, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 51-12) recommending that H.B. No. 2326, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51-12 and H.B. No. 2326, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Coffman, Chang, Hanohano and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2001, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 74-12) recommending that S.B. No. 2001, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74-12 and S.B. No. 2001, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was deferred for a period of 48 hours.

Representatives Herkes and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2763, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 75-12) recommending that S.B. No. 2763, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75-12 and S.B. No. 2763, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

MORTGAGE LOAN ORIGINATION," was deferred for a period of 48 hours.

Representatives Takumi and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2540, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 76-12) recommending that S.B. No. 2540, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76-12 and S.B. No. 2540, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Mizuno, Takumi and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2800, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 77-12) recommending that S.B. No. 2800, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77-12 and S.B. No. 2800, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," was deferred for a period of 48 hours.

Representatives McKelvey, Herkes and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2655, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 78-12) recommending that S.B. No. 2655, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78-12 and S.B. No. 2655, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," was deferred for a period of 48 hours.

Representatives Chang, Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2277, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 79-12) recommending that S.B. No. 2277, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79-12 and S.B. No. 2277, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," was deferred for a period of 48 hours.

Representatives Mizuno, Rhoads and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2810, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 80-12) recommending that S.B. No. 2810, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80-12 and S.B. No. 2810, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," was deferred for a period of 48 hours.

Representatives Nishimoto, Takumi, Yamashita and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1382, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 81-12) recommending that S.B. No. 1382, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81-12 and S.B. No. 1382, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Mizuno, Keith-Agaran and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3008, HD 3, presented a report (Conf. Com. Rep. No. 82-12) recommending that S.B. No. 3008, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82-12 and S.B. No. 3008, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred for a period of 48 hours.

Representatives Nishimoto and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 243, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 83-12) recommending that S.B. No. 243, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83-12 and S.B. No. 243, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Final Reading by consent calendar.

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried:

H.B. No. 461, HD 1, (SD 1)
H.B. No. 755, HD 3, (SD 2)
H.B. No. 2030, HD 2, (SD 1)
H.B. No. 2150, HD 2, (SD 1)
H.B. No. 2608, HD 1, (SD 2)
H.B. No. 2751, HD 2, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 755, HD 3, SD 2; H.B. No. 2030, HD 2, SD 1; H.B. No. 2150, HD 2, SD 1; and H.B. No. 2608, HD 1, SD 2, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

H.B. No. 461, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 461, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT," passed Final Reading by a vote of 51 ayes.

H.B. No. 755, HD 3, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 755, HD 3, on the following showing of Ayes and Noes:

Ayes, 4 (Cabanilla, Kawakami, Ito and Mizuno). Noes, none. Excused, 2 (Rhoads and Pine).

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 755, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Final Reading by a vote of 51 ayes.

H.B. No. 2030, HD 2, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2030, HD 2, on the following showing of Ayes and Noes:

Ayes, 6 (Souki, Aquino, Keith-Agaran, Awana, Ichiyama and Fontaine). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2030, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Final Reading by a vote of 51 ayes.

H.B. No. 2150, HD 2, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2150, HD 2, on the following showing of Ayes and Noes:

Ayes, 6 (Tsuiji, Chang, Coffman, Hashem, Kawakami and Riviere). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2150, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Final Reading by a vote of 51 ayes.

H.B. No. 2608, HD 1, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2608, HD 1, on the following showing of Ayes and Noes:

Ayes, 5 (Souki, Awana, Ichiyama, Brower and Fontaine). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2608, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Final Reading by a vote of 51 ayes.

H.B. No. 2751, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2751, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Johanson, Marumoto, Riviere and Thielen voting no.

At 7:08 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 461, HD 1, SD 1
H.B. No. 755, HD 3, SD 2
H.B. No. 2030, HD 2, SD 1
H.B. No. 2150, HD 2, SD 1
H.B. No. 2608, HD 1, SD 2
H.B. No. 2751, HD 2, SD 1

SUSPENSION OF RULES

The Chair then announced:

"Members at this time, on your Yellow Action Sheets, please note that the Chair has discharged the House Conferees previously appointed to

H.B. No. 2529, HD 1, SD 1. The House will now proceed to reconsider its disagreement to the Senate amendments of certain House Bills, including the aforementioned measure."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills.

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans:

H.B. No. 2314, HD 1, (SD 1)
H.B. No. 2375, (SD 2)
H.B. No. 2398, HD 2, (SD 1)
H.B. No. 2526, HD 2, (SD 2)
H.B. No. 2529, HD 1, (SD 1)
H.B. No. 2553, HD 2, (SD 2)

Representative Riviere rose, stating:

"I'm sorry. Will these go on the calendar for a later vote?"

The Chair responded, stating:

"Yes, for Final Reading. So what we did was first, to suspend the rules, and then take this to reconsider action taken, and then have it agreed upon, and then for Final Reading on Tuesday. Correct."

Representative Ward rose, stating:

"Mr. Speaker, what is the process by which you call out these particular bills that he read up?"

Speaker Say: "These are the bills that the Conferees have decided to reconsider their action taken, changing from disagree, to agree to the Senate amendments."

Representative Ward: "So the Conferees ..?"

Speaker Say: "Are being discharged, and then passing it on Final Reading. So we are trying to give you, the Members of the House, that lead time of 48-hours."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments made by the Senate, and gave notice of intent to agree to such amendments for the noted House Bills.

OPEN JOURNAL

At this time, Representative Evans moved to keep the Journal open until 12:00 o'clock midnight this legislative day, seconded by Representative Pine and carried.

RECESS

At 7:09 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, May 01, 2012.

SUPPLEMENTAL CALENDAR #1

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. No. 1823-12 through 1825-12) and Conference

Committee Reports (Conf. Com. Rep. Nos. 52-12 through 65-12; 84-12 through 106-12; and 111-12 through 123-12) were received by the Clerk prior to 12:00 o'clock midnight this legislative day:

STANDING COMMITTEE REPORTS

Stand. Com. Rep. No. 1823-12 (FIN) and S.B. No. 3017, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," were placed on the calendar for Third Reading on May 1, 2012.

Stand. Com. Rep. No. 1824-12 (FIN) and S.B. No. 2952, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," were placed on the calendar for Third Reading on May 1, 2012.

Stand. Com. Rep. No. 1825-12 (FIN) and S.B. No. 2740, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," were placed on the calendar for Third Reading on May 1, 2012.

REPORTS OF CONFERENCE COMMITTEES

Representatives Herkes and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2502, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 52-12) recommending that H.B. No. 2502, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52-12 and H.B. No. 2502, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," was deferred for a period of 48 hours.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2871, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 53-12) recommending that H.B. No. 2871, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53-12 and H.B. No. 2871, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," was deferred for a period of 48 hours.

Representative Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2328, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 54-12) recommending that H.B. No. 2328, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54-12 and H.B. No. 2328, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Mizuno and Jordan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2290, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 55-12) recommending that H.B. No. 2290, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55-12 and H.B. No. 2290, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," was deferred for a period of 48 hours.

Representatives Souki, Keith-Agaran and Ichiyama, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2320, HD 2, SD 2, presented a report

(Conf. Com. Rep. No. 56-12) recommending that H.B. No. 2320, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56-12 and H.B. No. 2320, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred for a period of 48 hours.

Representatives Coffman and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2740, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 57-12) recommending that H.B. No. 2740, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57-12 and H.B. No. 2740, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representative Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1705, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 58-12) recommending that H.B. No. 1705, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58-12 and H.B. No. 1705, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives McKelvey, Keith-Agaran, Herkes and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1295, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 59-12) recommending that H.B. No. 1295, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59-12 and H.B. No. 1295, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," was deferred for a period of 48 hours.

Representatives Herkes and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2644, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 60-12) recommending that H.B. No. 2644, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60-12 and H.B. No. 2644, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred for a period of 48 hours.

Representatives Keith-Agaran and M. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1892, SD 1, presented a report (Conf. Com. Rep. No. 61-12) recommending that H.B. No. 1892, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61-12 and H.B. No. 1892, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2265, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 62-12) recommending that H.B. No. 2265, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62-12 and H.B. No. 2265,

HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE," was deferred for a period of 48 hours.

Representatives Herkes, Keith-Agaran and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1875, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 63-12) recommending that H.B. No. 1875, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63-12 and H.B. No. 1875, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," was deferred for a period of 48 hours.

Representatives Brower, Herkes and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2078, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 64-12) recommending that H.B. No. 2078, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64-12 and H.B. No. 2078, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Takumi and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1054, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 65-12) recommending that H.B. No. 1054, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65-12 and H.B. No. 1054, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2773, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 84-12) recommending that S.B. No. 2773, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 84-12 and S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," was deferred for a period of 48 hours.

Representatives Yamane and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 240, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 85-12) recommending that S.B. No. 240, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85-12 and S.B. No. 240, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," was deferred for a period of 48 hours.

Representatives Belatti, Rhoads and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2115, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 86-12) recommending that S.B. No. 2115, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 86-12 and S.B. No. 2115, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments

proposed by the House in S.B. No. 2766, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 87-12) recommending that S.B. No. 2766, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 87-12 and S.B. No. 2766, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," was deferred for a period of 48 hours.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2742, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 88-12) recommending that S.B. No. 2742, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 88-12 and S.B. No. 2742, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2238, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 89-12) recommending that S.B. No. 2238, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89-12 and S.B. No. 2238, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2383, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 90-12) recommending that S.B. No. 2383, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 90-12 and S.B. No. 2383, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," was deferred for a period of 48 hours.

Representatives Mizuno, Yamane and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2797, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 91-12) recommending that S.B. No. 2797, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91-12 and S.B. No. 2797, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2816, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 92-12) recommending that S.B. No. 2816, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 92-12 and S.B. No. 2816, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," was deferred for a period of 48 hours.

Representatives Yamane, Rhoads and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2821, HD 3, presented a report (Conf.

Com. Rep. No. 93-12) recommending that S.B. No. 2821, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93-12 and S.B. No. 2821, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," was deferred for a period of 48 hours.

Representatives Mizuno, Rhoads and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2833, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 94-12) recommending that S.B. No. 2833, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 94-12 and S.B. No. 2833, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," was deferred for a period of 48 hours.

Representatives Coffman and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3006, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 95-12) recommending that S.B. No. 3006, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95-12 and S.B. No. 3006, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2737, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 96-12) recommending that S.B. No. 2737, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96-12 and S.B. No. 2737, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," was deferred for a period of 48 hours.

Representatives Chang, Coffman and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2335, HD 2, presented a report (Conf. Com. Rep. No. 97-12) recommending that S.B. No. 2335, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97-12 and S.B. No. 2335, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," was deferred for a period of 48 hours.

Representatives Mizuno, Rhoads and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2318, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 98-12) recommending that S.B. No. 2318, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 98-12 and S.B. No. 2318, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," was deferred for a period of 48 hours.

Representatives Yamane and M. Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2813, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 99-12) recommending that S.B. No. 2813, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 99-12 and S.B. No. 2813, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Yamane, Nishimoto and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 596, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 100-12) recommending that S.B. No. 596, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 100-12 and S.B. No. 596, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," was deferred for a period of 48 hours.

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1083, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 101-12) recommending that S.B. No. 1083, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 101-12 and S.B. No. 1083, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2158, HD 1, presented a report (Conf. Com. Rep. No. 102-12) recommending that S.B. No. 2158, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 102-12 and S.B. No. 2158, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," was deferred for a period of 48 hours.

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2323, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 103-12) recommending that S.B. No. 2323, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 103-12 and S.B. No. 2323, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," was deferred for a period of 48 hours.

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2324, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 104-12) recommending that S.B. No. 2324, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 104-12 and S.B. No. 2324, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2858, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 105-12) recommending that S.B. No. 2858, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 105-12 and S.B. No.

2858, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," was deferred for a period of 48 hours.

Representatives Chang, Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3001, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 106-12) recommending that S.B. No. 3001, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 106-12 and S.B. No. 3001, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," was deferred for a period of 48 hours.

Representatives Herkes and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1879, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 111-12) recommending that H.B. No. 1879, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 111-12 and H.B. No. 1879, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," was deferred for a period of 48 hours.

Representatives Chang, Brower, McKelvey and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1617, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 112-12) recommending that H.B. No. 1617, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 112-12 and H.B. No. 1617, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Representatives Chang, Hanohano and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1972, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 113-12) recommending that H.B. No. 1972, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 113-12 and H.B. No. 1972, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred for a period of 48 hours.

Representatives Tsuji, Rhoads and Hashem, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 280, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 114-12) recommending that H.B. No. 280, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 114-12 and H.B. No. 280, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2487, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 115-12) recommending that H.B. No. 2487, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 115-12 and H.B. No. 2487, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 609, HD 2, SD 2, presented a report

(Conf. Com. Rep. No. 116-12) recommending that H.B. No. 609, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 116-12 and H.B. No. 609, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Nishimoto and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2248, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 117-12) recommending that H.B. No. 2248, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 117-12 and H.B. No. 2248, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," was deferred for a period of 48 hours.

Representatives Souki and Ichiyama, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2626, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 118-12) recommending that H.B. No. 2626, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 118-12 and H.B. No. 2626, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," was deferred for a period of 48 hours.

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2495, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 119-12) recommending that H.B. No. 2495, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 119-12 and H.B. No. 2495, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2569, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 120-12) recommending that H.B. No. 2569, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 120-12 and H.B. No. 2569, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2476, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 121-12) recommending that H.B. No. 2476, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 121-12 and H.B. No. 2476, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," was deferred for a period of 48 hours.

Representatives Aquino, Hanohano, Chang and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2848, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 122-12) recommending that H.B. No. 2848, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 122-12 and H.B. No. 2848, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Representatives Aquino and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1974, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 123-12) recommending that H.B. No. 1974, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 123-12 and H.B. No. 1974, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was deferred for a period of 48 hours.

Please note that a waiver was granted by the House Speaker and Senate President for the following Conference Committee Reports that were filed after the 12:00 midnight Final Decking deadline and that said measures will be positioned for passage on Final Reading on Thursday, May 3, 2012:

Conf. Com. Rep. No. 107-12 and S.B. No. 1269, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 108-12 and S.B. No. 2214, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 109-12 and S.B. No. 2576, SD 1, HD 3, CD 1
 Conf. Com. Rep. No. 110-12 and S.B. No. 2378, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 124-12 and H.B. No. 2664, HD 1, SD 1, CD 1
 Conf. Com. Rep. No. 125-12 and H.B. No. 2275, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 126-12 and S.B. No. 2739, SD 2, HD 1, CD 1
 Conf. Com. Rep. No. 127-12 and S.B. No. 2239, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 128-12 and S.B. No. 2927, SD 2, HD 1, CD 1
 Conf. Com. Rep. No. 129-12 and S.B. No. 2466, SD 2, CD 1
 Conf. Com. Rep. No. 130-12 and H.B. No. 2515, HD 3, SD 2, CD 1
 Conf. Com. Rep. No. 131-12 and H.B. No. 2012, HD 1, SD 1, CD 1
 Conf. Com. Rep. No. 132-12 and H.B. No. 1800, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 133-12 and H.B. No. 1838, SD 1, CD 1
 Conf. Com. Rep. No. 134-12 and H.B. No. 2684, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 135-12 and H.B. No. 283, HD 1, SD 2, CD 1
 Conf. Com. Rep. No. 136-12 and H.B. No. 1942, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 137-12 and H.B. No. 1943, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 138-12 and H.B. No. 2100, HD 2, SD 1, CD 1
 Conf. Com. Rep. No. 139-12 and H.B. No. 1953, HD 1, SD 1, CD 1
 Conf. Com. Rep. No. 140-12 and H.B. No. 246, HD 1, SD 2, CD 1
 Conf. Com. Rep. No. 141-12 and H.B. No. 1755, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 142-12 and H.B. No. 2251, CD 1
 Conf. Com. Rep. No. 143-12 and H.B. No. 2883, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 144-12 and H.B. No. 2806, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 145-12 and H.B. No. 2319, HD 2, SD 1, CD 1
 Conf. Com. Rep. No. 146-12 and H.B. No. 2873, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 147-12 and H.B. No. 1726, HD 1, SD 2, CD 1
 Conf. Com. Rep. No. 148-12 and H.B. No. 2302, HD 2, SD 1, CD 1
 Conf. Com. Rep. No. 149-12 and H.B. No. 2540, HD 2, SD 1, CD 1
 Conf. Com. Rep. No. 150-12 and H.B. No. 2448, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 151-12 and H.B. No. 2415, HD 2, SD 1, CD 1
 Conf. Com. Rep. No. 152-12 and H.B. No. 2404, HD 1, SD 2, CD 1
 Conf. Com. Rep. No. 153-12 and H.B. No. 304, HD 1, SD 1, CD 1
 Conf. Com. Rep. No. 154-12 and S.B. No. 2116, SD 2, HD 1, CD 1
 Conf. Com. Rep. No. 155-12 and S.B. No. 2778, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 156-12 and S.B. No. 2424, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 157-12 and S.B. No. 2780, SD 1, HD 2, CD 1
 Conf. Com. Rep. No. 158-12 and S.B. No. 2939, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 159-12 and S.B. No. 2827, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 160-12 and S.B. No. 2536, HD 2, CD 1
 Conf. Com. Rep. No. 161-12 and S.B. No. 2435, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 162-12 and S.B. No. 2779, SD 2, HD 1, CD 1
 Conf. Com. Rep. No. 163-12 and S.B. No. 2261, HD 1, CD 1
 Conf. Com. Rep. No. 164-12 and S.B. No. 112, SD 1, HD 1, CD 1
 Conf. Com. Rep. No. 165-12 and S.B. No. 2776, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 166-12 and S.B. No. 2320, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 167-12 and S.B. No. 490, SD 3, HD 1, CD 1
 Conf. Com. Rep. No. 168-12 and S.B. No. 2220, SD 1, HD 2, CD 1
 Conf. Com. Rep. No. 169-12 and S.B. No. 2695, SD 2, HD 2, CD 1

Conf. Com. Rep. No. 170-12 and H.B. No. 1968, HD 1, SD 2, CD 1
 Conf. Com. Rep. No. 171-12 and H.B. No. 2226, HD 2, SD 2, CD 1
 Conf. Com. Rep. No. 172-12 and H.B. No. 2599, HD 1, SD 1, CD 1
 Conf. Com. Rep. No. 173-12 and S.B. No. 2545, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 174-12 and S.B. No. 2933, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 175-12 and S.B. No. 2344, SD 2, HD 1, CD 1
 Conf. Com. Rep. No. 176-12 and S.B. No. 2947, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 177-12 and S.B. No. 2678, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 178-12 and S.B. No. 2236, HD 2, CD 1
 Conf. Com. Rep. No. 179-12 and S.B. No. 2958, SD 2, HD 2, CD 1
 Conf. Com. Rep. No. 180-12 and S.B. No. 2804, SD 2, HD 2, CD 1

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, May 01, 2012.

HOUSE COMMUNICATIONS

House Communication dated April 27, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2529, Discharged all conferees.
 HD 1, SD 1

House Communication dated April 30, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2319, Discharged Representative Yamashita
 HD 2, SD 1

House Communication dated April 30, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2681, Discharged all conferees.
 HD 1, SD 1

House Communication dated April 27, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 2314, HD 1, SD 1
 H.B. No. 2375, SD 2
 H.B. No. 2398, HD 2, SD 1
 H.B. No. 2526, HD 2, SD 2
 H.B. No. 2529, HD 1, SD 1
 H.B. No. 2553, HD 2, SD 2

House Communication dated April 27, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 461, HD 1, SD 1
 H.B. No. 755, HD 3, SD 2
 H.B. No. 2030, HD 2, SD 1
 H.B. No. 2150, HD 2, SD 1
 H.B. No. 2608, HD 1, SD 2
 H.B. No. 2751, HD 2, SD 1

OTHER COMMUNICATIONS

"HAWAII STATE LEGISLATURE
 STATE CAPITOL
 HONOLULU, HAWAII 96813

April 27, 2012

MEMORANDUM

TO: All Representatives
 All Senators

FROM: Speaker Calvin K.Y. Say /s/
 Senate President Shan S. Tsutsui /s/

RE: Extension of Conference Committee Report Filing Deadline

In December of this year, we prepared an internal legislative timetable, setting April 27, 2012, as the last day to file fiscal bills to deck for Final Reading. Earlier this month, we signed the Conference Committee Guidelines that provide, in paragraphs 11(b) and (c), that all Conference Committee negotiations shall conclude by 6:00 p.m. and all Conference Committee reports shall be filed by 11:30 p.m. on Friday, April 27, 2012. However, due to the delay in negotiations and passage of H.B. 2012, the supplemental Executive budget bill, several measures will need to be negotiated and Conference Committee reports filed beyond the evening of April 27, 2012.

Therefore, we are exercising our powers under Rule 13 of the Conference Committee Guidelines, to make an exception to these deadlines for certain fiscal measures. The Conference Committees on:

- (1) Bills with general fund appropriations that fit within a \$50 million ceiling;
- (2) Bills with non-general fund appropriations that had the agreement of the Conference Committee on language and approval of the Chairs of the Senate Committee on Ways and Means (WAM) and the House Committee on Finance (FIN) as of 6:00 p.m., Friday, April 27, 2012; and
- (3) Other fiscal bills (bills with WAM or FIN referral) that had the agreement of the Conference Committee on language and approval of the Chairs of WAM or FIN as of 6:00 p.m., Friday, April 27, 2012,

shall be permitted to continue negotiations beyond 6:00 p.m. on Friday, April 27, 2012, until 10 a.m. on Monday, April 30, 2012. No general fund enhancement or tax relief bills shall be permitted to continue negotiations beyond 6:00 p.m. on Friday, April 27, 2012. Furthermore, to allow adequate time to prepare and review the reports and the final form of the Conference Drafts, the filing deadline shall be extended until April 30, 2012, at 1:00 p.m. The opening of any conference meeting must be approved by signatures of the Chairs of WAM and FIN.

We are granting this exception to provide the conference members with an opportunity to ensure that the Conference Committee report and the Conference draft reflect the agreements made throughout the weekend. We believe that, due to the delay in the passage of the budget, allowing these bills to die based on an internal procedural deadline is not in the best interest of the people of Hawaii.

We wish to emphasize that previous Legislatures, when facing similar problems in past years, have followed the same procedure we follow with these measures.

/s/ Shan S. Tsutsui
 Shan S. Tsutsui
 President of the Senate
 4/27/12
 Date

/s/ Calvin K.Y. Say
 Calvin K.Y. Say
 Speaker of the House of Representatives
 4/27/12
 Date"

"THE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

April 29, 2012

MEMORANDUM

TO: Senate President Shan S. Tsutsui
Speaker Calvin K. Y. Say

FROM: Senator David Y. Ige, Chair /s/
Senate Committee on Ways and Means

Representative Marcus R. Oshiro, Chair /s/
House Committee on Finance

RE: Extension of Conference Committee Deadlines

Your joint April 27, 2012, memorandum, permitted the Conference Committees on:

- (1) Bills with general fund appropriations that fit within a \$50 million ceiling;
- (2) Bills with non-general fund appropriations that had the agreement of the Conference Committee on language and approval of the Chairs of the Senate Committee on Ways and Means (WAM) and the House Committee on Finance (FIN) as of 6:00 p.m., Friday, April 27, 2012; and
- (3) Other fiscal bills (bills with WAM or FIN referral) that had the agreement of the Conference Committee on language and approval of the Chairs of WAM or FIN as of 6:00 p.m., Friday, April 27, 2012,

to continue negotiations beyond 6:00 p.m. on Friday, April 27, 2012, until 10:00 a.m. on Monday, April 30, 2012.

Due to the number of measures that will be considered by the Conference Committees and practical matters involved with the logistics of processing the measures, we hereby request an extension of this deadline to 11:00 a.m. on Monday, April 30, 2012.

Your favorable consideration of the extension is appreciated.

[X] approve [] disapprove	[X] approve [] disapprove
/s/ Shan S. Tsutsui	/s/ Calvin K.Y. Say
Shan S. Tsutsui	Calvin K.Y. Say
President of the Senate	Speaker of the House of Representatives
4/30/12	4/30/12
Date	Date"

"HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

April 30, 2012

MEMORANDUM

TO: All Senators
All Representatives

FROM: Senate President Shan S. Tsutsui /s/
House Speaker Calvin K.Y. Say /s/

SUBJECT: Extension of Conference Committee Report Filing Deadline

On April 27, 2012, we extended the conference committee report filing deadline for certain bills to 1:00 p.m. on Monday, April 30.

During the morning of Monday, April 30, 2012, the conference committees on certain bills reached agreement on conference drafts.

In order to give those conference committees sufficient time to prepare and review the conference committee reports for the conference drafts, we extend the deadline for filing the conference committee reports to 2:00 p.m. on Monday, April 30, 2012.

cc: Senate Chief Clerk
House Chief Clerk
Senate Sergeant-At-Arms
House Sergeant-At-Arms"

"HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

April 30, 2012

MEMORANDUM

TO: All Representatives
All Senators

FROM: Speaker Calvin K.Y. Say
Senate President Shan S. Tsutsui

RE: Additional Extension of Conference Committees' Reports and Conference Drafts Deadline

On April 30, 2012, after further extending the conference committee report filing deadline to 2:00 p.m. on Monday, April 30, 2012, we also further extended the conference committee negotiations deadline for certain bills to 11:15 a.m.

However, in order to give those conference committees sufficient time to prepare and review the conference committee reports for the conference drafts, we found it necessary to grant a further extension. The Clerks of the respective Chambers shall accept a Conference draft no later than 4:00 p.m. on Monday, April 30, 2012.

/s/ Shan S. Tsutsui	/s/ Calvin K.Y. Say
Shan S. Tsutsui	Calvin K.Y. Say
President of the Senate	Speaker of the House of Representatives
4/30/12	4/30/12
Date	Date

cc: Senate Chief Clerk
House Chief Clerk
Senate Sergeant-At-Arms
House Sergeant-At-Arms"

"HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

April 30, 2012

MEMORANDUM

TO: All Representatives
All Senators

FROM: Speaker Calvin K.Y. Say
Senate President Shan S. Tsutsui

RE: S.B. 2804, S.D.2, H.D.2- Additional Extension of Conference Committee Report and Conference Draft Deadline

On April 30, 2012, we granted an additional extension of the conference committee reports and conference drafts filing deadline to 4:00 p.m. on

Monday, April 30, 2012, to ensure adequate time to prepare and review the reports and the final form of the conference drafts prior to the filing deadline.

A further extension was necessary to ensure the report and Conference Draft accurately reflected the agreement of the Conference Committee. Accordingly, pursuant to Rule 13 of the Joint House-Senate 2012 Committees on Conference Procedures, we granted a further extension to instruct the Clerks of the respective Chambers to accept a conference draft and report for S.B. 2804, S.D.2, H.D.2, no later than 4:30 p.m., Monday April 30, 2012.

/s/ Shan S. Tsutsui
Shan S. Tsutsui
President of the Senate
4/30/12
Date

/s/ Calvin K.Y. Say
Calvin K.Y. Say
Speaker of the House of Representatives
4/30/12
Date

cc: Senate Chief Clerk
House Chief Clerk
Senate Sergeant-At-Arms
House Sergeant-At-Arms"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 818 through 828) were received by the Clerk:

Sen. Com. No. 818, transmitting H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," which was adopted by the Senate on April 27, 2012.

Sen. Com. No. 819, transmitting H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," which was adopted by the Senate on April 27, 2012.

Sen. Com. No. 820, transmitting H.C.R. No. 99, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO WORK WITH STAKEHOLDERS AND APPROPRIATE AGENCIES TO CREATE AN EFFICIENT TRACKING METHOD FOR DEOXYRIBONUCLEIC ACID (DNA) RAPE KITS," which was adopted by the Senate on April 27, 2012.

Sen. Com. No. 821, transmitting H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," which was adopted by the Senate on April 27, 2012.

Sen. Com. No. 822, transmitting H.C.R. No. 140, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE OFFICE OF AEROSPACE DEVELOPMENT TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR HAWAII TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES," which was adopted by the Senate on April 27, 2012.

Sen. Com. No. 823, dated April 27, 2012, informing the House that the following bill has this day passed Final Reading in the Senate:

S.B. No. 2748, HD 1, SD 1, CD 1

Sen. Com. No. 824, dated April 27, 2012, informing the House that the Senate has on April 26, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2868, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES."

S.B. No. 3010, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Sen. Com. No. 825, dated April 27, 2012, informing the House that the Senate has on April 26, 2012, agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions and that said resolutions were this day adopted by the Senate:

S.C.R. No. 49, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO STATEWIDE."

S.C.R. No. 73, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES."

S.C.R. No. 137, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF AEROSPACE DEVELOPMENT TO DEVELOP AND PROMOTE A PARTNERSHIP IN AEROSPACE WITH THE STATE OF ALASKA TO EXPAND AND DIVERSIFY BOTH STATES' ECONOMIES AND THE UNITED STATES SPACE PROGRAM."

Sen. Com. No. 826, dated April 27, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 1705, Senator Kidani discharged as Co-Chair.
HD 1, SD 1

H.B. No. 2819, Senator Galuteria added as conferee.
HD 1, SD 2

Sen. Com. No. 827, dated April 27, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 1800, Senator Hee discharged as Chair.
HD 2, SD 2 Senator Ige discharged as Co-Chair; added as Chair.
Senator Tokuda added as conferee.

Sen. Com. No. 828, dated April 27, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 2012, Senator Kim discharged as conferee.
HD 1, SD 1

FIFTY-NINTH DAY

Tuesday, May 01, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 9:10 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Mr. Mufi Hannemann, former Mayor of the City and County of Honolulu, after which the Roll was called showing all Members present with the exception of Representative Ching, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 245 and 1191 through 1198) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 245, dated April 6, 2012, transmitting the Lead By Example: State of Hawaii Agencies' Energy Initiatives FY 2010-2011 Report, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 96 and Act 160, SLH 2006.

Gov. Msg. No. 1191, informing the House that on April 27, 2012, the following bill was signed into law:

S.B. No. 2110, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES." (ACT 090)

Gov. Msg. No. 1192, dated April 27, 2012, informing the House that on April 25, 2012, pursuant to Section 16 of Article III of the State Constitution, the following bill has become law without his signature:

H.B. No. 2537, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT." (ACT 091)

Gov. Msg. No. 1193, informing the House that on April 30, 2012, the following bill was signed into law:

S.B. No. 2084, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE." (ACT 092)

Gov. Msg. No. 1194, informing the House that on April 30, 2012, the following bill was signed into law:

S.B. No. 2126, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE." (ACT 093)

Gov. Msg. No. 1195, informing the House that on April 30, 2012, the following bill was signed into law:

S.B. No. 2247, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 094)

Gov. Msg. No. 1196, informing the House that on April 30, 2012, the following bill was signed into law:

S.B. No. 2798, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURER REQUIREMENTS." (ACT 095)

Gov. Msg. No. 1197, informing the House that on April 30, 2012, the following bill was signed into law:

S.B. No. 2828, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL." (ACT 096)

Gov. Msg. No. 1198, informing the House that on April 30, 2012, the following bill was signed into law:

S.B. No. 3003, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES." (ACT 097)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 829 and 830) were received and announced by the Clerk:

Sen. Com. No. 829, dated April 30, 2012, informing the House that the President has made changes to conferee assignments for the consideration of amendments proposed by the Senate to the following Bill(s):

H.B. No. 1942, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 1943, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 283, HD 1, SD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2695, SD 2, HD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 2100, HD 2, SD 1 Added Senator Ige as the first Co-Chair.

S.B. No. 112, HD 1, SD 1 Added Senator Ige as the first Co-Chair.

H.B. No. 2873, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 2806, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 1953, HD 1, SD 1 Added Senator Ige as the first Co-Chair.

S.B. No. 2344, SD 2, HD 1 Added Senator Ige as the first Co-Chair.

S.B. No. 2778, SD 1, HD 1 Added Senator Ige as the first Co-Chair.

S.B. No. 2827, SD 1, HD 1 Added Senator Ige as the first Co-Chair.

S.B. No. 2939, SD 1, HD 1 Added Senator Ige as the first Co-Chair.

S.B. No. 2958, SD 2, HD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2536, HD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 1755, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 2251, SD 1 Added Senator Ige as the first Co-Chair.

H.B. No. 246, HD 1, SD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2220, SD 1, HD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2424, SD 2, HD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2261, HD 1 Added Senator Ige as the first Co-Chair.

H.B. No. 1968, HD 1, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 2599, HD 1, SD 1 Added Senator Ige as the first Co-Chair.

H.B. No. 2226, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2776, SD 2, HD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 2684, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

H.B. No. 2883, HD 2, SD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2933, SD 2, HD 2 Added Senator Ige as the first Co-Chair.

S.B. No. 2678, SD 2, HD 2 Added Senator Ige as the first Co-Chair.

Sen. Com. No. 830, dated April 30, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments to the following bills:

H.B. No. 246, HD 1, SD 2 Senator Ige discharged as Co-Chair.

H.B. No. 1726, HD 1, SD 2 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

H.B. No. 1755, HD 2, SD 2 Senator Ige discharged as Co-Chair.

H.B. No. 1968, HD 1, SD 2 Senator Green added as conferee.

H.B. No. 2251, SD 1 Senator Ige discharged as Co-Chair.

H.B. No. 2319, HD 2, SD 1 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

H.B. No. 2415, HD 2, SD 1 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

H.B. No. 2448, HD 2, SD 2 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

H.B. No. 2540, HD 2, SD 1 Senator Ige discharged as Co-Chair.
Senator Ihara discharged as conferee.
Senator Kidani added as Co-Chair.
Senator Green added as conferee.

S.B. No. 490, SD 3, HD 1 Senator Ige discharged as Co-Chair.

S.B. No. 2116, SD 2, HD 1 Senator Ige discharged as Co-Chair.

S.B. No. 2220, SD 1, HD 2 Senator Ige discharged as Co-Chair.

S.B. No. 2236, HD 2 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

S.B. No. 2320, SD 2, HD 2 Senator Ige discharged as Co-Chair.
Senator Green added as conferee.

S.B. No. 2435, SD 1, HD 1 Senator Ige discharged as Co-Chair.

S.B. No. 2545, SD 2, HD 2 Senator Ige discharged as Co-Chair.
Senator Nishihara added as conferee.

S.B. No. 2779, SD 2, HD 1 Senator Ige discharged as Co-Chair.

S.B. No. 2780, SD 1, HD 2 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

S.B. No. 2804, SD 2, HD 2 Senator Ige discharged as Co-Chair.

S.B. No. 2947, SD 2, HD 2 Senator Ige discharged as Co-Chair.
Senator Kidani added as Co-Chair.

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 82) was received by the Clerk and was placed on file:

Dept. Com. No. 82, dated April 25, 2012, from Scott T. Nago, Chief Election Officer, Office of Elections, transmitting the Report to the Legislature in accordance with Section 31 of Act 164, SLH 2011.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Rhoads, on behalf of Representative Manahan and himself, introduced the *keiki* of the HCAP Headstart Program at Kukui Gardens and their chaperones, Ms. Reza Galindo, Ms. Helen Alcaria, and Ms. Linda Tomas.

Representative Manahan also welcomed the *keiki* and teachers of the Kukui Gardens Headstart Program who were accompanied by his legislative staff, Ms. Karen Iwamoto.

Representative Marumoto introduced the volunteers with the Friends of the Aina Haina Library, Ms. Sharon Nagasako, Ms. Jerri Young, Ms. Mary Chung, Ms. Kia Kamaka and Ms. Lisa Yoshimura.

Representative Awana introduced members of ArtSpace, Mr. Stacy Mickelson, Vice President of Government Relations and former North Dakota State Legislator; and Ms. Naomi Chu, Director of National Advancement.

Representative Chang introduced his daughter, Ms. Ren Nabuko Kuuleialoha Chang and her boyfriend, Mr. Mac Heulester, who were visiting from New York.

ORDER OF THE DAY

CONSENT CALENDAR

At this time, the Chair announced:

"At this time, Members, please note that for Part I of our Consent Calendar, the Unfinished Business 5a, we will be deferring H.B. No. 2491 to page 9 as component 6a on Final Reading.

"Once more, Members. On page 1, we'll be deferring H.B. No. 2491 to page 9 and take it up as part of the Final Reading measures. We're combining it with the other three measures because it is all Consent Calendar."

UNFINISHED BUSINESS**H.B. No. 2491, HD 1, SD 1:**

By unanimous consent, action was deferred to Final Reading of the Consent Calendar.

At 9:19 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:20 o'clock a.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Final Reading by consent calendar. (Representative Ching was excused.)

CONSENT CALENDAR**UNFINISHED BUSINESS**

At this time the Chair announced:

"Members, at this time there will be no discussion. As you know, this is the Consent Calendar where all the measures on page 2 to 9 have been agreed upon for no debate. It was placed there by all of you for the overall Consent Calendar."

Conf. Com. Rep. No. 7-12 and S.B. No. 2748, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2748, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 12-12 and S.B. No. 2769, SD 2, HD 3, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2769, SD 2, HD 3, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Cabanilla's written remarks are as follows:

"The process of buying a home is difficult enough. Purchasing insurance for it shouldn't be as trying.

"This bill will allow consumers to view the going rates for homeowners insurance without having to make multiple calls or visits to insurance companies. Posting insurance premiums on a State website will not only make it convenient for consumers, but will give them side-by-side comparison on rates and the services that go along with them.

"Hawaii Revised Statutes already requires the Insurance Commissioner to post motor vehicle insurers and premium information. Why not do the same for homeowners insurance? With side-by-side comparisons, homeowners should feel a lot more comfortable and confident about their selection of insurance that meets their needs.

"The bigger benefit is that with premiums from all insurers posted, homeowners can be assured a competitive rate. This would definitely help keep premiums at a fair market price.

"The bill also enhances the present law by allowing the Insurance Commissioner to require that insurance companies submit new rate filings when the current rate may be excessive, inadequate or unfairly discriminatory."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2769, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 13-12 and S.B. No. 2871, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2871, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 15-12 and S.B. No. 2765, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2765, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 20-12 and S.B. No. 1500, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1500, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 22-12 and S.B. No. 2486, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2486, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 24-12 and S.B. No. 2221, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2221, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which addresses issues concerning child abuse and possessing child pornography. Specifically, this bill expands the offense of promoting child abuse in the second degree to include possession of particularly violent or egregious child pornography.

"Hawaii law currently criminalizes possession of any form of child pornography, but limits the penalty and severity of such an offense to just a class C felony. This bill strengthens Hawaii's child pornography laws by distinguishing between various forms of child pornography, and increasing the severity of possessing pornography that involves a child under the age of twelve, sadomasochism or bestiality with a minor.

"Child pornography is among the fastest growing criminal offenses on the internet, and is a permanent record of the actual sexual abuse, exploitation, and assault upon the innocent and helpless children of our community. With the rapid advancement in modern technologies, and global proliferation of electronic communication and sharing of digital information, child pornography remains a cause for constant concern.

"Given the fact that Hawaii's child pornography statutes have not been amended since 2002, this bill will provide more effective tools for enforcement and more stringent standards for prosecution of such horrific offenses that shock the conscience of our society."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2221, SD 1, HD 1, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 25-12 and S.B. No. 2222, SD 2, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2222, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"I rise in support of this important measure that addresses the problem of "sexting". As has been reported repeatedly, Mr. Speaker, "sexting" involves people taking nude pictures and transmitting the images to others via electronic communication.

"However, with ubiquitous availability of smart phones for even pre-teens, the electronic transmission of youth-produced sexual pictures and videos is a growing problem with our children. This problem is difficult, especially because the images, once transmitted electronically, can be shared with many people almost instantaneously. Also, once transmitted, the original transmitter has very limited ability to control or prevent further dissemination.

"This bill also covers the situation where images are being transmitted to an adult who has convinced the minor to make the images and send them to the adult.

"Often, the images are intended for the minor's "significant other". But regardless of the reason the images were created, or to whom they were originally sent, the images frequently get disseminated to others, especially after the relationship has deteriorated, or a cell phone is lost, misplaced, stolen, or improperly accessed.

"As the Attorney General's Office testified, "such images may be used as a commodity for exchange" and "the threatened dissemination of such images may also be used as leverage against the subject to make the subject engage in certain conduct."

"In this age of electronic connectivity, the images can instantaneously be shared with many people and can cause great embarrassment and mental or emotional harm to the subjects of the images. The unwanted dissemination has even resulted in suicides in other states.

"Our current State laws do not specifically prohibit "sexting" conduct. While our laws prohibit the dissemination of child pornography, the nude images transmitted through "sexting" behavior often do not qualify as pornography.

"This proposal will make it clear that soliciting and disseminating nude images of minors is harmful and inappropriate behavior. While the severity of the penalties has been amended to reflect concerns about criminalizing children for poor judgment and questions about Romeo-Juliet situations where one person in the couple is an adult by a year or two, this law will be a tool for law enforcement agencies to appropriately wield with due prosecutorial discretion. This bill will also assist parents and school officials in addressing this growing problem with minors and perhaps educating their children or their students of the inappropriateness and harmfulness of "sexting.""

Representative Rhoads' written remarks are as follows:

"Mr. Speaker, in opposition. I support the creation of the crime of promoting minor-produced sexual images in the first degree which addresses adults encouraging minors to send sexual text messages. I do not support the second crime created by this bill, promoting minor-produced sexual images in the second degree. This criminalizes sexting between minors. While I strongly disapprove of the behavior, I don't believe it rises to the level of a crime. Are we really going to arrest 16-year olds for this type of behavior?"

Representative Pine's written remarks are as follows:

"I strongly support SB 2222 to combat the growing trend of "sexting" among young people. Images, once transmitted electronically, can be shared with many people almost instantaneously including classmates and strangers on the Internet. Furthermore, it is almost impossible to completely remove an image from the Internet once it has been posted. It's imperative that our youth understand the consequences of sending photos no matter who the recipient is.

"This bill would make it a misdemeanor for a minor to knowingly electronically transmit nude images of him or herself or other minors to any person, or intentionally or knowingly solicit other minors to do so – and prohibit a person of any age from knowingly possessing a nude image transmitted by a minor. The bill also makes it an affirmative defense if the recipient had made reasonable efforts to destroy the transmitted nude image.

"In addition to harsh punishments, young people need to be educated on the dangers of putting revealing photographs on the Internet. Oftentimes they do not understand the potential consequences and the possibility of a relationship turning sour – turning a once friendly relationship into one that cannot be trusted, opening the possibility of these images being shared openly without the permission of the subject.

"For these reasons, I strongly support SB 2222."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2222, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Rhoads voting no, and with Representative Ching being excused.

Conf. Com. Rep. No. 26-12 and H.B. No. 2594, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2594, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 27-12 and H.B. No. 2595, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2595, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 29-12 and H.B. No. 1925, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1925, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I support HB 1925 HD1 SD1 CD1. This bill amends HRS sec 281-31(b) to allow local craft distillers to sell directly to people touring their facilities – the law already allows brewers and wineries to do so. Hawaii craft distillers produce brandy, vodka, rum and other concoctions.

"This measure allows holders of Class 1 manufacturer liquor licenses to sell beer, wine, or other specified liquor manufactured or distilled on the licensee's premises from fruit or other products grown in the State, in any quantity to wholesalers in original packages or for private use and consumption.

"There are presently eleven facilities with licenses from the US Dept of Treasury Alcohol and Tobacco Tax and Trade Bureau (one recently ceased

operations, and one facility is a second facility for the same licensee) who would be affected by this change in the law. Of the nine active facilities, five are on Maui (Haleakala Distillers – Rum; Kolani Distillers – Rum; Hawaii Sea Spirits – Vodka; Haiku Lemon Scents – Liqueur; and Haliimaile Distillers – Vodka); two are on Oahu (Aloha Distillers – coffee liqueur; and Island Distillers – Vodka); one is on Kauai (Koloa Rum – Rum); and one is on Hawaii (Hawaiian Rainforest – Brandy).

"Hawaii is becoming internationally renowned for its locally produced wine, beer, and liquor. Craft distillers often make their products with locally grown fruits, grains, cane sugar, and other locally grown commodities. This bill supports this niche in our local economy. Opening the door to opportunity for entrepreneurs interested in starting their own winery or distillery, while cultivating or purchasing from local farmers the ingredients used to make their products, can provide additional opportunities in our rural areas, boost the growth of agro-tourism in our State, and will contribute to our agricultural independence."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1925, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 30-12 and H.B. No. 2686, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2686, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which provides protection to property owners who provide shelter to their neighbors in emergencies.

"This measure exempts an owner of private property who provides emergency access to land, shelter, or subsistence to a person in good faith during a disaster from liability for injury or damage suffered by the person, unless it was caused by the gross negligence or intentional or wanton acts or omissions of the owner of the land.

"Our islands are subject to a number of different kinds of disasters. We are frequently reminded of the devastating toll that tsunamis can take. Our communities make plans to avoid loss of life in the event of such disasters. Swift evacuation to the nearest higher ground is the best option for coastal residents. In some communities there are no public roads leading *mauka*. The owners of higher ground are often willing to let their neighbors evacuate through their land, but worry about the liability if they give permission to open their fences and gates. This bill will exempt such owners from liability in the narrow circumstances of such disasters for allowing access to their land and other emergency assistance. This measure is not a general exemption, but one crafted to protect and encourage common sense, neighborly *kokua* that is part of our heritage."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2686, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 32-12 and H.B. No. 1984, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1984, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 34-12 and H.B. No. 1543, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1543,

SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING LAW," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 35-12 and H.B. No. 2623, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2623, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which provides that real property held in tenancy by the entirety shall continue to have the same immunity from the claims of separate creditors of spouses or reciprocal beneficiaries if conveyed into a joint or separate revocable trust, under certain circumstances. It requires adequate notice in the conveyance document to note tenants by the entirety protection continues after the real property is transferred to the trust. It also clarifies that the real property will be governed by the trust instrument. It further allows spouses or reciprocal beneficiaries to waive the protection in favor of specific creditors.

"Traditionally, holding property in tenancy by the entirety is severed when the property is conveyed into a trust even if the trust is formed by settlors who are spouses or reciprocal beneficiaries. This bill makes a significant change by allowing the protections afforded to spouses and reciprocal beneficiaries for their property held in tenancy by the entirety into their trust as part of prudent Estate Planning. The framework provided in this bill – requiring that such trusts include the names of the settlors – limits the use of this new law to hide assets from bona fide creditors of the settlors.

"Estate planning is of great benefit. As baby boomers age, more and more couples need to make plans for their families and assets. Allowing them to use the benefits of a trust to hold their property, without giving up the benefits of holding property by the entirety will give important security to Hawaii couples, especially as they enter their golden years."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2623, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 36-12 and H.B. No. 1788, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1788, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which addresses issues relating to cybercrime. Specifically, this bill amends certain computer crime statutes related to Computer Fraud and Unauthorized Computer Access, by clarifying and strengthening certain elements, and increasing their severity.

"This bill addresses the rapid advancement in modern technologies and realities of modern cybercrime in a society increasingly interconnected to and reliant upon, the Internet for storage and transfer of valuable and confidential information. This bill also reflects the belief that heightening the severity of these computer crime offenses, will deter such activity by would-be offenders, and also emphasize to the public that these types of activities will not be tolerated.

"With the rapid proliferation of advanced and mobile electronic devices over the last decade, it is now possible for practically anyone, anywhere, to engage in online criminal activity, at any time. Here in Hawaii and across the world, state governments and universities, federal agencies and legislative bodies, as well as international companies, have all already been compromised or breached by cybercriminals. Through the ranks of

organized crime to the hobbies of everyday hackers, the value and ease in committing cybercrime is an unfortunate reality that cannot be ignored.

"Given the fact that Hawaii's computer crime statutes have not been amended since their enactment in 2001, this bill will provide more effective tools for enforcement and prosecution of computer crime offenses."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of HB 1788 Relating to Computer Crime. HB 1788, the cybercrime omnibus bill, will toughen computer crime laws by modeling language after existing identity theft laws defining computer fraud as an aggravated form of theft. It will also impose harsher penalties by raising each existing crime one grade higher. The bill creates a new offense of Computer Fraud in the Third Degree, a class C felony. The crime would involve knowingly accessing a computer, computer system, or computer network, with intent to commit theft in the third or fourth degree.

"I am so proud of this Body for advancing important cyber crime legislation this Session. Cyber crimes include harassment, financial fraud, identity fraud and theft, stalking, bullying and luring underage minors via the Internet. Internet crimes have ruined countless lives and businesses.

"I strongly believe our laws must evolve with ever-changing technologies. This bill is one step toward protecting the people of Hawaii from this awful trend. We must send a clear message to cyber criminals that their heinous behavior will not be tolerated in the State of Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1788, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 37-12 and H.B. No. 2232, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2232, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 38-12 and H.B. No. 2568, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2568, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 39-12 and H.B. No. 2776, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2776, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 40-12 and H.B. No. 2244, HD 1, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2244, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Tsuji's written remarks are as follows:

"This bill strengthens the State's ability to monitor the import and export of plant commodities.

"It authorizes the Department of Agriculture (DOA) to create rules on compliance agreements with federal or state departments of agriculture to

conduct inspections of imported and exported plant commodities. Nationally, origin inspection programs are done through the establishment of compliance agreements between federal and state departments of agriculture.

"HB2244 gives DOA a means to evaluate items at mainland points of origin *before* they arrive in the State and also to assess fees for conducting inspections required under the compliance agreements.

"This type of pre-entry program is especially important for high-risk commodities, such as Christmas trees and leafy greens. I thank the Vice-Chair of the Agriculture Committee for introducing this Bill and urge my colleagues to support the measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2244, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 44-12 and H.B. No. 1791, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1791, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which clarifies the authority of the court and paroling authority in sentencing an individual convicted of manslaughter.

"Specifically, this bill removes mandatory terms of imprisonment and allows for indeterminate maximum and minimum terms of imprisonment to be imposed. This allows for the possibility of suspension and probation to be considered at sentencing. This bill also grants the courts discretion to impose license revocations for a specific, instead of indeterminate period of time, as well as to impose license revocations in sentencing for negligent homicide resulting from the operation of a motor vehicle.

"According to law enforcement officials, our current law is not clear about the period of time in which a court may revoke an individual's license, as well as whether a sentence of probation is possible for a manslaughter conviction. Further, if a sentence of probation is imposed, the law is not clear on the amount of jail time a court may impose as a condition of that probation.

"With this lack of clarity, courts and prosecutors throughout the State have interpreted this law differently, and this bill resolves this confusion and disparity in sentencing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1791, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 45-12 and H.B. No. 2685, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2685, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 47-12 and H.B. No. 2004, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2004, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 48-12 and H.B. No. 2513, HD 1, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2513, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 51-12 and H.B. No. 2326, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2326, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 52-12 and H.B. No. 2502, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2502, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 53-12 and H.B. No. 2871, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2871, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 54-12 and H.B. No. 2328, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2328, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 59-12 and H.B. No. 1295, HD 3, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1295, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 66-12 and S.B. No. 2103, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2103, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 73-12 and S.B. No. 2056, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2056, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 80-12 and S.B. No. 2810, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2810, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES,"

passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 81-12 and S.B. No. 1382, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1382, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 83-12 and S.B. No. 243, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 243, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 84-12 and S.B. No. 2773, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 91-12 and S.B. No. 2797, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2797, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 92-12 and S.B. No. 2816, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2816, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 93-12 and S.B. No. 2821, HD 3, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2821, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 94-12 and S.B. No. 2833, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2833, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 95-12 and S.B. No. 3006, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3006, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 96-12 and S.B. No. 2737, SD 1, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2737, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker, I strongly support the passage of SB 2737, a measure that amends the State's Sunshine Law to permit board and commission meetings to be conducted via any form of interactive conference technology that allows interaction by audio or by audio and visual means, including teleconference, videoconference, and voice over internet protocol, subject to certain provisions. These changes to the Sunshine Law will increase the ability of members of State and county boards and commissions and the public to participate in or attend board and commission meetings.

"Additionally, this measure allows a disabled board member, who is physically unable to attend the meeting, to participate in a board or commission meeting from a location not accessible to the public; provided that the disabled member is connected to other members of the board or commission and the public by both visual and audio means, and the member identifies where the member is located and who, if anyone, is present at that location with the member. This measure will greatly decrease the costs for board or commission members to attend public meetings on a different island and will facilitate the attendance at these meetings for disabled board and commission members."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2737, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 98-12 and S.B. No. 2318, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2318, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 99-12 and S.B. No. 2813, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2813, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 100-12 and S.B. No. 596, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 596, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 102-12 and S.B. No. 2158, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2158, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which protects an individual's constitutional and statutory right to bail. Specifically, this bill standardizes bail processes statewide and requires law enforcement

agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds, at all hours, not just during normal business hours.

"Presently for example, if an individual is taken into custody by the Department of Public Safety, during non-regular business hours, that individual may not be able to post bail simply because the courts are closed. This bill removes the current bureaucratic barriers that prevent this individual from being promptly released from custody pending posting of bail.

"Though concerns were expressed about the staffing, accountability and feasibility of effectuating these new processes, an individual's right to bail should not be compromised for administrative convenience. In amending a statute that has not been revised since 1972, this bill merits our support because it promotes fairness in process, and ensures equal access to justice for all individuals."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2158, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 111-12 and H.B. No. 1879, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1879, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 113-12 and H.B. No. 1972, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1972, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

Conf. Com. Rep. No. 123-12 and H.B. No. 1974, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1974, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

At 9:22 o'clock a.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2748, SD 1, HD 1, CD 1
 S.B. No. 2769, SD 2, HD 3, CD 1
 S.B. No. 2871, SD 1, HD 2, CD 1
 S.B. No. 2765, SD 2, HD 2, CD 1
 S.B. No. 1500, HD 1, CD 1
 S.B. No. 2486, SD 1, HD 1, CD 1
 S.B. No. 2221, SD 1, HD 1, CD 1
 S.B. No. 2222, SD 2, HD 1, CD 1
 H.B. No. 2594, HD 2, SD 1, CD 1
 H.B. No. 2595, HD 2, SD 2, CD 1
 H.B. No. 1925, HD 1, SD 1, CD 1
 H.B. No. 2686, HD 1, SD 1, CD 1
 H.B. No. 1984, SD 1, CD 1
 H.B. No. 1543, SD 1, CD 1
 H.B. No. 2623, HD 1, SD 1, CD 1
 H.B. No. 1788, HD 1, SD 1, CD 1
 H.B. No. 2232, HD 2, SD 1, CD 1
 H.B. No. 2568, HD 2, SD 1, CD 1
 H.B. No. 2776, HD 2, SD 2, CD 1
 H.B. No. 2244, HD 1, SD 2, CD 1
 H.B. No. 1791, SD 1, CD 1
 H.B. No. 2685, HD 2, SD 2, CD 1
 H.B. No. 2004, HD 2, SD 2, CD 1

H.B. No. 2513, HD 1, SD 2, CD 1
 H.B. No. 2326, HD 1, SD 1, CD 1
 H.B. No. 2502, HD 2, SD 2, CD 1
 H.B. No. 2871, HD 1, SD 1, CD 1
 H.B. No. 2328, HD 1, SD 1, CD 1
 H.B. No. 1295, HD 3, SD 2, CD 1
 S.B. No. 2103, SD 2, HD 2, CD 1
 S.B. No. 2056, HD 2, CD 1
 S.B. No. 2810, SD 1, HD 1, CD 1
 S.B. No. 1382, SD 2, HD 1, CD 1
 S.B. No. 243, SD 2, HD 1, CD 1
 S.B. No. 2773, SD 1, HD 1, CD 1
 S.B. No. 2797, SD 1, HD 1, CD 1
 S.B. No. 2816, SD 1, HD 1, CD 1
 S.B. No. 2821, HD 3, CD 1
 S.B. No. 2833, SD 1, HD 2, CD 1
 S.B. No. 3006, SD 2, HD 2, CD 1
 S.B. No. 2737, SD 1, HD 2, CD 1
 S.B. No. 2318, SD 1, HD 2, CD 1
 S.B. No. 2813, SD 1, HD 1, CD 1
 S.B. No. 596, SD 2, HD 1, CD 1
 S.B. No. 2158, HD 1, CD 1
 H.B. No. 1879, HD 2, SD 1, CD 1
 H.B. No. 1972, HD 2, SD 1, CD 1
 H.B. No. 1974, HD 2, SD 1, CD 1

FINAL READING

The Chair then announced:

"Members, at this time, please note that the House previously gave notice of the intent to agree to the following House Bills. We are now on page 9, which is 6a. There will be no debate as these measures have been placed on the Consent Calendar also."

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Ching was excused.)

H.B. No. 2491, HD 1, (SD 1)
 H.B. No. 2314, HD 1, (SD 1)
 H.B. No. 2375, (SD 2)
 H.B. No. 2529, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 2314, HD 1, SD 1; and H.B. No. 2375, SD 2, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

H.B. No. 2491, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2491, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

H.B. No. 2314, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2314, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (Brower, Tokioka and Nishimoto). Noes, none. Excused, 1 (Ching).

Representative Chong moved that H.B. No. 2314, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure. This bill aligns deposits into the Convention Center Enterprise Special Fund (CCESF) with the operating budget of the Convention Center. The law presently provides for depositing the Convention Center's allocation of Transient Accommodations Tax revenues into the CCESF on a calendar year basis.

"The fact that collections are made on a calendar year basis creates an accounting conflict with expenditures made on a fiscal year basis, painting the specter of a discrepancy between the timeline of incoming and outgoing funds. Due to this discrepancy, after the fund reaches its \$33,000,000 limit, further revenues are suspended from deposit into the fund until the new calendar year. Therefore, at times, a paper shortfall appears in the fund's ability to pay the Convention Center debts while at other times a phantom balance may also be shown which could mislead policy makers and other observers."

The motion was put to vote by the Chair and carried, and H.B. No. 2314, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

H.B. No. 2375, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2375, on the following showing of Ayes and Noes:

Ayes, 5 (Herkes, Keith-Agaran, Tsuji, Yamane and Marumoto). Noes, none. Excused, 1 (Oshiro).

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2375, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

H.B. No. 2529, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2529, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Final Reading by a vote of 50 ayes, with Representative Ching being excused.

At 9:24 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2491, HD 1, SD 1
 H.B. No. 2314, HD 1, SD 1
 H.B. No. 2375, SD 2
 H.B. No. 2529, HD 1, SD 1

The Chair then announced:

"Members, please remember to submit to the Clerk, the list of House and Senate Bills on the Consent Calendar, for which you'll be inserting written comments in support, or in opposition. This must be done by the adjournment of today's Floor Session."

At 9:24 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:01 o'clock a.m., with Vice Speaker Manahan presiding.

At this time, the Chair announced:

"Members, please turn your attention to Supplemental Calendar No. 1, and Conference Committee Report No. 128-12, on page 3."

SUPPLEMENTAL CALENDAR #1

REPORTS OF CONFERENCE COMMITTEES

Conf. Com. Rep. No. 128-12 and S.B. No. 2927, SD 2, HD 1, CD 1:

At this time, Representative Har offered Floor Amendment No. 7, amending S.B. No. 2927, SD 2, HD 1, CD 1, as follows:

"SECTION 1. Senate Bill No. 2927, S.D. 2, H.D. 1, C.D. 1, Section 2, is amended by amending page 8, lines 6-12, to read as follows:

"(A)Bus transit station or center, as designated by the county to achieve density and ridership goals, located within the county development or sustainable communities plans for Ewa, Central Oahu, and Primary Urban Center that has existing infrastructure, public utilities, and roadways; or""

Representative Har moved that Floor Amendment No. 7, be adopted, seconded by Representative Tokioka.

Representative Har rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker and Members, as you may recall, we had received much concern about this particular measure. Specifically, we heard the concerns raised by people from the Neighbor Islands, as well as from the Windward side, and other communities that are not necessarily developable, if there's such word.

"So at this point Mr. Speaker, we wanted to show there was a mistake, and this was truly a learning lesson. The bill had come to us, the CD 1 at literally 11:57. It came to the Chairs while we were all in Room 309 trying to vote on the budget. We all perused the bill and admittedly, thought the language should have been taken out regarding other developed communities, and unfortunately, in the midst of trying to get the bill decked by the midnight deadline, nobody caught the fact that that language had not been removed.

"Accordingly, Mr. Speaker, I do submit this Floor Amendment to show that we are in fact deleting that language, to ensure that this bill would apply only to the communities of Ewa, Central Oahu, and the primary urban core. Thank you, Mr. Speaker."

Representative Thielen rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to speak against the bill, and this is bill, S.B. 2927. The amendment and the underlying bill. But the amendment."

The Chair addressed Representative Thielen, stating:

"We're just talking about the Amendment right now."

Representative Thielen continued, stating:

"Thank you. I appreciated what the former speaker tried to do to remove 'or is within a developed community,' and that's within quotes. That language is no longer there on page 8. However, Mr. Speaker, I see this S.B. 2927 is still aiming at urban areas like Kailua, Hawaii Kai, Kahala ..."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, we're talking about the Floor Amendment right now. We can talk about the underlying bill after we talk about the Floor Amendment. Please."

Representative Thielen: "I am addressing the Amendment. I'm sitting and looking right at the Amendment, Mr. Speaker. So I see it still addressing those areas on page 7 of the Amendment that I'm looking at right here. It says on line 18, within the Amendment, page 7 ..."

Vice Speaker Manahan: "It's only the amendment."

At 10:05 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:08 o'clock a.m.

Representative Thielen continued, stating:

"Thank you, Mr. Speaker. And I understand what the Majority is saying, that I am only allowed to address the language of the cover of the Floor Amendment. Bus transit station, or center, etc.

"I do thank the former speaker from removing the language as I said, of 'or is within a developed community.' However, Mr. Speaker, with this amended language that I'm looking at, that I'm addressing, this bill still would apply to Kailua, Hawaii Kai, other areas that are within the urban district. So I cannot support this concept, even in the amended bill. Thank you."

The motion that Floor Amendment No. 7, amending S.B. No. 2927, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," be adopted, was put to vote by the Chair and carried, with Representative Thielen voting no.

At 10:10 o'clock a.m., the Chair noted that Floor Amendment No. 7, was adopted.

The Chair then announced:

"Members, let's proceed on to the next Floor Amendment on page 11 of your Regular Order of the Day. We are on Floor Amendment Number 8, for Conference Committee Report Number 23-12, Senate Bill Number 2873."

ORDINARY CALENDAR

UNFINISHED BUSINESS

At 10:10 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:10 o'clock a.m.

At 10:10 o'clock a.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:12 o'clock a.m.

At 10:12 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:12 o'clock a.m.

Conf. Com. Rep. No. 23-12 and S.B. No. 2873, SD 1, HD 3, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2873, SD 1, HD 3, CD 1, pass Final Reading, seconded by Representative Evans.

At this time, Representative Souki offered Floor Amendment No. 8, amending S.B. No. 2873, SD 1, HD 3, CD 1, as follows:

"SECTION 1. Senate Bill No. 2873, S.D. 1, H.D. 3, C.D. 1, is amended by amending section 343-5(d), Hawaii Revised Statutes, contained in section 2, to read as follows:

"(d) Whenever an applicant requests approval for a proposed action and there is a question as to which of two or more state or county agencies with jurisdiction has the responsibility of ~~[preparing the]~~ determining whether an environmental assessment is required, the office, after consultation with and assistance from the affected state or county agencies, shall determine which agency ~~[shall prepare the assessment.]~~ has the responsibility for determining whether an environmental assessment by the applicant is required, except in situations involving secondary actions under this section; provided that in no case shall the office be considered the approving agency."

Representative Souki moved that Floor Amendment No. 8, be adopted, seconded by Representative Ichiyama.

Representative Souki rose to speak in support of the proposed Floor Amendment, stating:

"Yes, Mr. Speaker. This Floor Amendment is merely to clarify the language of who is responsible for the secondary impact statements. By secondary impact statement we mean other than the primary impact like on a highway, or waterways and sewage lines, electric lines, and those kinds of things you can build close to a highway. That will be considered as a secondary action.

"So what this bill does is, it determines who is responsible for it. It's the respective agency. If it's going to be on a highway, it would be the Department of Transportation. The Environmental Agency from the State merely identifies who is the one to make the particular assessment. And it goes on to say that the secondary actions on the section 343 provide that in no case shall the Environmental Office be considered as the approving agency. So the approving agency in this case would be the Department of Transportation or whoever is named. Thank you, very much."

Representative Thielen rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. A no vote on the Amendment and the underlying bill. Mr. Speaker, this Amendment, once again, is taking out the best office, the Office of Environmental Quality Control. That office is the only one that has been out there protecting the environment. The only one in this Administration. DOT is trying to be exempted. The other agencies and the Governor's Office are being very quiet as all of these bills to gut the environmental review are passing through. This amendment simply says to the Office of Environmental Quality Control, 'You've spoken up. You've defended the environment. Now we're taking you out.' Thank you."

The Chair then addressed Representative Thielen, stating:

"Representative Thielen, at this point we are just taking a vote on the Floor Amendment. If it is adopted, it will be up for 48 hour notice and discussion on the underlying bill."

The motion that Floor Amendment No. 8, amending S.B. No. 2873, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," be adopted, was put to vote by the Chair and carried, with Representative Thielen voting no.

At 10:18 o'clock a.m., the Chair noted that Floor Amendment No. 8, was adopted.

The Chair then announced:

"Now Members, if you can refer to page 17, and Conference Committee Report Number 114-12, House Bill Number 280."

Conf. Com. Rep. No. 114-12 and H.B. No. 280, HD 1, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 280, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

At this time, Representative Thielen offered Floor Amendment No. 9, amending H.B. No. 280, HD 1, SD 2, CD 1, as follows:

"SECTION 1. House Bill No. 280, H.D. 1, S.D. 2, C.D. 1, is amended by designating sections 1 through 6 as Part I.

SECTION 2. House Bill No. 280, H.D. 1, S.D. 2, C.D. 1, is amended by amending section 6 to read as follows:

"SECTION 6. Part I does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this Act."

SECTION 3. House Bill No. 280, H.D. 1, S.D. 2, C.D. 1, is amended by inserting the following:

"PART II

SECTION 7. In the wake of the global recession that saw Hawaii's unemployment rate triple between 2007 and 2009, the

legislature finds that rebuilding and diversifying Hawaii's

economy to create new jobs, to put people back to work, and to build a strong economic base that carries Hawaii into the twenty-first century is a key priority.

The legislature also finds that Hawaii is dangerously dependent on imported food. As the most geographically isolated state in the country, Hawaii imports approximately ninety-two per cent of its food, according to the Pacific Regional Integrated Sciences and Assessments Program. Currently, Hawaii has a supply of fresh produce for no more than ten days. Ninety per cent of the beef, sixty-seven per cent of the fresh vegetables, sixty-five per cent of the fresh fruits, and eighty per cent of all milk purchased in the State are imported. The legislature further finds that Hawaii's reliance on out-of-state sources of food places residents directly at risk of food shortages in the event of natural disasters, economic disruption, and other external factors beyond the State's control.

The legislature further finds that each food product imported to Hawaii is a lost opportunity for local economic growth. The legislature notes that according to the University of Hawaii college of tropical agriculture and human resources, an increase in the production and sale of Hawaii-grown agricultural commodities would contribute to significant job creation. The research shows that replacing ten per cent of current food imports with locally grown food will create a total of two thousand three hundred jobs. The legislature thus finds that increasing the amount of locally grown food by as little as ten per cent could keep hundreds of millions of dollars circulating within Hawaii's economy, stimulate growth, and create thousands of new jobs. Such diversification would help make Hawaii's economy more resilient to worldwide events.

The legislature further finds that increasing local production will ensure that Hawaii has food sources that will be more resilient to global supply disruptions, will be better able to cope with increasing global demand and shortages of commodities such as oil, and will be better prepared to deal with potential global food scarcities.

The legislature notes that the nutrients in fresh fruits and vegetables degrade rapidly and recognizes that increased availability of local food typically ensures access to fresher, later-picked produce with greater vitamin content and higher nutritional value. A more robust local agricultural sector will lead to more consistency and a likely increase in nutritional choices for local residents. The legislature believes communities will thrive by having a steady, affordable stream of local products that act as staple foods to residents and by having their food dollars recycled and reinvested in the local economy.

The legislature further finds that by establishing a food sustainability standard, Hawaii will be able to ensure a long-term commitment of resources and investment to producing a significant portion of Hawaii's food for local consumption. Such a standard will also create a framework for long term planning, including land use planning, resource allocation,

and tax incentives, and will otherwise direct Hawaii toward a more robust and sustainable future.

In summary, the legislature finds that establishing an increase in the production of local food as a key state priority will lead to the diversification of Hawaii's economy, create new jobs, advance Hawaii's long term economic stability, and boost the food security of the people of Hawaii.

The purpose of Part II is to establish a statewide food sustainability standard program.

SECTION 8. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**"CHAPTER
FOOD SUSTAINABILITY**

§ -1 Definitions. As used in this chapter, unless the context otherwise requires:

"Department" means the department of agriculture.

"Farm cash receipts" means the gross revenue of farms derived from the sale of Hawaii-grown products including livestock, dairy, and edible crops, as determined by the department on an annual basis.

"Food sustainability standard" means the volume of food commodities sold in the State, measured by farm cash receipts or as otherwise determined by the department, that are grown in the State.

§ -2 Department of agriculture responsibilities. (a) The department shall be responsible for measuring and analyzing the amount of food livestock, dairy, and edible crop commodities grown and sold in the State on an annual basis. This information shall be made publicly available in accordance with chapter 92F.

(b) The department shall, on an annual basis and in conjunction with the department of business, economic development, and tourism, identify key food commodities to be targeted for assistance in developing an increased local market share.

(c) The department shall be responsible for planning and adopting the necessary incentives to ensure that the food sustainability standard established under this chapter is met or exceeded.

(d) The department shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session on the status and progress of the department's efforts to effectuate this chapter and any recommended policy changes or necessary legislation.

(e) The department may adopt rules pursuant to chapter 91 to effectuate the purposes of this chapter.

§ -3 Food sustainability standard. (a) A statewide food sustainability standard to be achieved by the year 2020 is hereby established that requires the State to increase the amount of food grown in the State for local consumption by at least double the amount grown in 2014; provided that the department shall measure this amount by the farm cash receipts for livestock, dairy, and crops without regard to inflation adjustments, or by a comparable measurement as determined by the department.

(b) The department shall submit a report and recommendations to the legislature no later than twenty days prior to the convening of the 2020 regular session on how to raise the food sustainability standard over the following decade."

SECTION 3. House Bill No. 280, H.D. 1, S.D. 2, C.D. 1, is amended by renumbering sections 7, 8, and 9 as sections 9, 10, and 11, respectively and by designating the newly renumbered sections as Part III."

Representative Thielen moved that Floor Amendment No. 9, be adopted, seconded by Representative Ward.

Representative Thielen rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, this time I'm standing up in support, and in support of farmers. There was a measure Mr. Speaker, that almost made it through the

legislative process. It unfortunately died, because it was amended into a form that was incomprehensible and unacceptable to farmers.

"So going back to the Senate Draft 2, which is the basis of the amendment. This is what is before us now, to pass and to protect farmers. It keeps the false labeling of Hawaii grown coffee in the bill, because that is a good measure. But the amendment brings forth what we have needed to do to protect our farmers, and to protect our agricultural community, and also be able to have local grown food put onto the table for our community.

"Mr. Speaker, when we take a look at how hard the farmers worked on that original bill, and realized that we asked them to take their time out of their busy days, leave their farm, leave their ag production and come in and testify before this Body. The measure was food sustainability. I mean that's something we all in this Body should be supporting. The food sustainability was important. It would help the farming economy. It would bring more new people into the farming community because we would be expanding this, through food sustainability standards.

"The food sustainability standard was to be achieved by the year 2020. That's eight years out from now, but it would increase the amount of food grown in this State for local consumption. Double the amount grown by 2014, that's within two years. And then keep moving ahead with the food sustainability objectives.

"The bill was excellent, Mr. Speaker. And the farmers were distraught when all of a sudden a new version appeared that made no sense. It talked about housing and all sorts of other things that had nothing to do with our farming community. So this bill, this amended bill, simply goes back and puts forth a measure that everyone was supportive of and it deserves to pass. Thank you."

Representative Ward rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, in support. In the Constitution it says we will preserve agricultural land. Right now Mr. Speaker, land is being used to grow weeds and houses. This amendment gets it back to its initial intention, food. Mr. Speaker, the farmers have a tough road to hoe, literally and physically. We need to send a gesture to them that we are serious about getting more food security, more food sufficiency. And this amendment will do that.

"It protects the coffee growers in the other part of the bill. And with this amendment, makes us true to the Constitution. It's in there, and this bill should be amended to have this component within it. Thank you."

Representative Riviere rose to speak in support of the proposed Floor Amendment, stating:

"In support. Mr. Speaker, this bill started out from the House. Left the House with support. Passed through the Senate. Came back, not significantly changed, relatively similar. So the two bills going into Conference Committee were not terribly different. Unfortunately, there was a Conference Draft that was submitted which was horrendously different, and included all kinds of things, the kitchen sink. I think that torpedoed the project.

"So I think it's a travesty that a bill that so many people testified on and went so far, really had not that much opposition, in both Chambers, was scuttled in such a way. And for those reasons, I would support the inclusion of this at this time. Thank you."

Representative Ching rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. In support of the amendment. I wanted to reiterate that, you know, good legislation. We want to pass, good legislation. We want to hear the voice of our, as was said by the Representative of Kailua, our farmers. This is a goal. This is an important goal. The health of not only our people, their physical health, but the

health of our economy. So I'd like to ask that the words of the Representatives of Kailua and Waiialua be entered as my own. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I know it's the second time. I just was wondering if the Members are really aware that Hawaii has a supply of fresh produce for only 10 days. If things are cut off, which they could be, due to crisis or other reasons, we have 10 days worth of fresh produce. We also import approximately 92% of our food. Those statistics should be alarming to Members. This bill will reverse those appalling statistics.

"The amendment is necessary. We don't need to delay another year. This had the support of the agricultural community, who worked hard to pass it. We don't need to delay. This had the support of the agricultural community. We can't afford to delay. So, this measure should pass in its amended form. Thank you."

Representative Hashem rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, I stand in opposition. I'm not really opposed to what's in the language. However, the amendments that are posed, to be put in this bill, have no relation to the underlying bill. The bill talks about coffee. This language in the Amendment was never heard in Committee, and at the last second, you're going to add it into the bill? This is just bad policy, Mr. Speaker. Thank you."

Representative Pine rose to speak in support of the proposed Floor Amendment, stating:

"In support of the Amendment. And just in rebuttal to the previous speaker. Actually, this language was heard a lot. It was heard several times in the House, and several times in the Senate. Unfortunately it was new language that was put in the very good bill at the last minute, and the Conference Committee that killed the bill.

"And so we, in good faith, to support the agricultural community, to support this very Legislature's commitment, so they say, to the people of Hawaii to create a sustainable Hawaii. We know that a lot of things happened in Conference Committee, and as was mentioned in the previous amendment, that a mistake was made. So we are in good faith, believing in the will of the people and believing in the will of this Legislature, who says the people of Hawaii."

Representative Hashem rose, stating:

"Mr. Speaker, a point of clarification. She's referring to a different bill. This bill never had any sustainability language in it. Thank you."

The Chair addressed Representative Pine, stating:

"Representative Pine, please keep your remarks to the Floor Amendment before us."

Representative Pine responded, stating:

"Well actually, in the previous amendment, the buses never had any language in that particular bill. But this Legislature had no problem with that. So I object to your ruling Mr. Speaker, and I ask you to reconsider."

Vice Speaker Manahan: "There's no ruling. I'm just asking you to keep your comments to the Floor Amendment."

Representative Pine: "Okay, which I believe that I was, Mr. Speaker. I understand that things happen sometimes, and we are filled to hold to our positions that we're supposed to come to the Floor to protect. But sometimes it just doesn't make sense, and right now, this is something good, that we're doing. This is something to say to all those people that have so much faith and belief in the bill that is now being inserted into this bill, as we're doing the same action as we did in our previous amendment. We're just saying to these people to don't lose faith in us."

Representative Hashem rose, stating:

"Mr. Speaker, point of clarification. There was no food sustainability amendment in this bill."

Vice Speaker Manahan: "Representative Pine, please proceed."

Representative Pine: "Then we can put things in amendments that weren't in the previous bill, I ask that we reconsider our previous vote, and I would like to make a motion to reconsider the previous action on the previous amendment."

At this time, Representative Pine moved to reconsider the previous action of the previous amendment, seconded by Representative Thielen.

At 10:28 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:28 o'clock a.m.

At this time, Representative Pine withdrew her motion, and Representative Thielen withdrew her second.

Representative Pine continued, stating:

"Well, to conclude, Mr. Speaker, what a wonderful way that we could end this Legislature, to show the people of Hawaii that we believe in them, and that we know that all the hard work that those just regular citizens put in for the language that is in this amendment, to see it pass for the future of Hawaii. I think this is a good amendment, Mr. Speaker."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. Still in support of the amendment, and also to mention that on this House Floor, we've seen many amendments. Many amendments. And I think that the comment made by the Representative is a little, how should I put it. A little unusual. And the title still remains, Related to Agriculture. The language that has been referred to has been heard, probably *ad nauseum* in this House, by various people and various Committees. I mean, do we support the farmers or not?"

Representative McKelvey rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Regretfully, I do have to oppose the Floor Amendment. I think the concept is fantastic. I for one, if you guys didn't know, have no problem with putting stuff in the titles that are similar. However, there's an important mechanical thing. This thing has to be adopted in the same form in the Senate, Mr. Speaker. And if it doesn't happen, which I don't think it will, you kill the underlying bill, Mr. Speaker.

"It is clear the coffee industry, and I point to the op-ed piece in the *Star Advertiser* today. This is critical for the coffee industry. And the Floor Amendment, it's a good policy statement, it's a good goal, but it simply says to measure the cash standards of the industries. That's not a compelling reason to kill this bill for the industry. And quite frankly, that doesn't help farmers who are struggling with the big thing, cash. If this thing had cash in the bill, Mr. Speaker, then I would be like, 'Let's do it.' But it doesn't."

Representative Thielen rose, stating:

"Mr. Speaker, point of information. You corrected me before and said I could only talk about the amendment, and the amended language. And the other speaker is not doing that."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, the Chair has not recognized Representative Thielen. The Chair's going to call you out of order. Representative Thielen, you're out of order."

At 10:32 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:33 o'clock a.m.

Representative Tsuji rose to speak in opposition to the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Just a few short items, against the amendment. Thank you, very much. First of all, I believe there is support as far as agriculture is concerned with the CD 1 that was proposed. The number one, the breadbasket, the mainstay of all the entities in the State of Hawaii, the Farm Bureau, has supported this Conference Draft.

"Also, going to this Floor Amendment, it talks about a 2020 doubling, but, there's no specifics. In the amendment, from the 16% it does have a proposal, from 16% and it defines doubling up until 30% for food sustainability.

"Number two, the proposed CD 1 also recognizes the importance ..."

Representative Thielen rose, stating:

"Mr. Speaker, here we go again. The proposed CD1 is not an issue. The amendment is an issue and he is supposed to be speaking only to the amendment, right? The standard goes for our Caucus. It should go for your Caucus."

The Chair responded:

"Representative Thielen, thank you. Representative Tsuji, please keep your remarks to the Floor Amendment."

Representative Tsuji continued, stating:

"Thank you. This amendment does not address about exports, renewable energy, and also livestock that is so important. It is not included in this Floor Amendment.

"Also, item number 3. The importance of water in agriculture. The basics of water is not addressed in this amendment. Thank you."

Representative Thielen: "Mr. Speaker, let's go again. He is supposed to be addressing the amendment, and he is not addressing the amendment."

Vice Speaker: "Representative Thielen. Representative Tsuji, please proceed."

Representative Tsuji: "Thank you very much, Mr. Speaker. I'm done. Thank you."

Representative Mizuno rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, in opposition of the amendment. Clearly this is a procedural call. When we have a bill in Conference, and we try to add new material, just for that bill. It could have been another bill, but just the specific bill we're looking at before us, today. The only time new language can come in for that bill will be by the agreement of both the Senate President and the Speaker of the House. In this case, it hasn't happened. Therefore I respectfully oppose the amendment. Thank you, Mr. Speaker."

Vice Speaker Manahan:

"Representative Riviere, the Chair is recognizing you. Representative ..."

Representative Thielen: "Point of information, Mr. Speaker. It is not new language. It got all the way to Conference Committee."

At this time, Representative Souki called for the previous question.

Representative Riviere rose, stating:

"Thank you. I just wanted to clarify that all of the text that we have objected to, that was thrown into the Conference Draft of 2703, did come from left field. It wasn't heard in any of the Committees. It came broadly from ..."

Representative Souki rose to a point of order, stating:

"Point of order, Mr. Speaker. The question has been called."

Representative Riviere continued, stating:

"I'll continue, if I may, on my point of order. I'm just responding to a statement that was made, and I'm just correcting the statement as I best understand it. Thank you, very much."

The motion that Floor Amendment No. 9, amending H.B. No. 280, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry.

(Main Motion)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 280, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 51 ayes.

At 10:37 o'clock a.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 280, HD 1, SD 2, CD 1

The Chair then announced:

"Members, let's proceed back to page 10, and we're on Part II on the Ordinary Calendar."

SUSPENSION OF RULES

At this time, the Chair announced:

"Members, please note that S.C.R. No. 84, has been re-referred solely to the Committee on Housing per Committee Referral Sheet No. 76. The Committee on Finance has waived its referral to this Concurrent Resolution and it is therefore appropriate for this House to consider action for Adoption."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on S.C.R. No. 84, SD 1. (Representative Nishimoto was excused)

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Chong, seconded by Representative Evans and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1822-12, recommending referral to the Committee on Finance. (Representative Nishimoto was excused.)

ORDINARY CALENDAR

UNFINISHED BUSINESS

S.C.R. No. 84, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried S.C.R. No. 84, SD 1, entitled: "SENATE CONCURRENT

RESOLUTION SUPPORTING THE HAWAII PUBLIC HOUSING AUTHORITY'S APPLICATION FOR A CHOICE NEIGHBORHOODS GRANT AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO SELECT THE HAWAII PUBLIC HOUSING AUTHORITY AS A CHOICE NEIGHBORHOODS GRANT RECIPIENT," was Adopted, with Representative Nishimoto being excused.

At 10:39 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:41 o'clock a.m.

H.B. No. 468, HD 1, SD 2:

By unanimous consent, action was deferred to the end of the calendar.

Conf. Com. Rep. No. 8-12 and S.B. No. 2640, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2640, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 9-12 and S.B. No. 2767, SD 2, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2767, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Fontaine 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. 2767, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 10-12 and S.B. No. 2632, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2632, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 11-12 and S.B. No. 2745, SD 1, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2745, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak in support, but to add some statements. Thank you, Mr. Speaker. Mr. Speaker, S.B. 2745 creates a climate change adaptation policy for the State of Hawaii by amending the Hawaii State Planning Act, to include climate change adaption priority guidelines. I wish we had something better than warm and fuzzy in the measure, because warm and fuzzy is not going to protect us against the climate change and the sea level rise that is expected to hit Hawaii's shores by the year 2050.

"Mr. Speaker, the rising sea levels pose a substantial threat to Hawaii's infrastructure and overall economy. I think we all know that the Center for Island Climate Adaptation and Policy has stated that as a result of climate change, which this bill addresses, Hawaii is expected to experience a sea level rise of one foot by the year 2050. What does that mean to our islands? What does that mean to our resources? What does that mean to our transportation, that the Transportation Chair, I'm sure, is concerned

about? Well if we don't take steps to adapt to the actual anticipated sea level rise, we will have some serious problems.

"For example, take a look at the airport runways. A rise of one foot at the Honolulu Airport could inundate our reef runway, and make certain sections unusable. That's part of climate change. But the bill doesn't go far enough. It should address that. I have other measures that I'd like to add in written comments, Mr. Speaker, but let me just mention to you what we're talking about here, in the bill. The bill says that the purpose of the Act is to encourage collaboration. Well, I want to mandate collaboration. I want to mandate the government agencies, county level and State level to work in advance.

"We're talking about 2050, Mr. Speaker. Thirty-eight years out and what's going to be happening to the reef runway? And you can't go and wait till that fifty or that thirtieth year to take some steps.

"The bill also goes on with the warm and fuzzy language about explore adaptation strategies. I want to implement them, not explore them. And then it says, 'foster cross-jurisdictional collaboration.' I want to mandate that. We don't have the time left. And then it says, 'encourage planning and management.' Warm and fuzzy isn't going to protect our shores against sea level rise, and we need to step forward boldly, and mandate action. Thank you."

Representative Thielen's written remarks are as follows:

"While I am encouraged that my colleagues, in advancing SB2745 thus far, have shown progress by amending the Hawaii State Planning Act to include climate change adaptation priority guidelines, I fear we are failing to look far enough down the road.

"Rising sea level poses a substantial threat to Hawaii's infrastructure and overall economy. The Center for Island Climate Adaptation and Policy (ICAP) has stated that, as a result of climate change, Hawaii is expected to experience a sea level rise of one foot by the year 2050. Long term sea level rise has contributed to, and will continue to contribute to, ongoing coastal erosion, coastal flooding, and drainage problems.

"The science tells us that sea level rise is coming to our islands regardless of mitigation efforts. In order to successfully adapt to rising sea levels in the coming decades, we must implement land use policies that take into consideration ICAP's predictions before it is too late. SB2745 CD1 does not delve deep enough to accomplish this.

"The current bill language maps out climate change guidelines using soft, feel-good language like "encourage", "explore", "foster", and "promote" ... these are positive words, but they are not substantive. The bill amounts to "fluff and puff".

"To ensure Hawaii makes sound planning decisions, this bill should include language that directs the State and counties to take definitive action based on scientific fact.

"We should require the State Office of Planning and the planning authority of each county to take into account a predicted sea level rise of one foot by 2050 when reviewing present applications for building, zoning, and other development permits and when developing future county plans.

"This language was included in the HD1 of this measure (inserted from HB2330). By removing this language in more recent drafts of the bill, we have taken the teeth out of it. We've whittled our planning down to just a surface treatment of the issue, rather than including a specific sea level guideline by which to measure and map our community planning.

"If we do not take steps to adapt to the actual anticipated sea level rise, the scientifically predicted increase in the sea level will inundate our islands and negatively impact our infrastructure. Take for example our coastal airport runways. A rise of one foot at the Honolulu Airport could inundate our reef runway, making sections unusable. This could hurt our tourism industry, our cargo and freight transport, and leave our local residents and businesses with limited mobility and increased vulnerability.

"Or consider Kamehameha, Farrington or Kalanianaʻole Highways on Oahu, our main coastal roads which run along and at a level with the shoreline. The sea level rise of one foot should be taken into consideration for any development along these roads, concurrent infrastructure such as sewer and utility lines, and their future repair, maintenance, and upgrades. Kamehameha Highway along the North Shore is already frequently submerged during times of high winter surf and storm systems. Imagine the difference with the one foot rise, and then imagine the impact if we do not plan for this elevated level.

"With proper planning to take into account the anticipated one foot rise in sea level, we can realistically adapt to these consequential changes. At least this Legislature began to address climate change, and therefore I will vote in support of this bill. However next year the Legislature must look to the far horizon in planning, rather than gazing near-sighted at the current shore. In other words, enact the following language from HB2330:

"The purpose of this Act is to require the state office of planning and the planning authority of each county to take into account a predicted sea level rise of one foot above current levels by 2050 when planning for development.

SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§46- Sea level rise; planning. The governing body or planning commission or department of each county shall take into account a predicted sea level rise of one foot above current sea level by 2050 when reviewing applications for building, zoning, and other development permits and when developing future county plans for building, zoning, permitting, and other development."

SECTION 3. Chapter 223, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§223- Sea level rise; planning. The office of planning shall develop a strategic plan for directing statewide growth that takes into account a predicted sea level rise of one foot above current sea level by 2050."

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2745, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Final Reading by a vote of 51 ayes.

At 10:47 o'clock a.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2640, SD 1, HD 1, CD 1
S.B. No. 2767, SD 2, HD 1, CD 1
S.B. No. 2632, SD 1, HD 1, CD 1
S.B. No. 2745, SD 1, HD 2, CD 1

Conf. Com. Rep. No. 14-12 and S.B. No. 2402, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2402, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations on this measure. Thank you. Though the intent to preserve the natural quality of night sky

and its associated values is good in nature, the possible repercussions from excusing grandfathered or current projects seems to deem significant reservations. The bill is unclear as to how much of a new law applies to non-State entities which may pose a regulation issue.

"Dr. Wainscoat from the Starlight Reserve Committee confirmed the ambiguity of non-State projects saying the bill did not include the City and the county. I understand the argument that there are costs associated with retrofitting all projects to meet these standards, but as he confirmed, though inexpensive in comparison to replace and install, these current lights are actually more costly to run, so as a result the State will pay more not to retrofit. We need to look at these improvements as investments.

"But the most worrisome exemption is the Cooke Field renovation as this bill does not require the retrofit of the field. Lights from this field, similarly, can easily affect the light pollution for extensive distances, even as far as the Big Island, affecting the projects drawn to Hawaii because of its natural lighting. In an unprecedented investment in astronomy at Yale, the University entered into a partnership with the California Institute of Technology that gave access to the world's premiere observatories. Yale has invested \$12 million towards future operations with the observatory in Hawaii, in exchange for 150 nights of observation time over the next 10 years.

"These telescopes are the two largest, the best in the world. Mr. Speaker, we cannot ignore these investments to our sciences, our knowledge, our prosperity. Not only at a local State level, but moreover, at a national, and an international level. So I'm hoping that we will appreciate the fact that we need to take care of our night sky, and understand that light pollution is important. Additional written comments. Thank you."

Representative Ching's written remarks are as follows:

"I rise with reservations to this bill. Though the intent to preserve the natural quality of the night sky and its associated values is good in nature, the possible repercussions from excusing "grandfathered" or current projects deems significant reservations.

"This bill is also unclear as to how much of the new law applies to non-State entities, which may pose a regulation issue. Dr. Wainscoat, from the Starlight reserve Committee, confirmed the ambiguity of non-State projects saying the bill did not include city/county.

"Mr. Speaker, I understand the argument that there is cost associated with retrofitting all projects to meet these standards, but as Dr. Wainscoat also confirmed, though inexpensive in comparison to replace/install, these current lights cost more to run. As a result, the State will pay more to NOT retrofit.

"We ought to look at these improvements as investments. Perhaps the most worrisome exemption is the Cooke Field renovation, as this bill would not require the retrofit of the field. Lights from this field, and similar, can easily affect the light pollution for an extensive distance – even as far as the big island, affecting projects drawn to Hawaii due to its natural lighting.

"As the Department of Transportation reminds us, the implementation of fully shielded outdoor lights will require coordination with the scientific and environmental parties to properly address the State's lighting needs. Many considerations will be necessary to maintain and ensure transportation safety and security, for instance. The Historic Hawaii Foundation also brings up concerns that some historically significant buildings feature external lights integral to the historic integrity of those structures' design and character. As we must strive to retain a notion of living history through the architecture of times past, we cannot afford to deface elemental lighting fixtures arbitrarily.

"This bill contains several inconsistencies of note. For one, we need not exclude populations of under 100,000 people from these requirements; were we to reach that resort, businesses and others far exceeding light restrictions elsewhere may concentrate in small communities, and produce such excessive light pollution so as to defile natural habitats for many miles around despite their small numbers. Additionally, evidence has

shown a maximum correlated color temperature of 4,000 Kelvin harmful to both astronomy and native species, and experts suggest the limit be restored back to its original value of 3,800 Kelvin. If we are to enact such a law, let us design it so as to apply uniformly and effectively.

"In an unprecedented investment in astronomy at Yale, the University entered into a partnership with the California Institute of Technology (Caltech) that gave access to one of the world's premier observatories. Yale invested \$12 million towards future operations of the W.M. Keck Observatory in Hawaii in exchange for 150 nights of observing time over the next 10 years. These telescopes are known to be the two largest and best in the world.

"Mr. Speaker, we cannot ignore such lofty investments to our sciences, knowledge and prosperity – not only at a local/State level, but moreover at a national and worldwide level. Thank you."

Representative Johanson 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 Johanson's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations on SB 2402 relating to light pollution and outdoor lightning. I am worried about the potential negative impact this measure may have on Aloha Stadium because the stadium emanates light upward during sporting and special events. I know the bill has an exemption for sporting venues, but the bill is still somewhat ambiguous with respect to replacements and upgrades. I do, however, support the underlying concept of optimum skies for viewing and enjoying, which is why I am willing to support this measure with reservations."

Representative Har rose in support of the measure with reservations 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 with reservations on Conference Committee Report 14-12, Senate Bill 2402, Senate Draft 1, House Draft 1, Conference Draft 1.

"The purpose of this measure is to require all State agencies to use new and replacement outdoor light fixtures that are fully shielded in counties with a population of at least 100,000, with certain exemptions.

"While I understand the intent is to preserve the night sky as a natural, cultural, environmental and scientific resource, my reservations lie with the potential cost of replacing State outdoor light fixtures. The issue of cost is not at all addressed in SB2404 SD1 HD1 CD1. Such an overreaching bill would require installation of many new or replacement State outdoor light fixtures from no specified source of funding and could therefore cost our taxpayers millions of dollars.

"For these reasons, I stand with reservations on this measure. 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. 2402, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 16-12 and S.B. No. 1276, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1276, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 17-12 and S.B. No. 3062, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3062, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 18-12 and S.B. No. 3002, SD 2, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3002, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Riviere rose to disclose a potential conflict of interest, stating:

"May I have a ruling on a potential conflict? I am a mortgage loan officer," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3002, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 19-12 and S.B. No. 2375, SD 3, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2375, SD 3, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Riviere rose to speak in support of the measure with reservations, stating:

"Thank you, with reservations. I do support helping our agricultural enterprises succeed and I do appreciate the opportunity for farmers to sell their goods, especially farmers who have multiple pieces of property, where they cannot sell produce grown on the other lot. So I am in support of the program.

"Where I do have a reservation however, is the potential for abuse. And so I truly hope this will work as intended, and will not run away from us and create other zoning issues, and commercial activities in areas where they shouldn't be. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. For the reasons stated by the prior speaker, I'm voting no."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2375, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Choy and Thielen voting no.

Conf. Com. Rep. No. 21-12 and S.B. No. 2508, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2508, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," passed Final Reading by a vote of 51 ayes.

At 10:52 o'clock a.m., Representative Rhoads requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:53 o'clock a.m.

At 10:55 o'clock a.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2402, SD 1, HD 1, CD 1
 S.B. No. 1276, SD 2, HD 2, CD 1
 S.B. No. 3062, SD 1, HD 2, CD 1
 S.B. No. 3002, SD 2, HD 1, CD 1
 S.B. No. 2375, SD 3, HD 2, CD 1
 S.B. No. 2508, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 31-12 and H.B. No. 2593, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2593, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 33-12 and H.B. No. 1666, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1666, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 41-12 and H.B. No. 679, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 679, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano 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 H.B. No. 679, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Belatti, C. Lee, Luke, Rhoads and Saiki voting no.

Conf. Com. Rep. No. 42-12 and H.B. No. 1398, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1398, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"The purpose of this bill is to make public housing more efficient.

"Some 30,000 individuals are on a waiting list for public housing, there is an urgency to service them. But the process it takes to repair and build more housing units takes too long. This bill streamlines the process.

"While the State is concerned with compliance of the Procurement Code, the bill DOES NOT exempt the HPHA from federal procurement regulations, which are stringent with respect to the public-private partnerships that redevelop HUD public housing properties. The State's Procurement Code would just be a redundancy of regulations. Cutting this extra work will expedite the process. In turn, that gets people in the much-needed shelter quickly.

"To alleviate procurement concerns, the HPHA is still required to submit annual reports on all public-private partnerships."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1398, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 43-12 and H.B. No. 2589, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2589, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Yes, I rise with some reservations on Conf. Com. Rep. No. 43-12. And just some brief comments. You know, I had an opportunity to speak with some employees with the County of Maui, and removing these vessels could pose a problem for the County, being that they lack the equipment, and other things. As well as a place to store these vehicles. I would like to see, maybe in the future, that we craft some legislation that would include DLNR as part of the equations, looking at ways where we can actually store these abandoned vessels. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2589, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 46-12 and H.B. No. 2175, HD 2, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2175, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against the measure. Thank you. I'd like to quote from Common Cause. Common Cause states:

This bill exempts task force members from the state's ethics code. We believe that task forces play an important role in the policy making process and the ethics and credibility of task force members is so important.

Although this measure is better than previous versions, in that it's more narrowly tailored, we're still very concerned about section 3 that allows task force members to share confidential government information with the entity they represent. This is problematic in that some companies in a given industry may be represented on a task force, but not their competitors. Those with task force representation could end up using confidential government information for private profit, or to gain advantage over their competitors. Clearly this would not be in the public interest.

"And I agree with the statements of Common Cause. Thank you."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just rise with reservations. Echoing some of the comments that were previously made. I mean clearly, we live in a cynical world. A very cynical world. And we work in a business with tough competitors. And to give one set of folks an advantage over another is questionable. Thank you."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this practical, common sense and reality-based measure which exempts members of government task forces from certain requirements, restrictions, and prohibitions of the State's code of ethics.

"The State benefits when it can call upon knowledgeable people to provide advice and recommendations in the early stages of policy and legislation formation. The Executive and Legislature create task forces composed of such knowledgeable people to provide this kind of expertise. Inevitably, some of the most knowledgeable people will be those who work in the area. People who work in a subject area can offer valuable insight gained through daily exposure to a subject area. However, working in the area would constitute a conflict of interest if these knowledgeable people were treated as State employees. However, task force members – other than those serving by virtue of their position as a State official – are not state employees. They have no ministerial or discretionary power and are often uncompensated for their time and expertise.

"In recent years the Administration has convened a working group on homeless issues which include many stakeholders who have long worked in such area. The Legislature recently also convened and benefitted greatly from stakeholders addressing issues related to the foreclosure crisis facing Hawaii homeowners.

"These task forces are not decision making bodies. The recommendations of such task forces are considered by the decision makers in full knowledge of the identity of such task force members. Actual decision makers remain subject to the State Ethics Code requirements. They are free to evaluate the advice of a task force and accept or reject it in whole or in part.

"The numerous requirements of the State Ethics Code – if applied wholesale to task force members as if they were full-fledged "employees" of the State – would discourage knowledgeable people from serving on task forces and giving the state their time and expertise. They cannot be expected to make their knowledge available to the public, when to do so would impinge on their livelihoods.

"This measure exempts members of task forces from specific Ethics Code requirements that would discourage them from serving on task forces and freely giving of their knowledge and time. The State will benefit by having better informed policies and legislation and no harm will result because these task forces are not decision makers.

"This bill exempts persons appointed to serve on task forces or groups established for the sole purpose of recommending possible legislation, from the provisions of Chapter 84, Hawaii Revised Statutes (HRS), the State Ethics Code. It does this by seven means: (1) defining "task force"; (2) specifically exempting task force members from HRS Section 84-12 on Confidential Information; (3) exempting task force members from HRS Section 84-13 on "Fair Treatment"; (4) exempting task force members from HRS Section 84-14 on "Conflicts of Interest"; (5) exempting task force member from HRS Section 84-15 (b) on the award of contracts; (7) exempting task force members from 84-18 (c) on representation of on matters on which an employee participated.

"The objective of this bill is to carve out persons tapped to share information and expertise with State officials and agencies on an ad hoc, particularized basis, from the Ethics Code. As the Attorney General testified, this bill recognizes two realities: first that with increasing frequency, State officials and agencies need to deal with issues and situations that require technical or experiential information that government does not have and cannot readily obtain; and second, that individuals capable of providing State decision-makers with this knowledge and expertise often acquired that information and experience by owning or working for business or other undertakings that deal with the very issue or situations which the government needs to deal.

"Similarly, this bill responds to the recently raised questions as to whether the Ethics Code's conflict of interest provisions preclude these knowledgeable individuals from serving on these task forces or foreclose them from future associations with the business or undertakings through which they gained that knowledge and expertise. The Legislature, as a

policy matter, resolves any ambiguity as to the Ethics Code's applicability to individuals tapped to serve on task forces and other groups, by opting in favor of informed decision-making, and exempting members of these *ad hoc*, particularized groups from the Ethics Code. The public will have the benefit of their specialized knowledge, expertise, and advice in the policies and legislation considered and enacted."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I also rise with reservations. I'm inclined to support the measure even though I have some concerns just because I do believe that it is in the interest of good government and the people to have the expertise beginning at the phase of creation and/or potential revision of some of our laws and/or creations of the State. I think you need that expertise at the beginning stages of process. I also believe that sometimes in the implementation end of things, you need that same expertise, particularly in a smaller state where we're less able to draw from a pool of talent.

"I do worry that there might be potential conflicts of interest and maybe ask that in the future, when this Body considers changes to the ethics laws, perhaps we consider some of the federal guidelines that end up creating carve outs. So if you are involved in the inception of the entity or the regulation of an entity and formation of it, in the future if you are still subsequently involved, then with respect to profits and other personal gain, sometimes those things are carved out at the federal level. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you. And may the highly nuanced and specific comments of the previous speaker be entered into the Journal as my own," and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to express several reservations regarding H.B. 2175, despite my overall support for the bill's intentions. H.B. 2175 exempts task force members from certain requirements, restrictions, and prohibitions of the State's code of ethics. It defines "task force," and becomes effective July 1, 2012.

"Most specifically, H.B. 2175 provides an exemption for members of task forces or working groups established by the Legislature from the conflict of interest law under the State Ethics Code, and excludes such members from the definition of "employee." The intention of this bill is to broaden the pool of qualified candidates who serve on legislative task forces, and encourage those to join who would maximally contribute to dialogue between task force members and the industries investigated.

"The League of Women Voters of Hawaii voices grave concern about the "inherent risks of actual or at least the perception of conflict of interest, including undue influence and the use of public office for personal gain." In these times of eroding public trust in government, we must take care not to build loopholes to obscure transparency. Of all people, task force members who formulate recommendations on possible legislation must be held to utmost standards of scrutiny.

"Last year, the State Ethics Commission advised the Mortgage Foreclosure Task Force on about the application of the conflicts of interest law to their ability to lobby the Legislature on behalf of a private business. Restrictions are placed on paid lobbyists serving on task force in order to prevent "influence peddling," and State employees are also subsumed under such restrictions. Let us remain consistent to past applications of the

Ethics Code, and simplify boundaries for our "red tape." Once we open up loopholes, we invite the system down a slippery slope.

"Americans for Democratic Action in Hawaii also opposes H.B. 2175, reasoning that – by excluding members of task forces and working groups from the Ethics Code definition of "employee" – we would imply it acceptable for those members to: accept or solicit gifts intended to influence recommendations; disclose confidential information to the public; seek favors; seek contracts with a State agency without undergoing the bid process. Indeed, any one of these concerns amply justifies our reasons to be wary of this bill and its repercussions. Let us follow our best instincts, and reexamine how its expansive intentions may swerve recklessly once applied."

Representative Brower rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. For the same reason stated previously, with reservations. And as I read section 3, that looked like a good location for a Floor Amendment. Thank you."

Representative Takumi rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti 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 H.B. No. 2175, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Pine and Thielen voting no.

Conf. Com. Rep. No. 49-12 and H.B. No. 2347, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2347, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. This measure authorizes the counties to issue GO bonds secured by a pledge of certain receipts. Now what does that mean? That means they can borrow more money if they pledge such things as, in addition to property taxes, rental fees, charges, taxes, State and federal grants, etc. Mr. Speaker, this is like you wanting to increase your borrowing power by throwing in your, not just your house, but your boat, your dog, your cat, your kids, your surfboard and everything else.

"The point is this is the State of Hawaii saying to the counties, 'Hey guys. We want you to borrow more money.' That is not a good sign, and the argument against that is, 'Hey, money is cheap now. We should be borrowing more money.' Case in point. When you borrow more money, you have to pay more money, and right now, there are places on the mainland that have done this, and they've nearly bankrupted their counties.

"Case in point, the City and County of Honolulu, the City Council just passed a \$450 million line of credit. A line of credit for \$450 million. The point is, if they're trying to secure the rail by having more of State taxpayers' money in hock, I don't think we should be part and parcel of that. And, Mr. Speaker, because of those various reasons and the endangerment of an indebtedness, particularly in a nation of the United States, where we're 40 cents on every dollar that we spend is borrowed money. This is a dangerous downward trend that we shouldn't let the counties get into. And for those reasons I am voting no. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"In support. I think it's probably also true that revenue bonds have even lower interest rates than regular bonds because there is something backing them up. That's why you get the lower rate. So there's actually a fiscal advantage to doing this.

"With regard to rail, I mean, this is a perfect example. The City has a revenue stream coming in that they can borrow against because they know they're going to get the money for rail, because that's the only purpose that money can be used for.

"So I think, as a fiscal matter, if you're going to borrow the money anyway, revenue bonds probably make sense. If you're not going to borrow the money at all, then I agree with the former speaker. Thank you."

Representative Thielen rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Mr. Speaker: I rise with reservations on HB 2347, a bill that would allow the counties to issue general obligation bonds, that is borrow money, in excess of what the county property taxes can support.

"This bill was supported by the City and County of Honolulu. They say it is to give bondholders more security by using fees, receipts and even State and federal grant funds as collateral to issue general obligation bonds.

"But in reality this bill will leave the residents of Oahu less secure since the City will be pledging fees and grant funds that can easily change or disappear. This leaves the taxpayers, such as the voters in my district, with having to pay off these bonds – money that was borrowed using volatile revenue sources.

"Mr. Speaker, look at the history of cities in California who pledged various revenues to borrow large sums of money that they could no longer pay off when the economy soured. In some cases, such as Vallejo, California, local governments had to declare bankruptcy.

"We have an obligation to ensure our counties remain financially viable. This bill sets an ominous precedent. I urge my colleagues to show they are financially responsible and vote against this measure."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations on this, because I feel that it could be a risky venture. Revenue bonds do have the proceeds going toward repayment of the bonds as it's fairly sure bet, so that's why the interest rates are lower. These are GO bonds with slightly higher rates and I think the risk is greater. So I caution the counties on using this particular device. Thank you."

Representative Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

At 11:05 o'clock a.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:07 o'clock a.m.

At this time, the Chair announced:

"Members, it is 11:07 and I have just been informed that the Senate is finished with their Floor session for today. The finished at 10:56."

Representative Ward rose to respond, stating:

"Second time, and a cautionary note in terms of revenue from the train. If there's anything that is not a revenue winner, it's the mass transit. Case in point, almost all of the metros in the United States have a fare box that contributes maybe 35% on the dollar, which means 65 cents on the dollar is public subsidy. And I believe I'm at the end of my thing unless I can't say anything else."

Representative Chong rose to a point of order, stating:

"Mr. Speaker, point of order. It's not in the bill. Thank you."

The Chair addressed Representative Ward, stating:

"Representative Ward, please talk about the bill."

Representative Ward continued, stating:

"The point is, I'm responding to the gentleman saying, that 'Hey, fare boxes on mass transit is a money winner,' and my point is that it's a money loser because 65% is subsidized. Thank you."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, still in support. If we're going to go off on that tangent of argument, almost all forms of transportation are subsidized. Certainly airlines are. Cars are as well, if you look at the construction costs of putting together the streets and highways. So if we're talking about revenue bonds, that's a different issue. And the actual revenue, whether it covers the cost of the transportation type, is irrelevant to the question of whether there will be revenue. That's what the bond issuers look at. They don't look at whether the proposition makes money necessarily. What they're looking at is whether the source of revenue is secure, and certainly the source of revenue would be secure under those circumstances."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2347, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Ward voting no.

At 11:10 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2593, HD 2, SD 1, CD 1
H.B. No. 1666, HD 1, SD 1, CD 1
H.B. No. 679, HD 1, SD 1, CD 1
H.B. No. 1398, HD 1, SD 1, CD 1
H.B. No. 2589, HD 2, SD 2, CD 1
H.B. No. 2175, HD 2, SD 1, CD 1
H.B. No. 2347, SD 1, CD 1

Conf. Com. Rep. No. 50-12 and H.B. No. 2099, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2099, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to H.B. No. 2099. Thank you, Mr. Speaker. This is just yet another bill that will hurt job creation. It will slow our economic recovery, for it attempts to overthrow well-reasoned court decisions issued by the Intermediate Court of Appeals in 2008, Kelly vs. Metal-Weld Specialties that clarified a party that goes to court over a workers' compensation case is not responsible for paying the attorney's fees, if it is determined that the case was brought to the court on unreasonable grounds.

"Mr. Speaker, my concern is that the people who decide whether a case is unreasonable are biased against employers, small business, and insurers. Hawaii's track record of workers' compensation costs show that our small

businesses are paying higher premiums, have more claims, and that workers stay out longer than other states. So now we are adding to the workers' comp burden, by saying that if you try to defend yourself, someone can decide that you have to pay all of the attorney costs. So this just is not right. It will further hurt employment in Hawaii.

"I'm urging my colleagues to stand up for the fairness, to uphold the ICA decision, to vote no, because it will be a nail in the coffin of jobs and employment in our State. It'll just send a chilling effect on all employers in the State that now you are responsible for paying all of the attorney costs of a worker's compensation legal case, if the Director of DLIR says you are somehow, 'unreasonable' in protesting the workers' comp claim.

"Mr. Speaker, unreasonable is a vague and arbitrary standard. No two people may agree on what constitutes a 'unreasonable' action. So to tell the small businesses in my district, who I talk to on a regular basis, and they all bring this up, workers' comp. That you run a huge financial risk when you think that an employee has improperly filed a workers' comp claim. It's just not balanced and further discourages companies from hiring our people, and getting our economy going. Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. After much thought, I would like to vote no on this measure. And the reason I want to vote no on this measure, is because it seems to be a defense insurance kind of a measure. There's little attention being paid towards the plaintiffs. I'm disappointed we didn't pass any measure for plaintiffs who seek better care in the hospitals, and etc. This opens the door for suits, expenses. 'Unreasonable' can be identified in many different ways, and this bill here makes me very concerned that the defense attorneys and the insurance companies will have an advantage over the working people. Thank you, very much."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This bill is an attempt to eliminate frivolous lawsuits, both from plaintiffs and defendants, whichever side of the workers' comp divide you're on. This should ensure fairness, that the other side is not moving forward with the defense, or bringing a claim that's frivolous. Because if you lose, if it is frivolous, and the court catches you doing it, you get to pay the other person's attorney's fees and that's often a substantial sum of money.

"With regard to it being some kind of a job killer. I don't see how. On the contrary, those who are injured, if the workers' comp case is moved quicker, people would be back to work sooner, and that would actually be a job creator in the sense that more people would be working. So, I'm not sure what the rationale there is.

"The other thing to point out is that workers' comp rates have been falling in this State for several years now. And if we can't take care of the workers who are legitimately injured without insurance companies raising frivolous defenses, that poses a problem. I think the reason that the insurance companies are opposed to this measure is because they're the ones that are putting forth the frivolous defenses. The people, who are actually injured, don't play those games as often. I'm not saying they never play them, but they don't play them as often, and that's why this has broken down on the ideological lines it has. Because it's the insurers who were doing most of the game playing. Mahalo."

Representative Souki rose to respond, stating:

"Yes, Mr. Speaker, I wish to rebut. The workers' compensation law that we have, at one time provided a 69% in savings in the workers' comp law. And it still provides considerable savings in relation to the rest of the nation. Our workers' comp medical cost is between 110 of Medicare. Nationally, the average is 141. And I can point to people right now in the hospital, emergency rooms, on the verge of dying because they didn't get timely medical care. Thank you, very much."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to this particular measure. I think most employers would like to see their employees' injuries taken care of in a timely fashion. But there are times when you feel that it may not be a reasonable injury. This further adds to the cost and impacts of a skewed workers' compensation insurance system in Hawaii. And even though the cost may be lower now, it may arise if we keep adding on increased cost, like this one, for attorneys' fees.

"It has long been documented that work comp costs in Hawaii are high and the program is distorted because the presumption is, that any injury to a worker occurs on the job. Remember the fellow jogging after work. He fell, and that was a work injury. The burden falls on the employer and their insurance company then, to prove otherwise, that it wasn't a work injury. Further, our State says that the DLIR Director, the Director of the Labor and Industrial Relations Board, or a court decide that the employer's efforts to challenge the work comp claim are unreasonable. Then the small business must pay for the legal proceedings.

"In 2008, the ICA, the Intermediate Court of Appeals, as aforementioned, determined that attorneys' fees should not be included in the cost of these proceedings, and now this bill would reverse that court decision. It puts a further financial impact on companies who question work comp claims.

"I have no problem with the concept of loser pays in court actions. In fact, I wish Hawaii would adopt this in tort liability cases. But the work comp program is not a loser pay system. Rather, it allows for an arbitrary and possibly capricious decision to be made against the small business man or woman, who questions a work comp matter and decides to prosecute the claim. When will my colleagues realize that every time you pass laws like this, you add one more obstacle to those who want to employ people? I will vote no because I know this bill is bad for jobs and for the workers of our State. Thank you."

Representative Har rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. Mr. Speaker, first may I have the words of the speaker from Chinatown entered into the record as if they were my own? Secondly, Mr. Speaker, I do insurance defense work, and I can attest to the fact that there are frivolous claims brought every day. And as the speaker from Downtown, Chinatown, noted, that generally, it's not the actual plaintiffs themselves. But the fact is that you have insurance companies and their lawyers, who do this knowing that there's no downside.

"And I'll give you a perfect case in point. Chapter 480-2 which deals with unfair and deceptive trade practices. There's absolutely no penalty there for someone who brings a frivolous suit because, and most plaintiffs' lawyers, my friends tell me all time, 'We bring that suit all the time because we've got nothing to lose.' So the fact is, this type of measure here will prevent those frivolous claims, because it ensures that you must have a legitimate claim in order to get your attorneys' fees, and as such, I do support this measure wholeheartedly. Thank you."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, in support. With regard to the presumption for workers' comp cases. The presumption is not if you're injured anytime that it's going to workers' comp. If you're playing softball after work and you get hurt, you're on HMSA, or Kaiser, or whatever your insurance policy is. But you have to look back at the history a little bit, too, with regard to that presumption. It used to be that if you got hurt at work, you just sued in a normal court case, and punitive damages can be pretty crippling to a company.

"Finally, eventually, it was decided that this is a really inefficient way to do things. Let's just get rid of the torts for workers' cases, and we'll go to what we have now, which is essentially a no fault system. If the presumption is that if you're at work, and you're injured or there's some kind of illness that results from that, then it goes into the workers' comp system. But that was I think, the explicit tradeoff between getting rid of it. What business gained by going to the workers' comp system is, they don't

have to get sued in a regular, drawn out litigation with depositions and expert witnesses every time somebody stubs their toe at work.

"So we have to look at the overall picture of the context here which is one of workers' comp I'm sure is cheaper and much less hassle than going back to a tort system. Thank you."

Representative Marumoto rose to respond, stating:

"Mr. Speaker, if I may rebut. I could only wish that the remarks of the Chinatown Representative were true, that work comp injuries were always adjudicated on the basis of whether they're hurt on the job or for other activities. But I cite again the case that went clear up to the Hawaii Supreme Court, where a fellow was jogging after work at the Kalani High School track, fell and injured himself. That was deemed a work comp injury by the Hawaii Supreme Court. The employer has to prove otherwise that it was not. So you know, this is a problem because the word unreasonable can be determined. It could be arbitrary. It could be capricious, and no two people will consider it the same way. So this is not a good bill to pass. I think it would add costs, increase premiums, and hurt job creation. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2099, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Carroll, Ching, Marumoto, Pine, Souki and Thielen voting no.

Conf. Com. Rep. No. 55-12 and H.B. No. 2290, HD 1, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2290, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you. I'm standing in support, Mr. Speaker. International Children's Day is recognized on June 1st of each year. In fact, Hong Kong celebrates Children's Day on April 4th. The People's Republic of China celebrates this day on June 1, and in Japan it's celebrated on May 5th. Truly, this is a global event. Hawaii is the only state in the nation that has enacted legislation to recognize and celebrate Children and Youth Day. We do this on the first Sunday in October, and for the entire month of October. This is in Hawaii Revised Statutes, Section 8-11.

"This measure will authorize Children and Youth Day to be held at the State Capitol, unless otherwise determined by the Governor. Mr. Speaker, the importance of this is that we have 40,000 people that come to this event annually. 40,000. That's near the capacity size of the Aloha Stadium. And again, we're celebrating our most precious resource, our *keiki*.

"What kind of events do we have for the youth? A number of events. Over 200 exhibitors and community organizations provide sporting events, games, rides, demonstrations, tournaments, teen zone, free tours, hands-on art and cultural activities. I think you get the picture. This event is very important to the kids and to our State. Again it shows that the State Legislature supports Hawaii's most precious resource, and that's our *keiki*. Therefore, I support this measure and I'm hoping that all Members support it also. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this measure, and I commend the Representative from Kalihi and his predecessor and my Senator who started this so many years ago. It is so beautiful sight to behold the children coming to their State Capitol, having fun. But most importantly, being comfortable here. It's so important that we appreciate when the children come here, because they're going to be our future, and as you all know, we appreciate when they testify, whether it be the Education Committee. And I think more events like this should happen. We should remember that this is a huge piece of property right here, with a big setback and a beautiful lawn. And it belongs to the people of Hawaii. I just

think that the Children and Youth Day is truly one of the most beautiful events to behold. A great idea. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2290, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 56-12 and H.B. No. 2320, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2320, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in favor. I'd like to express one reservation if I may. Thank you. It's just that this deals with the lifetime revocation of getting one's driver's license back. Lifetime to me, meant lifetime. But now this bill changes the lifetime to 5 years, and I just thought that was too short. So I wanted to express that thought. Thank you."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise with slight reservations to this bill.

"The current draft of this bill provides individuals with LIFETIME revocations to apply for reinstatement of license and privilege to drive a motor vehicle without an ignition interlock after 5 years. The SD2 version of this bill provided the 7 year term, something more agreeable, as I believe this is a serious issue.

"These said individuals would have had their driver's licenses revoked due to impaired driving, not once, but multiple times. Statistically, as noted by MADD on their website, the average drunk driver has driven under the influence an average of 80 times before their first arrest. Mr. Speaker, these ignition interlock devices are installed after MULTIPLE times being caught driving impaired. If we do the math that could mean many of these drivers have been on our roads HUNDREDS of times impaired. The very roads we drive home from work, pick the kids up from school, attend evening functions, etc. Every moment these drivers have been on the road, they have put lives at risk.

"Mr. Speaker, my reservations are simply that 5 years is not enough for these repeat offenders. These offenders have been provided an opportunity to rectify their personal practices by utilizing an ignition interlock device. I would hope these drivers would be so thankful as to not mind utilizing such devices. I would hope they would be thankful to not only have their transportation, but additionally their lives. MADD also notes that these ignition interlock devices decrease drunk driving up to 67%. That is why I believe these devices ought to be utilized to the fullest extent.

"Mr. Speaker, while I stand with reservations to this bill due to the timeframe mandated for repeat offenders, I must commend the efforts to instill a stronger stance in the prevention of impaired driving. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2320, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 57-12 and H.B. No. 2740, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2740, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 58-12 and H.B. No. 1705, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1705, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 60-12 and H.B. No. 2644, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2644, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 61-12 and H.B. No. 1892, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1892, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This is a small bill that would ensure that the Elections Office will act in a timely manner to fund the work of future Reapportionment Commissions. It may not make headlines, but this is the kind of measure that should appeal to my colleague from Manoa, because it fills the gap in a law. I can hear him assuring me, 'I was inspired, and I'm an accountant.' Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1892, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION," passed Final Reading by a vote of 51 ayes.

At 11:29 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2099, HD 1, SD 1, CD 1
H.B. No. 2290, HD 1, SD 2, CD 1
H.B. No. 2320, HD 2, SD 2, CD 1
H.B. No. 2740, HD 1, SD 1, CD 1
H.B. No. 1705, HD 1, SD 1, CD 1
H.B. No. 2644, HD 2, SD 1, CD 1
H.B. No. 1892, SD 1, CD 1

Conf. Com. Rep. No. 62-12 and H.B. No. 2265, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2265, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 63-12 and H.B. No. 1875, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1875, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Riviere rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to get a ruling on a potential conflict on this one, and later on, on S.B. 2763. I just wanted to state that I am a mortgage loan officer," and the Chair ruled, "no conflict."

Representative Riviere continued to speak in opposition to the measure, stating:

"Thank you. On this particular measure, H.B. 1875, I stand in opposition. I know a lot of work has gone into this, and I know the product that has come out at the end is quite a bit better than it started out. And I can understand why people would be reluctant to oppose this.

"My objection is to the 60-day provision. After the foreclosure process is expired, there's still 60 days in which somebody can claim an Unfair and Deceptive Act Practice, and that will have an even more chilling effect than exists now, when in fact, as I've said many times, nobody has used the non-judicial process. What we're doing is, we're making it even harder for judicial foreclosures in the affirmation clause.

"There's some testimony that in probate cases, the attorneys already sign off that everything included in the file is 100% golden, and they'll attest to it. I don't believe that's the correct interpretation of that. So anyway, without getting too far into the details here, I am still concerned that this bill does not fix the non-judicial process. Nobody will use it. This doesn't fix any of the fatal flaws of the system, and I fear that it will also make it worse in the end for judicial foreclosures. So for those reasons, please note my opposition. Thank you."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, I'd like a ruling on a potential conflict. At my law firm we occasionally do work involving foreclosures," and the Chair ruled, "no conflict."

Representative Keith-Agaran continued to speak in support of the measure, stating:

"Thank you. In support. But we may not do foreclosures anymore. Thank you."

Representative Cullen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I request a ruling on a potential conflict? I serve as a director on a homeowner association. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. This is a very significant bill for Hawaii's homeowners, and it's the result of a lot of work, collaboration, negotiation, and quite frankly, heart. Despite the criticism of Act 48, the task force which we discussed a little earlier, a group comprised of stakeholders with diverse interest did a thorough and comprehensive analysis of Act 48 over the year, and in the end they recommended a number of refinements to preserve the intent and spirit of the law and make it work.

"The task force recommended, number one, that we temper the UDAP provisions so lenders need not fear the UDAP liability for minor violations.

"Number two. Make permanent the process allowing the owner occupant to convert the non-judicial foreclosures, to judicial foreclosures.

"Number three. Establish a separate non-judicial foreclosure and lien collection process for associations.

"Number four. Give similar rights and obligations to planned community associations.

"Number five. Provide specific language for informational notices to the public on the foreclosure process.

"And number six. Provide technical clarifications in improvements of various provisions in Act 48.

"The bill virtually adopts all the task force recommendations with a few modifications. As a legislative body we went a little further, fully repealing

Part 1, non-judicial process that once had been used to take land from Native Hawaiians. And in the last 10 to 15 years had been the mechanism to non-judicially foreclose on homeowners, often without their knowledge and without providing them a fair opportunity to save their homes. In Act 48, we just put a stop to it. Now we've gotten rid of it. This is a dreadful part of Hawaii's Code, through which too many people suffered, and repeal of this law is long-overdue.

"We made the Dispute Resolution Program permanent. In Act 48, we sunset it after five years.

"We have language resulting from a tremendous amount of discussion and negotiation, that creates a solid lien collection and foreclosure process for condominium, homeowner and planned community associations, which harmonizes with Hawaii's foreclosure process. We incorporate the requirement that for the next 5 years, lenders' attorneys filing for a judicial foreclosure must sign an affirmation stating that it verified the bank's legal standing and the accuracy of the documents submitted to court. This is a requirement that has been imposed on all judicial foreclosure actions in New York State. Since all foreclosures are now being pursued judicially, we can assure that our courts and State resources are not exploited and used as instruments of fraud.

"We cleaned up the publication requirements for auction notices, so no one newspaper will have a monopoly on these notices. One paper doubled their prices in response to Act 48. This is exploitive and troubling.

"We also gave State agencies the authority to establish and maintain a website to electronically publish these notices. To get us started, the DCCA will create a website for property subject to the Dispute Resolution Program. If a lender chooses to publish their auction notice electronically, they will need to publish it once in a newspaper at least two weeks before the auction. These provisions balance cost against the need for widespread dissemination. Homeowners will be helped because these publication fees are passed on to them in the cost of foreclosure.

"And I want to thank my colleagues here in the House and my counterparts in the Senate, for their support and hard work on this bill. And I'd especially like to thank Senator Baker, and Everett Kaneshige, in particular. They marshaled the condominium and planned community associations in their agreement. I don't have any of them in my district, so I don't get involved. These issues were very contentious and they should be credited for encouraging their consensus and firming up the association lien collection and foreclosure.

"But all is not rosy with this bill. Just like Act 48, we managed to offend a lot of people. In the aftermath of Act 48, the opponents said the banks would stop lending, but today, strangely, the banks are advertising reduced mortgage rates to encourage more borrowing. The opponents said our courts would be overwhelmed. Well yes, the courts said we would experience a surge, but the overall foreclosure rate ... "

Representative Yamane rose to yield his time, and the Chair "so ordered."

Representative Herkes continued, stating:

"The overall foreclosure rate has been cut in half, and through sound leadership, our courts are managing. They said property values will decline, but according to reports, home prices are not only stabilizing, but growing stronger. They said bankruptcy rates would rise, but Mr. Speaker, the rate of bankruptcy filings has fallen dramatically.

"So just like last year, we managed to offend some of the offshore banks, and especially the attorneys that deal with foreclosures with this bill. Well, we also offended the newspaper. A lot of you got a letter involved in that, but we did the right thing.

"You know, it's clear to me that this Body and the Senate has once again won one for Hawaii's homeowners, and I couldn't be more pleased. Thank you, Mr. Speaker. And I'd like to insert additional comments."

Representative Herkes' written remarks are as follows:

"In a recent news release this week from the US Department of the Treasury, the Financial Crimes Enforcement Network found that Hawaii ranks #2 in the nation for Mortgage Loan Fraud. Mr. Speaker, Hawaii's people are a prime target for predatory lending. And when they can't pay, the banks further strip them of their dignity when they foreclose. Act 48 gives them a shot at mitigating the damages to homeowners, their families, and our communities. This bill strengthens the ground-breaking work of Act 48.

"I also want to elaborate further on the Attorney Affirmation that is in this bill.

"In New York State, foreclosures are only allowed judicially. Based upon the experience the New York Courts have had with the pervasive fraud perpetuated in their system during the foreclosure crisis, the Chief Administrator of their statewide court system determined it was necessary to impose a requirement that is almost verbatim to the language adopted in this CD.

"When speaking on the affirmation requirement, the Chief Justice of the New York State Courts explained in article published in the New York Law Journal on October 21, 2010:

"We feel we have an obligation to make sure the attorneys do their due diligence and come to us with credible papers because the consequences [of wrongful foreclosures] are so great. . . . I think this makes clear to everybody the court system's absolute commitment that we are not going to allow anything to interfere with the integrity of the court process[.] . . . We want to make sure that everyone is focusing like a laser on these particular types of proceedings[.] . . . It puts them on notice. That's what this is all about. We all have to make doubly sure that we are doing what we should be doing in the first place[.] . . . [W]e cannot allow the courts in New York State to stand by idly and be party to what we now know is a deeply flawed process. "

"The article quoted one New York judge, who explained: "[S]ome lawyers appearing before him have admitted to signing documents at a rate of 'hundreds a week and thousands a month, and the notary wasn't even in the room[.]'"

"According to the article, unlike the Hawaii State **Bar Association**, "The New York State Bar Association welcomed the new requirement. Its president, Stephen P. Younger, said in a statement that 'the chief judge has taken swift steps to address a nationwide problem in foreclosure actions. The New York State Bar Association applauds any effort to preserve and maintain the integrity of the foreclosure process.'"

"This approach is not only taken in New York State, but also two major counties in the State of Ohio. Despite court challenge, these attorney affirmation requirements in New York and Ohio still stand.

"By filing all their foreclosures in courts, the banks have essentially clogged up our judiciary with countless fraudulent claims – preventing our courts from swiftly disposing of other more legitimate claims.

"The attorney affirmation requirement will limit the use of the judicial process to only those lenders with proper legal standing.

"There is no attorney affirmation requirement in the non-judicial process. Lawyers uncomfortable signing the affirmation can advise their clients to go the non-judicial route.

"As a result, we may see use of the dispute resolution program as the only viable alternative. Nevertheless, that process requires banks to show their paperwork that would establish standing. The reaction of the banks should help us determine just how pervasive their problems with legal standing are.

"In earlier testimony, the Hawaii Bar Association claimed there was no empirical evidence that would warrant the attorney affirmation. I beg to differ. An audit by the San Francisco County Recorder's, as reported in the NY Times in mid-February 2012, found that 84 % of the foreclosure files

they reviewed were done illegally; with two-thirds of those with 4 separate instances of fraud or irregularity.

"This requirement is necessary to protect homeowners against banks who've cheated. Too often, the banks win on default because the homeowners don't know what defenses to make.

"We are still in a foreclosure crisis. A recent article by the Associated Press dated March 14, 2012, noted that RealtyTrac projects foreclosures to rise by twenty-five per cent this year. Placing a 5 year limit should appease the concerns of the bar association and other legislators while we do what is necessary to protect Hawaii's homeowners from lender fraud during this foreclosure crisis.

"This requirement is not as unorthodox as the opponents suggest. Hawaii's Rules of Court on Probate has an attorney affirmation requirement, Rule 5(b).

"The bar association testifies that there are "existing safeguards to ensure the integrity of the judicial foreclosure process; and that sanctions for misconduct already exist and are effective." However, a recent order from Judge Seabright in Hawaii's federal district court (March 29, 2012 p. 13 on Civil No. 11-00632 JMS/RLP) determined that the lender did not have legal standing, and admonished the lender's attorney for failing to verify such standing. The judge said: "This dismissal does not prevent Plaintiff from performing due diligence (as it should have before filing the instant complaint) to determine whether and how it validly received the Mortgage and Note and bringing a new action seeking foreclosure." [Emphasis added.]

"Clearly, this order – coming out just last month – proves that the problem of standing is alive and well and infecting countless foreclosure files – if detected.

"Enacting the attorney affirmation requirement should significantly curb the rate of fraudulent judicial filings by requiring, as Judge Seabright suggests, that lawyers first determine whether their clients have legal standing **before** seeking foreclosure.

"It's clear that "existing safeguards" did not prevent the lender's attorney in this case from filing a foreclosure action – perhaps because they did not expect a homeowner to challenge standing or a court to make the inquiry.

"If lenders' attorneys have actually verified legal standing, they should have nothing to fear by signing such an affirmation.

"Opponents to the attorney affirmation cite to one NY case that held the affirmation requirement was "invalid." LaSalle Bank, NA v. Pace, 919 N.Y.S. 2d 794 (N.Y. sup. 2011). However, this was a ruling by a trial level court so its application is extremely limited to Suffolk County in New York. The analysis by that court rendered the requirement invalid not for any of the reasons cited by the bar association, but because it felt the Chief Administrator of Courts had overstepped his authority by instituting the requirement. The case discusses at length how its analysis would have been different if the requirement were a legislative act.

"Nevertheless, the requirement is still in effect in all of the rest of New York; as well as in two counties in Ohio where it has also survived challenge.

"It's easy to know when a borrower defaults on his or her mortgage. And it is happening more and more in this faltering economy – an economy we can lay blame upon the behemoth banks for creating. But we shouldn't allow the very same banks to foreclose on people's homes because they are stealth about hiding the multiple ways they've cheated.

"We must do what we can to ensure that homeowners at risk of foreclosure face a just resolution."

At 11:38 o'clock a.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:46 o'clock a.m.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I would like to address Conference Committee Report No. 63. After the nice speech given by the Chairman of Consumer Protection, unfortunately, I will speak in opposition. I think this is a bill that makes a bad mortgage foreclosure system, even worse. I opposed Act 48 in 2011 because I knew that it would make the housing situation in Hawaii, worse, and in the past year I feel that I have been proven right. As soon as the Legislature passed the bill, Fannie Mae and Freddy Mac issued a mandate to lenders in Hawaii to stop all non-judicial foreclosures. That forced the lenders to switch to the judicial process. The result has been a clog in our courts, resulting in a backlog of mortgage foreclosure actions.

"The situation will only prolong a return to a strong housing and construction market. Now this bill attempts to correct some of the bad consequences of passing Act 48 last year, but this bill makes some things worse. The Hawaii Credit Union League, the Hawaii Financial Services Association, the Hawaii Bankers Association, and even the State Bar Association have all testified against 1875. They're still very much afraid of the Unfair and Deceptive Practices Act. Their suggestions have been largely ignored.

"While I support efforts to ensure that condo associations and homeowners associations can recoup amounts owed them, this bill does not go far enough, in making it easier for these associations to ensure that delinquent and non-cooperative condo owners pay their fair share promptly or lose their property. Condo associations are not banks or mortgage companies and they should not suffer by having to wait long periods to recover their costs. Further, this bill fails to address the need to continue prompt foreclosures against investor-owned properties.

"Mr. Speaker, I feel that we have messed up. This bill tries to fix the mess, but it only makes it messier. The people who suffer are families and homeowners who have to face higher down payments and more difficulty in getting home loans because this Legislature disrupted a mortgage foreclosure system that, for the most part, has worked satisfactorily for the past 50 years. I will vote against this bill, and warn my colleagues that you are making another mistake just as you did when you supported Act 48. Mahalo."

Representative Herkes rose to respond, stating:

"Thank you, Mr. Speaker. A lot of the issues that the previous speaker brought up, were echoed by the offshore banks, the attorneys that do foreclosure law and the newspaper. And they're all wrong. We have found that the rates are going down, nationally. And I might add that when the one newspaper, the foreclosure attorneys, and the offshore banks are all upset with this bill, that we did something right."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1875, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Marumoto and Riviere voting no.

Conf. Com. Rep. No. 64-12 and H.B. No. 2078, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2078, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 65-12 and H.B. No. 1054, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1054, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. At the risk of wearing out my welcome, I just want to say thank you on this particular measure. We owe the Chairman of Education a vote of thanks for championing this bill through this House, and also Senator Tokuda the Chair of the Senate Education Committee, for doing a really great, heroic job on this measure in the Senate. She did a gut and replace so this bill survived to live on to Conference Committee. The House Bill, although I prevailed upon the House Chairman to hear it in the Education Committee, died in House Finance.

"But what we have is a great measure that enables volunteers to work for their branch libraries, their neighborhood libraries and raise money for their own libraries and be able to turn over the money for the benefit of their libraries. So it's a great victory, it's a great fix. And I really thank the two Education Chairs. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support with written comments, please."

Representative Chong's written remarks are as follows:

"Mr. Speaker, I stand in strong support. I would like to thank the two Chairs of Education for addressing this issue. I especially would like to thank Representative Mark Hashem who led the charge to have this bill address the issues to help the Aina Haina Library and many other library volunteer associations. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, as a former Peace Corps volunteer, volunteerism means a lot. This bill puts life back into volunteerism. It's a real victory for those who give hours, upon hours, upon hours of their time to their libraries of which now, there's a settlement about where the money's going to go and what it's going to be used for. But it doesn't have the discouragement factor of which, the actual Friends of the Library of Kailua were at warring odds with the Friends of the Library of Aina Haina.

"This bill is a victory for peace between those communities. This victory is a peace for the communities that were at odds, and now for those with the financial concern, everybody seems to be happy. But overall, it shows that the democratic process does work. It's self correcting. And when people sit and reason together, better than the task force that was going to be set up for people to sit and argue together. When they reason together, they can come to bills like this, and we should all be proud that this is taking place. Thank you."

Representative Hashem rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Hashem's written remarks are as follows:

"I am in strong support of HB1054 HD1 SD1 CD1. This measure will help assist communities to more effectively support their local libraries in a meaningful way. The role that libraries play to enhance the lives and minds of people in Hawaii's communities is important. HB1054 will provide the opportunity for, and encourage, additional public-private partnerships to continue to benefit the State Library System at the community level and make sure that these vital public institutions are supported in the best way possible.

"I believe that HB1054 recognizes and acknowledges the passion, hard work, and dedication of such individuals who have given so selflessly to our local libraries without any real inhibiting factors. For these reasons, I am in strong support of this measure."

Representative M. Lee rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, can I have a ruling on a possible conflict? I'm a member of the Board of the Friends of the Mililani Public Library, and a charter member of the Friends of the Mililani Public Library," and the Chair ruled, "no conflict."

Representative M. Lee continued to speak in support of the measure, stating:

"Thank you, and just briefly in support. You know, I'm very glad that this passed and I just wanted to make a comment about some things that appeared in the media. One was, you know, that this was the fight between the big Friends, and the little Friends. You know, all of us are little friends. The Mililani Library is an affiliate, but they're also everyday people working in the community. It's not a lot of fun to sort dusty and mildewed books, but it makes money for our libraries and that's what it's all about. Thank you, very much."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. First, I echo the comments made by the Representative from Kahala, in that we owe a debt of gratitude to our Chairman of Education for shepherding this bill through. He did a great job. And despite some of the concerns that were raised just recently, regarding tax liability and consequences I think, that he also cleared that one up with the Attorney General's Office. So thanks to him, we're here today, supporting this bill."

"When we had this discussion in Education, there was, I think, a lot of hateful words, a lot of hard feelings. And a lot of things that were said to us, by way of, those Friends. And that, you know, those other Friends, across the State. You know, from the far reaches, on the East side of the Big Island all the way to the West side in Kauai. This probably captured most of our attention in Education, despite all of the other bills in terms of the amount of emails that we received in our offices."

"I said at the hearing then, and I hope that the Library System hears this again. I said that I think the Library System has a responsibility for educating all the Friends, affiliates and non-affiliates alike, of what occurred and how we're remedying this situation. Because as I mentioned before, there were a lot of hurtful words said back and forth among supporters of libraries throughout the State. I think the onus now, is with the Library System to educate everyone throughout the System, the supporters of libraries, about why we did what we had to do, and how we're supporting all Friends. Thank you, Mr. Speaker."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to express my enthusiastic support for H.B. 1054. This bill authorizes affiliates of the Friends of the Library of Hawaii and certain nonprofit organizations supporting state library branches to use State library facilities for concessions, vending machines and other activities and to maintain their own accounts for the net proceeds under specified conditions."

"As Hawaii moves forward into our current economic recovery, public-private partnerships become more crucial than ever. Small businesses and nonprofits, in particular, fall onto the fence between survival and failure, as they attempt to compete without windfall profit margins, or against more robust big brothers and chain corporations. The visibility and traffic these community-minded organizations gain, by partnering with the State library system, could make the difference between their continuing to provide irreplaceable services and having to shut their doors."

"The Maui County Library supports this bill – claiming it seeks to most effectively, efficiently and maximally support the public library system – as do various volunteers in libraries throughout the State. Primary opposition comes from members of the Friends of the Library of Hawaii, known colloquially as "Big Friends." In 2010, a Memorandum of Understanding was issued between the State Librarian and the "Big Friends," allotting the latter exclusive rights to sell books on State property. Any organization that does not choose to become an affiliate of the Big Friends, faces potential prosecution for "illegal" book sales. Such a case arose last year, when an unpaid volunteer group attempted to sell books at the Aina Haina Public Library. This group has over the past two years raised over \$25,000 for books, children's programs, furniture and

other needs: surely one of many charitable organizations our State must laud and enable, rather than prosecute to maintain a bureaucratic monopoly."

"By supporting this bill, we support the local community's fundamental freedom of choice. Both the State library system, and its small enterprise or nonprofit partners, stand to mutually gain from free expression of public demand. Thank you."

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 H.B. No. 1054, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 67-12 and S.B. No. 2341, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2341, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

At this time, on motion by Representative Chong, seconded by Representative Evans and carried, the Main Motion was amended to delete consideration of Conf. Com. Rep. No. 67-12 and S.B. No. 2341, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," for passage on Final Reading, for the purpose of deferring one legislative day.

At this time, the Chair noted that Conf. Com. Rep. No. 67-12 and S.B. No. 2341, SD 2, HD 2, CD 1, was deferred one legislative day.

Conf. Com. Rep. No. 68-12 and S.B. No. 2646, SD 1, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2646, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with reservations on this measure. The measure will really provide exemption to building permits in the agricultural lands. Mayor Alan Arakawa from Maui expressed that many farmers and ranchers were concerned about the bill. And on Oahu, the Department of Planning and Permitting opposed the bill saying that health and safety issues are home rule issues. I believe that the Maui farmers, ranchers, and the Department of Planning and Permitting are concerned about the potential for abuse when any one of these buildings that are allowed to be constructed without going through the regular permitting process, where they could be turned into a transient vacation rental or I guess, a short term bed and breakfast, or just breakfast, bed, and the automatic approval also is a reason to be concerned about the bill. Thank you."

Representative Carroll 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. 2646, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 69-12 and S.B. No. 2746, SD 1, HD 3, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2746, SD 1, HD 3, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you. May I have a ruling on a potential conflict? I'm an owner of an electric vehicle. Thank you, very much," and the Chair ruled, "no conflict."

Representative Takai continued in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Thank you, Mr. Speaker, for allowing me to submit written comments in opposition to Senate Bill 2746. This measure weakens current incentives for electric vehicles.

"The Hawaii Clean Energy Initiative calls for 4,000 electric vehicles to be sold per year and 10,000 on the road by 2015. This measure sends the message that the State is backing away from electric vehicle adoption in Hawaii. It sends the public the message that the State is also backing away from the goals of the Hawaii Clean Energy Initiative.

"If our intent is truly to move Hawaii towards energy self-sufficiency, it is short-sighted to do away with preferential and free parking, and other incentives that encourage more drivers to switch from gas to electric vehicles.

"I oppose this legislation, and any legislation that takes away incentives for motorists to choose electric vehicles as their form of transportation. The negative effects of carbon emissions require Hawaii to reduce, if not eliminate, oil-based transportation emissions.

"As Hawaii moves towards energy independence, and towards a cleaner environment, the purchase of electric vehicles should be encouraged. The Legislature can play a major role in moving Hawaii's people towards these goals.

"A major incentive for the purchase of our electric vehicle was the free parking, free meters, and ease of charging in public places. If these incentives go away, especially at this stage where electric vehicle purchases are still not being purchased by the mass market, the purchase and use of these vehicles will be curtailed.

"For these reasons, I oppose Senate Bill 2746."

Representative Har rose in support of the measure with reservations 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 with reservations on Conference Committee Report 69-12, Senate Bill 2746, Senate Draft 1, House Draft 3, Conference Draft 1. The purpose of this measure is to replace Act 290, Session Laws of Hawaii 1997, with updated provisions that address the current use of electric vehicles in the State.

"To be clear, I support the intent of the bill. As the owner of a green vehicle, I understand the importance of minimizing dependence on foreign oil imports and doing our part to protect the environment. However, my reservation is specifically with regards to the sunset date of June 30, 2020.

"For this reason, I stand with reservations on this measure. 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. 2746, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Jordan and Takai voting no.

At 12:00 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2265, HD 2, SD 2, CD 1
H.B. No. 1875, HD 2, SD 2, CD 1
H.B. No. 2078, HD 2, SD 2, CD 1
H.B. No. 1054, HD 1, SD 1, CD 1
S.B. No. 2646, SD 1, HD 2, CD 1
S.B. No. 2746, SD 1, HD 3, CD 1

Conf. Com. Rep. No. 71-12 and S.B. No. 2787, SD 2, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2787, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with serious reservations. Mr. Speaker, this bill is about the reliability standards for the interconnection, which is all about when we get PV, and solar, and all of the renewable energies up to speed. Things are going to be beneficial, but also possibly discombobulating in terms of stability of the system, which is to be expected to a degree. But to have an open-ended blank check for surcharges to be passed on, my fear is, and my biggest reservation is, this becomes like the fuel surcharge.

"It used to be where we pay for electricity at a certain amount, and then the fuel surcharge was sort of ancillary attack. And now the fuel surcharge is big, if not bigger. The tail has wagged the dog. And I would hate to see the tail of this one wag the dog because of going for PV instead of lowering the rates for our constituents, yours and mine and everybody's. We're actually going to increase it. Fearing the stability factor, in effect destabilizes all of our household budgets, which have to fit around the kitchen table. All balanced budgets. And this may be a destabilize. 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. 2787, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," passed Final Reading by a vote of 50 ayes, with Representative Marumoto being excused.

Conf. Com. Rep. No. 72-12 and S.B. No. 2825, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2825, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"Mr. Speaker, I rise with reservations on this Administration bill.

"This bill would give more people access to personal medical information stored in the government's immunization database.

"While the database contains records about vaccines, dosages, dates administered, etc., it also includes some very private information, such as a person's:

- Name
- Address
- Date of Birth
- History of vaccine-preventable diseases.

"This last item is especially troubling. Some of these diseases carry a lot of social stigma, like Hepatitis B or C, or tuberculosis. And according to the Department of Health, the database will also note whether a person has

AIDS or HIV [this was stated during the House Judiciary Committee hearing on companion House Bill 2563].

"For that reason, it is of paramount importance that the database administrators and users be fully trained on protecting the security and confidentiality of this information. If there was a security breach, immunization information could potentially be used to harass or discriminate against certain individuals.

"Yet when the companion bill was heard in the House Judiciary Committee, the representatives from the Department of Health's immunization branch couldn't seem provide us with details on how the other entities granted access to the registry will safeguard patient privacy throughout the process. It seemed like they didn't have any kind of concrete plan in place.

"I find it very ironic that the Administration is asking us to pass a bill that would put confidential medical information in the hands of more people, without a stronger guarantee that those people will be properly trained on protecting the privacy of the information, and without any language in the bill that would impose sanctions for security breaches.

"But in a way, maybe this isn't so surprising. The Legislature was recently asked to consider a bill that would have required businesses handling personal information to have a written policy and procedure to prevent identity theft, and to train all their employees on the procedure. The bill imposed stiff penalties on the businesses that failed to comply, but didn't address government entities at all.

"If the government is going ahead with this plan for the immunization registry, it should at least hold itself to the same standards that are expected of private businesses. To do otherwise would be unfair and hypocritical."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. In support with reservations. Just briefly, I think the ACLU makes some very compelling points in its testimony on a previous iteration of this bill. And I realize that while it has been revised, I do think that there are some privacy implications inherent in this bill and that is why I'll be voting with reservations. Thank you."

Representative Fontaine rose in support of the measure with reservations and asked that the remarks of Representative Johanson 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 Committee was adopted and S.B. No. 2825, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Pine voting no, and with Representative Marumoto being excused.

Conf. Com. Rep. No. 74-12 and S.B. No. 2001, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2001, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Final Reading by a vote of 50 ayes, with Representative Marumoto being excused.

Conf. Com. Rep. No. 75-12 and S.B. No. 2763, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2763, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Riviere rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to get a ruling on a potential conflict on S.B. 2763. I just wanted to state that I am a mortgage loan officer," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2763, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Pine voting no, and with Representative Marumoto being excused.

Conf. Com. Rep. No. 76-12 and S.B. No. 2540, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2540, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"I'd like your ruling on a potential conflict. In my law practice, my partners and I have had occasion to provide advice on gender equity issues on high school sports," and the Chair ruled, "no conflict."

Representative Keith-Agaran continued to speak in support of the measure with reservations, stating:

"Thank you. Please note my reservations to sections 9 and 43."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2540, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Choy, Hanohano, McKelvey and Nakashima voting no, and with Representative Marumoto being excused.

Conf. Com. Rep. No. 77-12 and S.B. No. 2800, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2800, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Final Reading by a vote of 50 ayes, with Representative Marumoto being excused.

Conf. Com. Rep. No. 78-12 and S.B. No. 2655, SD 2, HD 3, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2655, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Marumoto being excused.

At 12:06 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2787, SD 1, HD 1, CD 1
S.B. No. 2825, SD 1, HD 1, CD 1
S.B. No. 2001, SD 1, HD 2, CD 1
S.B. No. 2763, SD 2, HD 2, CD 1
S.B. No. 2540, SD 2, HD 2, CD 1
S.B. No. 2800, SD 1, HD 1, CD 1
S.B. No. 2655, SD 2, HD 3, CD 1

Conf. Com. Rep. No. 79-12 and S.B. No. 2277, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2277, SD 2, HD 2, CD 1, pass Final Reading, 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 Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"I support this measure that will extend the Department of Land and Natural Resources' authority to enter into safe harbor agreements and habitat conservation plans, and incidental take licenses through June 29, 2017, while also repealing section 195D-27, Hawaii Revised Statutes.

"Since being allowed temporarily in 1997, safe harbor agreements, habitat conservation plans, and incidental take licenses have been valuable tools for the State's ongoing conservation efforts. These tools, available previously only under federal law, provide a flexible framework for landowners to move ahead with land-use projects, while providing protection for endangered or threatened species.

"In the fourteen or so years that the law has been in effect, the Department of Land and Natural Resources has issued eight habitat conservation plans and six safe harbor agreements. These have proven effective in helping to restore certain populations of *nene*, montane-nesting seabirds, and Hawaiian hoary bats.

"This bill started off as what was represented as a compromise bill that would have allowed the law to become permanent while providing a private right of action to enforce these agreements. In the course of this session, the private right of action was eliminated and most parties acknowledged the existing administrative procedure for enforcing rules, habitat conservation plans and safe harbor agreements and accompanying licenses is problematic. This Conference Draft repeals section 195D-27, Hawaii Revised Statutes, which establishes administrative enforcement procedures in response to such concerns.

"While I believe that the use of these tools to foster better conservation efforts has already shown its worth and deserves to be permanent, I support at least extending the sunset date so that DLNR can continue to enter into safe harbor agreements and habitat conservation plans, and incidental take licenses in a responsible way and in concert with its federal partners processing of federal permits."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2277, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 82-12 and S.B. No. 3008, HD 3, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3008, HD 3, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Honorable Speaker, I support SB3008, HD3, CD1 which allows impoverished family court litigants to post pleadings at the courthouse rather than incur the outrageous costs charged by newspapers for legal notices. This measure provides an alternative to serving notice by publication by allowing the posting of pleadings at the courthouse for all family court matters. The increase in legal classified rates has placed a burden on impoverished litigants who are unable to locate the opposing party and must serve constructive notice as part of the due process required under our system of justice. However with the decrease in competition among Hawaii's daily newspapers and with the contraction of newspaper readership, the practice of service by publication appears increasingly obsolete as a meaningful means of meeting due process concerns.

"The posting in lieu of publication for impoverished litigants is not new in Hawaii. Current statutes have allowed for posting of publication in

divorce actions since 2000, and prior to 2000, Family Court rules allowed for posting in lieu of publication.

"SB3008, HD3, CD1 would assist Hawaii's impoverished families and their children while still providing the constructive notice required to meet due process concerns."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3008, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 87-12 and S.B. No. 2766, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2766, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 88-12 and S.B. No. 2742, SD 1, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2742, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

At 12:07 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvene at 12:08 o'clock p.m.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano 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. 2742, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 89-12 and S.B. No. 2238, SD 1, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2238, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Aquino rose to disclose a potential conflict of interest, stating:

"I'd like to request a ruling on a potential conflict. I work for a non-profit in my private work," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2238, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 97-12 and S.B. No. 2335, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2335, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 105-12 and S.B. No. 2858, SD 1, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2858, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. My objections to this measure are numerous, but probably the real remedy would be a measure to restore the OIP, Office of Information Practices to become the court of last resort as envisioned by past Legislatures. Based on the federal Freedom of Information Act, it was not meant to allow Departments to appeal an OIP decision in court. OIP argues that it is, but that will take a paper review that would take 30 days. However, I think it is an unnecessary step.

"According to Professor Beverly Keever of the UH School of Communications, she said it best, and I would like to quote her:

Senate Bill 2858 is ill-advised for several key reasons. Rather than adhering to the dispute resolution process that has worked for 24 years, this bill establishes a judicial process in which a government agency can go to court rather than release a record to which a citizen requestor is entitled. Rather than adhering to the 24 year old legislative intent barring government agencies from suing each other, Senate Bill 2858 risks, almost invites, one taxpayer-funded government attorney contesting another taxpayer-funded government attorney in court proceedings.

Rather than aiding the public and gaining access to a government record, this Senate Bill sets up a judicial process that denies taxpayers and citizens, unable to hire their own lawyer to be represented in the complex court proceedings. In short, Senate Bill 2858 risks, one, causing bureaucratic red tape and confusion at the taxpayer expense. Two, emboldening government agencies to deny taxpayer and citizen records to which they are entitled under Hawaii's Freedom of Information law. Three, wasting scarce government resources in these dire economic times. And four, making it even more difficult for taxpayers and citizens to obtain government records in a timely manner.

Senate Bill 2858 causes the most serious erosion of Hawaii's Freedom of Information law in its 24 year old history, and shackles public participation in their own government.

"Mahalo."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you. Mr. Speaker, as stated in the Uniform Information Practices Act, a government agency dissatisfied with an administrative ruling by the Office of Information Practices does not have the right to bring an action into Circuit Court, to contest the OIP ruling. The legislative intent for expediency and uniformity in providing access to government records would be frustrated by agencies suing each other.

"Mr. Speaker, a letter from media and open government groups against this measure has been signed by: Beverly Keever, Right to Know Committee; Barbara Kim Stanton, AARP; Barbara Polk, Americans for Democratic Action / Hawaii; Nikki Love, Common Cause Hawaii; Kat Brady, Community Alliance on Prisons; Marjorie Ziegler, Conservation Council for Hawaii; Choon James, Country Talk Story; Larry Geller, Disappeared News; Isaac Moriwake, Earthjustice; Stirling Morita, Hawaii Chapter of the Society of Professional Journalists; Rafael Del Castillo, Hawaii Coalition for Health; Ikaika Hussey, Hawaii Independent; Donna Wong, Hawaii's Thousand Friends; Alethea Rebman, Kapiolani Park Preservation Society; Henry Curtis, Life of the Land; Chris Conybeare, Media Council Hawaii; Non-Partisan Hawaii Ohana; Robert Harris, Sierra Club Hawaii Chapter, and then a number of other individual signatories.

"The measure isn't in the best interest of open government and we should choose to stop it here. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representatives Marumoto and Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just briefly, but first let me ask that I be able to submit written comments. Generally this bill takes a balanced approach to deal with the reality of the situation, which is, that despite what the statute says, the courts have ruled that people can appeal, and agencies can appeal. This bill takes the balance towards disclosure and puts a limit on how long an agency can take. And so, I would ask my colleagues to vote in favor of this bill."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which creates a uniform procedure for State or county agencies and boards to seek judicial review of decisions by the State Office of Information Practices ("OIP") relating to the Sunshine Law (Part I of Hawaii Revised Statutes Chapter 92) or the Uniform Information Practices Act (Hawaii Revised Statutes Chapter 92F) ("UIPA").

"In light of the courts' recognition of a right to appeal OIP decisions under UIPA, this measure is necessary to provide clarity by creating clear procedures for appeal of OIP decisions. The inclusion of a 30 day period to file appeals and requiring appellants to show that the OIP's decision was "palpably erroneous" ensures that appeals will not be undertaken lightly and there will be great stability in this area of law while ensuring that citizen requests for disclosure of documents are not ignored by agencies. This bill confirms that in the balance of government transparency, the weight of our law tilts clearly towards the public's right to disclosure of government records.

"OIP administers and resolves disputes under both the UIPA and Sunshine Law. Each law has different provisions for judicial appeals from OIP's decisions. The UIPA has no provision allowing an agency to judicially challenge an OIP decision, while the Sunshine Law permits "any person" to appeal to the courts. At the time that the Sunshine Law was enacted, OIP did not exist and the "any person" standard was meant to allow an individual to challenge an agency's actions for an alleged violation of the Sunshine Law. UIPA did not contemplate allowing an agency to challenge OIP's decisions. However, in 2009, the courts allowed an agency to judicially challenge an OIP decision mandating the release of records pursuant to the UIPA, because that determination was based on an underlying Sunshine Law decision and the "plain" language of the Sunshine Law permitted an agency, as "any person," to appeal. County of Kauai v. Office of Information Practices, 120 Haw. 34, 200 P.3d 403 (Haw. App. 2009) (summarily affirmed by the Hawaii Supreme Court on June 23, 2009).

"OIP asked the Legislature to establish a simplified and uniform appeals process for both laws. Some opponents of the bill have argued that the bill relinquishes OIP's current authority to have the last word in UIPA decisions, while other opponents (agencies and county councilmembers) claim that OIP is being granted too much power for an entity that is not a court. Supporters of the measure, which include OIP, the Governor and many state agencies testified and understood that the bill reasonably balances these competing interests and would provide a clear and uniform avenue of judicial review to ensure that OIP's decisions are founded on proper legal bases while also discouraging agencies from simply ignoring decisions with which they disagree. Rather than being embroiled in litigation against other agencies, the bill would free OIP to continue to provide training as well as informal dispute resolution, which constitute the bulk of OIP's work and are important activities that help to ensure open government

"I agree with supporters of the bill. The Conference Draft allows agencies to judicially challenge OIP's decisions, but requires agencies to timely appeal within 30 days and does not require OIP or the person who requested the decision to appear in court as parties to the appeal. While the bill now gives agencies the right to judicially challenge OIP's decisions, it also sets a strong standard of review that would accord a presumption of validity and require the courts' deference to OIP's factual and legal determinations concerning the administration and interpretation of the UIPA and Sunshine Law, unless such determinations are "palpably

erroneous" and result in a definite and firm conviction that a mistake has been made. See e.g., *Right to Know Committee v. City Council*, 117 Haw. 1, 175 P.3d 111 (2007); *Aio v. Hamada*, 66 Haw. 401, 664 P.2d 727 (1983). The bill further clarifies that the de novo standard of review referenced in HRS Sec. 92F-15(b) applies only to judicial appeals brought by the general public, and that agencies' appeals are instead subject to the higher "palpably erroneous" standard. The bill does not affect the standard to be applied by the courts in reviewing OIP decisions with respect to constitutional issues or other matters beyond OIP's sphere of expertise regarding the UIPA and Sunshine Law.

"As is typical in appeals from administrative decisions, this bill limits the record in an agency appeal to what was presented to OIP when it rendered its decision, thus requiring an agency to present its best case to OIP and not rely upon having a second chance to present new evidence in a judicial appeal. Only in extraordinary circumstances would the circuit court allow discovery and admission of additional evidence during an appeal from an OIP decision.

"A key provision is that if an agency fails to timely appeal within 30 days from an OIP decision mandating disclosure of a record under the UIPA, then such agency will not be able to challenge the decision if the citizen requesting the record is forced to bring an action to compel disclosure. This provision thus encourages agencies to take timely action, and it discourages agencies from simply ignoring an OIP decision and indefinitely refusing to disclose a record that OIP has determined should be disclosed under the UIPA.

"Finally, this bill does not affect the general public's existing right to bring appeals or to recover reasonable attorney fees and costs as prevailing parties in actions brought under either the UIPA or the Sunshine Law.

"It's unfortunate that we live in a cynical world. A cynical world, in this case, that believes the worst about the intentions of OIP and this present Administration. This bill provides a framework in the reality that OIP and the public faces, not the fantasy world that opponents of this measure seem to believe exists."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. I'm still trying to understand why the Administration would promote this bill. Our Legislature never intended the Office of Information Practices to be challenged in court on its rulings. OIP decisions were meant to be the final authority and government agencies would have to abide by their rulings.

"The legislative history makes it very clear behind their creation of the OIP. The OIP is a product of our Freedom of Information Laws in 1989, which gave the public the right to obtain the government records they need to fully participate in our democratic process. At the time, the Legislature stated in Conference Committee Report No. 167 on S.B. 1799 of 1989, its intent that a citizen have a right to appeal a government agency's denial of access to a government record, but that the government agency not have the right to contest the OIP ruling.

"This intent could not have been more clearly stated. Again, I don't understand why this Administration is promoting this bill. Whether it's access to the Environmental Impact Statement for a controversial development project, or making sure that a local neighborhood board is following the open meeting laws, the OIP helps the public exercise their right to know what their own government is doing. This bill would completely frustrate the entire purpose of the OIP and undermine over 2 decades of sunshine in government. I can only imagine a private citizen who wants to get some information from a government agency, Mr. Speaker, and then they find out that they're going to be challenged in court.

"Why would anyone ever want to find a justice through information for people? This basically says if you have all the power and all the attorneys, then go ahead and try to get public information, because a private citizen is going to now be so fearful to ever want to request information for their community that they would represent. So that's why I'm voting in opposition of this measure, Mr. Speaker."

Representative Belatti rose to speak in support of the measure, stating:

"In support. I would just like to make a few remarks in response to the previous speaker. You know, I rise because I do think this is a balanced approach to a legal situation where our courts in 2009, did in fact give agencies and acknowledge that the agencies do have the right to appeal OIP's decisions. I believe that what has been adopted, the 30 day requirement in which to file a complaint, provides time limits that will make it reasonable for agencies to challenge and then for courts to respond timely in a way that the public's needs and rights to know are going to be recognized.

"And finally, one last thing. The standard applied in this bill for palpable erroneous review would provide great deference to OIP's decisions. So, in fact, it provides as the Chair of the Judiciary said, a very balanced approach given our current legal situation with open government. Thank you."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Mr. Speaker, the hallmark of democracy is openness and transparency. That's like saying motherhood and apple pie is something favorable. However, this Administration has not been, perhaps, the most open in terms of the Judicial selection. Perhaps in having Executive Orders being given, and now this particular issue comes up. Is there a pattern, question mark?

"So I would strongly urge the Administration to veto this, to get rid of what otherwise looks to be a secret Administration on which this is going to fall on, subject to, just reinforcing it. 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. 2858, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT," passed Final Reading by a vote of 43 ayes to 8 noes, with Representatives Carroll, Ching, Fontaine, Hanohano, Marumoto, Pine, Thielen and Ward voting no.

At 12:22 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2277, SD 2, HD 2, CD 1
S.B. No. 3008, HD 3, CD 1
S.B. No. 2766, SD 2, HD 2, CD 1
S.B. No. 2742, SD 1, HD 2, CD 1
S.B. No. 2238, SD 1, HD 2, CD 1
S.B. No. 2335, HD 2, CD 1
S.B. No. 2858, SD 1, HD 2, CD 1

Conf. Com. Rep. No. 106-12 and S.B. No. 3001, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3001, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN WILDLIFE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 112-12 and H.B. No. 1617, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1617, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 115-12 and H.B. No. 2487, HD 1, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2487, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations to HB 2487 regarding pension spiking. I do agree that we need to curb the practice of pension spiking amongst public sector employees. However, I am not sure that this measure accomplishes this effectively. Ultimately, I believe the onus is on management to monitor and prevent pension spiking and other abuses by employees. Nonetheless, discussions around this measure have been helpful in bringing this practice to light and helping raise awareness about the practice, which adversely impacts all of Hawaii taxpayers."

Representative Cullen 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 Yamane 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 H.B. No. 2487, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 116-12 and H.B. No. 609, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 609, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'll try to put the bulk of my comments in written comments as remarks into the Journal. Thank you, Mr. Speaker. But I rise in strong support.

"This bill. There's a lot of gratitude and appreciation to what the Senate, the House, the Leadership, my colleagues, to provide the option and to be able to preserve medical services. The Chair of Health. Mr. Bruce Anderson of HHSE confirmed the intent of HHSE, by stating in his testimony that this measure will be a vehicle to potentially double long-term care capacity, meeting the demand for skilled nursing beds, but enabling also collaboration with St. Francis Healthcare Systems in providing daycare, respite, and other services to meet the needs of Hawaii's aging population.

"The difficulties that were faced by HMC East, Mr. Speaker, and I will comment again. I know that you have ruled on a potential conflict, but my husband did work there at one time," and the Chair ruled, "no conflict."

Representative Ching continued, stating:

"Thank you, so much. It has been a great source of great concern, for myself, my people of Liliha, and the State as a whole. And seeing how we can work together for such a worthy cause is inspiring, and I hope we can find that common ground that benefits all. That benefits so many.

"The sisters had a legacy in Liliha, and I hope it's not a conflict of interest, but I'm a baptized Catholic, and now President of the Catholic Women's Guild," and the Chair ruled, "no conflict."

Representative Ching continued, stating:

"Thank you. But the health of our people is of vital concern and those that help our people, we want to help them. So with much gratitude, and strong support."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support to this bill.

"Mr. Speaker, I would first and foremost like to thank my colleagues for supporting this appropriation. I would additionally like to thank HHSC, who helped our Legislature provide the option and experience to preserve medical services. This measure presents the supplementary opportunity (possibility) to provide our aging population with additional long-term care.

"Dr. Bruce Anderson, of HHSC, confirmed the intent of HHSC by stating in his testimony, "HHSC supports this measure as a vehicle to, potentially, double our long-term care capacity on Oahu, meet the demand for skilled nursing beds, and to enable collaboration with St. Francis Health Care systems in providing day care, respite and other services to better meet the needs of Hawaii's aging population."

"Dr. Anderson also noted in a provided diagram that Queens Medical Center and Maui Medical Center, with the greatest volume of waitlisted patients, experienced net annual losses at least 3 times those of other hospitals. This bill would help alleviate the numbers of those waitlisted and economic loss, providing a more centralized focus for facilities like Queens to continue their emergency services and transplant care – of which they assumed since the HMC closure.

"The recent difficulties faced by HMC-East have been a source of great concern for myself, the people of Liliha, and the State as a whole. Seeing how we can work together for such a worthy cause is inspiring. I hope we can continue to find that common ground that benefits us all. This appropriation is an investment in a community institution; one that benefits everyone in our community, and it will prove its worth by its continued good works and service to the people of this State.

"Mr. Speaker, at this critical time in our State's history, the health of our people is of such vital importance. The laws we make right now will continue to affect the well-being of our communities for generations. Nowhere is that more true than in my district. So on behalf of the people of my district and myself, I strongly support HB 609 HD2, and offer my most sincere gratitude to all of my colleagues who have done the same. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in strong support. Mr. Speaker, I would like to commend the Body for the consideration, and I hope the positive movement of this bill. This bill, in effect will start the discussion to potentially double the amount of long-term care beds available for all of our citizens, and all of our constituents as we move forward dealing with the health care situation in our State. And Mr. Speaker, this is again, another measure that we tried to emphasize in the pursuit of a true public and private partnership as we move forward in addressing the rising health care costs. Thank you, Mr. Speaker."

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I want to sincerely thank all of my colleagues in this Body for supporting this important legislation to protect healthcare in the communities affected by the closure of Hawaii Medical Center. This bill will authorize the assimilation of Hawaii Medical Center-East on Oahu into the Hawaii Health Systems Corporation and appropriate funds to enable the assimilation.

"According to HHSC, the bill could "potentially double our long-term care capacity on Oahu, meet the demand for skilled nursing beds, and enable collaboration with St. Francis Health Care systems in providing day

care, respite and other services to better meet the needs of Hawaii's aging population."

"Mr. Speaker, when one community is hurting, many others are affected either directly or indirectly. I appreciate this effort to ease the strain caused by the closure of HMC-East as I believe this will also help patients across this island to receive the care that they need."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 609, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 120-12 and H.B. No. 2569, HD 2, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2569, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Particularly regarding the church membership issue, which is a bit of a sticking point. It could lead to lawsuits and other complications. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which clarifies various issues raised regarding the application of Act 1 of 2011, Hawaii's civil unions law. The core of this measure was the work of many months by a task force working with the Department of Health.

"This bill clarifies the power of family court to grant divorces, annulments and separations to those who entered into a union in another jurisdiction that is recognized as a civil union in this State, without which the couple might have no jurisdiction which could address issues arising from their relationship.

"The bill addresses practical issues for couples formerly in reciprocal beneficiary relationships who entered or will enter civil unions. It retroactively ensures that couples do not lose the benefits of reciprocal beneficiary relationships – including the benefits of holding property in tenancy by the entirety – and civil unions by the prior requirement that their reciprocal beneficiary relationship be dissolved before they can enter a civil union. It eliminates this gap going forward by automatically terminating a reciprocal beneficiary relationship when the couple enters a civil union.

"The measure further clarifies who may solemnize a civil union. It authorizes name change on the certificate of civil union. It clarifies the standard for recognizing a union performed another jurisdiction as a civil union. It also clarifies the treatment of reciprocal beneficiaries who enter into a legal union in another jurisdiction that is not marriage to have their legal union recognized as a civil union here.

"While many of these provisions will affect only a small number of people, they are important to make sure that the laws of Hawaii are comprehensive and humane.

"The measure also contains a narrow exemption from liability for the refusal to perform civil unions in religious facilities under certain circumstances that was the subject of a great deal of input by various stakeholders and a great deal of work by the Legislature. The exemption added to the civil union statute is crafted to protect religious freedom while ensuring that the public accommodation law continues to protect all citizens where it is applicable. For churches and others who believe that

the federal and/or State constitution requires more or less protection, they certainly have other recourse than legislation aimed primarily at establishing and clarifying fundamental rights for civil union partners."

Representative Souki rose to speak in support of the measure with reservations, stating:

"I have some reservations on this particular section of this measure. I'm speaking on the solemnization bill. The concern that I have is on 572-b, section 2, item 2 there. Where the organization, the religious organization, if you have members of the church and they want to have a civil union solemnization service, the church will not be exempt then. That's what I gather from this language in here.

"I could be wrong, but it seems that they are providing exemptions. However they provided that there are a number of things. And I can understand if you're running a for-profit you certainly should not be exempt. But in this case here, it could kind of create a problem, as we move along in Section 2. And if we can, I would like to clarify this and if I could have a recess to discuss this with the Chairman. Thank you, very much."

At 12:29 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'll have to go WR, on this measure, CCR 120-12 and I'll have additional written comments. Mr. Speaker, I think from the beginning of time, and my time here at the Legislature, I've always felt it's important to respect people's religions. In fact, historically the Mayflower, the whole reason people came over here, was to practice what they wanted to. I have a lot of respect for people who practice their religion. Jews, Orthodox Jews, don't eat pork. They don't eat shellfish. There are other sorts of things that religious people don't do. My feeling is, you know, we respect that. And that's what we do in America. We respect it. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Although I support the intentions of H.B. 2569, I do so with several reservations which I would like to explain. H.B. 2569 amends various statutory provisions related to civil unions for clarity and conformity.

"It provides uninterrupted rights for couples holding property in tenancy by the entirety who enter into a new legal relationship simultaneously with or within ninety days after the termination of an earlier legal relationship; provided that no liens were perfected and attached on the property in the interim.

"It provides for non-liability of religious organizations and religious facilities under certain circumstances.

"It ensures that rights held by certain reciprocal beneficiaries carry over to a civil union; provided that the reciprocal beneficiaries terminated their relationship simultaneously with or within ninety days after the termination of the reciprocal beneficiary relationship.

"It extends rights created by the solemnization of a civil union that were not included within a reciprocal beneficiary relationship to be recognized as of the date the civil union was solemnized.

"It amends various statutory provisions relating to solemnizations, and authorizes name change on the certificate of civil union.

"It also confirms the family court has jurisdiction over the divorce, annulment, and separation of a union that is recognized as a civil union in Hawaii.

"It allows reciprocal beneficiaries who enter into a legal union in another jurisdiction that is not marriage to have their legal union recognized as a civil union effective upon approval.

"Finally, it exempts religious organizations from liability under certain circumstances when refusing to avail a religious facility for civil union solemnization. The bill is to be retroactively effective January 1, 2012.

"On technical grounds, this bill raises concerns by eliminating the gap requirement between terminating a reciprocal beneficiary relationship and entering a civil union. It would allow couples in a reciprocal beneficiary relationship, otherwise eligible to enter a civil union, to do so without first terminating their reciprocal beneficiary relationship. While this would eliminate an unintended gap in rights and benefits, it would also lead to potential overlap. Especially for couples transferred to civil unions in other counties and thus required by this law to manually terminate their reciprocal beneficiary statuses, it could potentially result in conflicting statutes.

"Numerous organizations including the Hawaii Family Forum, Hawaii Catholic Conference, Temple Emmanuel and Lahaina Baptist Church – while appreciating this bill's attempt to somewhat relieve churches from having to make their facilities available to civil unions – asked that the bill's language be strengthened. For example, they prefer it would specify a church's immunity from any legal cause of action, including injunctions and civil rights complaints, and include not just solemnization but any celebration or event related to a civil union. The current bill requires, for all other purposes unrelated to solemnization, churches cannot discriminate on the basis of sexual orientation. Religion by nature inevitably makes such distinctions in its philosophies, so such a clause against discrimination is both unfair and illogical. Thank you."

Representative Oshiro rose in support of the measure 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 rise in support of House Bill No. 2569, Conference Draft 1, RELATING TO CIVIL UNIONS. In my capacity as Chair of your Committee on Finance, I served as a Co-Chair on the Conference Committee for this measure.

"Throughout the negotiations, my main concern has been and will continue to be the manner in which religious organizations will be treated under the terms of Act 1 and the amendments thereto that will be made pursuant to this bill.

"Accordingly, during the negotiations, I had drafted a proposed Conference Draft 1 for the Conference Committee's consideration. The draft kept intact the substantive provisions of an earlier proposal, but included a substantial revision to the legislative findings found on SECTION 1.

"For sake of fairness to religious organizations, I feel it is vital for these findings to be inserted into the legislative history on this bill. The pertinent language is as follows:

". . . In addition, there is a case pending before the United States District Court for the District of Hawaii, *Jackson v. Abercrombie*, Civil No. 11-00734 ACK KSC, in which the plaintiffs have alleged that the marriage law and the "marriage amendment" to the Hawaii state constitution are unconstitutional. Not only has no court thus far found Hawaii's marriage law to be unconstitutional, a majority of states currently have similar laws. Despite this, Governor Abercrombie has publicly declined to defend it, although his administration is defending the law.

"The legislature finds that the administration introduced this Act. By virtue of introducing this Act concerning civil unions, it is an implied acknowledgement by the administration that it is the legislature, under article III, section 1, of the Hawaii state constitution, that determines the benefits and responsibilities between couples. This was affirmed in the constitutional amendment that resulted in article I, section 23, of the

Hawaii state constitution, which confers the power to the legislature to define marriage and establish the parties who may enter into a marriage under section 572-1.

"The legislature maintains the authority to determine whether marriage should be reserved to opposite sex couples and therefore also maintains the power to adopt any amendments to the marriage and civil union laws. As such, any amendments to these laws are done so under the authority given to the legislature by the Hawaii state constitution.

"Lastly, the legislature acknowledges that critical to this Act are the amendments made to clarify that religious institutions are protected from civil liability in denying the use of their facilities for the purpose of solemnizing civil unions. The Legislature finds that the United States Supreme Court has held that government regulation cannot interfere with a citizen's First Amendment right to associate for the purpose of engaging in protected speech. In *Boy Scouts of America v. Dale*, 530 U.S. 640 (2000), citing *Roberts v. United States Jaycees*, 468 U.S. 609 (1984), the Supreme Court ruled that:

" . . . implicit in the right to engage in activities protected by the First Amendment is a corresponding right to associate with others in pursuit of a wide variety of political, social, economic, education, religious, and cultural ends. This right is crucial in preventing the majority from imposing its views on groups that would rather express other, perhaps unpopular, ideas. . . . Government actions that may unconstitutionally burden this freedom may take many forms one of which is 'intrusion into the internal structure or affairs of an association' like a 'regulation that forces the group to accept members it does not desire.' . . . Forcing a group to accept certain members may impair the ability of the group to express those views, and only those views, that it intends to express. Thus, freedom of association. . . plainly presupposes a freedom not to associate."

"The Legislature asserts that religious organizations are expressive associations that are free to not associate with persons wishing to solemnize or celebrate civil unions at their facilities. To do so through the application of the public accommodations statutes would significantly affect its expression in violation of the First Amendment.

"The Legislature finally acknowledges that the First Amendment to the United States Constitution, applicable to the States through the Fourteenth Amendment, prohibits governments from prohibiting the free exercise of religion. Under this guarantee, public authorities may enforce neutral and generally applicable rules and may do so even if they burden faith-based conduct in the process. However, if the law appears to be neutral and generally applicable on its face, but in practice is riddled with exemptions or worse is a veiled cover for targeting a belief or a faith-based practice, the law satisfies the First Amendment only if it "advance[s] interests of the highest order and [is] narrowly tailored in pursuit of those interests." *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 546 (1993). "Tolerance is a two-way street. Otherwise, the rule mandates orthodoxy, not antidiscrimination." *Ward v. Polite*, United States Court of Appeals, 6th Cir. (Slip Op. 10-2100/2145, January 27, 2012)."

"Thank you for the opportunity to comment on this bill. It is for the aforementioned reasons that I vote in support."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Mizuno 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 Mizuno's written remarks are as follows:

"I rise with reservations on HB2569, Relating to Civil Unions. I am glad to note that the final version of this bill allows for religious organizations to be exempt (not required) from performing marriage for couples under civil unions – that is the solemnization of marriages pursuant to Chapter 572, and that said religious facility will not subject to

any fine, penalty, or civil liability for the refusal of performing such a marriage.

"HB2569 also contains language which confirms that requisites of a valid marriage contract shall be only between a man and woman. I believe the added language will protect our churches from a State mandated law which would violate the Freedom of Religion clause in the U.S. and State constitutions. I also believe that this measure does respect freedom of religion and respect the couples and churches. Moreover, I believe this would protect the individual and businesses for their expression of choice as they do business.

"However, I rise with reservations, to display my continued concern of laws or policy being produced by this Legislative Body which appear to mix the long standing position that we must continue to recognize and honor the separation between church and State. Please note that bills that mandate that the State of Hawaii become involved in religious affairs may blur the line of separation between church and state.

"For the foregoing reasons, I provide my reservations on this measure. Thank you, Mr. Speaker."

Representative Tsuji rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I stand with reservations on HB 2569 Relating to Civil Unions. My concern is that the language does not sufficiently immune religious organizations from the definition of 'public accommodation.'"

Representative Yamane rose and asked that the Clerk record an aye vote with reservations for him, 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 Aquino 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 H.B. No. 2569, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 122-12 and H.B. No. 2848, HD 3, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2848, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 51 ayes.

At 12:37 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 3001, SD 2, HD 2, CD 1
H.B. No. 1617, HD 2, SD 2, CD 1
H.B. No. 2487, HD 1, SD 2, CD 1
H.B. No. 609, HD 2, SD 2, CD 1
H.B. No. 2569, HD 2, SD 1, CD 1
H.B. No. 2848, HD 3, SD 2, CD 1

At 12:37 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:40 o'clock p.m., with Speaker Say presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain Senate Bill for Third Reading by consent calendar. (Representative Carroll was excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1823-12) recommending that S.B. No. 3017, SD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3017, SD 2, pass Third Reading, seconded by Representative Evans.

Representative Ward 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. 3017, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Marumoto, Rhoads and Souki voting no, and with Representative Carroll being excused.

At 1:42 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 3017, SD 2

At this time, the Chair announced:

"Members, please note that the Standing and Conference Committee Reports listed on the remainder of page 18 through Con. Com. Rep. No. 121-12 on page 20 will be deferred one legislative day.

"These are the measures that have the fiscal implications, if you notice, that the budget will have to come before these measures. Not unless you guys want to go through it and then it's going to be null and void."

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1824-12) recommending that S.B. No. 2952, SD 2, pass Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1825-12) recommending that S.B. No. 2740, SD 1, pass Third Reading.

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 70-12 and S.B. No. 155, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 85-12 and S.B. No. 240, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 86-12 and S.B. No. 2115, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 90-12 and S.B. No. 2383, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 101-12 and S.B. No. 1083, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 103-12 and S.B. No. 2323, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 104-12 and S.B. No. 2324, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 117-12 and H.B. No. 2248, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 118-12 and H.B. No. 2626, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 119-12 and H.B. No. 2495, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

Conf. Com. Rep. No. 121-12 and H.B. No. 2476, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one legislative day.

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried:

H.B. No. 2398, HD 2, (SD 1)
H.B. No. 2526, HD 2, (SD 2)
H.B. No. 2553, HD 2, (SD 2)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 2398, HD 2, SD 1; H.B. No. 2526, HD 2, SD 2; and H.B. No. 2553, HD 2, SD 2, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

H.B. No. 2398, HD 2, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2398, HD 2, on the following showing of Ayes and Noes:

Ayes, 3 (Chang, C. Lee and Coffman). Noes, none. Excused, 2 (Har and Riviere).

Representative Chong moved that H.B. No. 2398, HD 2, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this measure. Thank you. This House Bill, 2398, is relating to land use and it's also relating to the Public Land Development Corporation. The bill will exempt State public lands from the definition of public lands and that would include any public lands set aside by the Governor for the Public Land Development Corporation, any State department or agency, public lands lease to, and controlled by the Public Land Development Corporation, including, but not limited to not public lands from the Department of Land and Natural Resources. That means conservation lands and small boat harbors.

"Those of you who have the small boat harbors in your district should be very concerned about this. Department of Transportation commercial harbors and coastal airports; University of Hawaii, Manoa, Mauna Kea, West Oahu, Hilo public lands; and even the Hawaii Community Development Authority, Kakaako *makai* and *mauka*, Kalaeloa, and Heeia. And any public lands to which the Public Land Development Corporation holds direct title.

"You know, the Public Land Development Corporation is becoming a very scary entity. It operates really outside of the public purview. It still hasn't adopted its rules of procedure under which it'll operate, but it's been given great, great power and authority. It was a brain child, or a brain ... I don't know how I would term that. Of Senator Dela Cruz, who wanted to have the public ..."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, you're out of order. Please do not state the name of the Senator at this point in time, since ..."

Representative Thielen continued, stating:

"Let me just say the proponent for the Public Land Development Corporation sees this entity as having these broad powers to be able to go ahead and do what it feels is best with public lands. But actually it also will allow the Public Land Development Corporation to manage any State or county lands which end up under PLDC control, and then it transfers to the Public Land Development Corporation, the management and development proposals for 123 acres of public land at Honokohau Harbor. And this includes some lands of landmark historical and cultural significance.

"The concern I have, Mr. Speaker, is the wisdom of establishing a policy where we have this sort of quasi-independent Public Land Development Corporation going ahead and doing what it wants to do with these lands that it either is able to get from the government or taking other steps where it actually has condemnation powers. It's kind of a scary operation. At least with the organization that takes care of Kakaako, that operates within the public, in the public interest, and it's also very open to public input. The PLDC isn't. It's a group with vast power. We've established it under our policy, and now we're adding more rights and authority and ability for them to go ahead and do what they want to do.

"I don't think it's wise. I think we need to call that group to a halt and find out how it's operating. What it's doing. I was present at the one meeting held by the Senator who I can't name, but the one that gave birth to this PLDC. I was present at that meeting that he held, and the PLDC Executive Director really couldn't answer anything. They didn't have rules. They weren't really clear on how they were going to go ahead and operate. Would the public be able to have any input? That was up in the air. And yet they've got this power, and we continue to give it to them.

"I'm voting no, and I hope others that are concerned about what this group is going to do with land within the districts they represent, will also cast a no vote."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker with respect to the language that was being referred to by the speaker from Kailua, please be advised, Members, that this language mirrors that of other groups that we've created, whether it is the Hawaii High Tech Development Corporation, whether it's the Agribusiness Development Corporation. These were not exceptional powers that were given to the land use, Public Land Division.

"But more importantly, this language was given to us by the Attorney General's Office. They had asked us for these amendments, given the fact that Act 55 had passed last year. So they needed to have conforming amendments put into the current law. So this language was provided

directly by the Attorney General's Office just to address those concerns. Thank you."

Representative Coffman 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 Coffman's written remarks are as follows:

"This bill consists of three parts: Part I of the bill directs the transfers of planning and management authority for the Honokohau Small Boat Harbor land to the Public Land Development Corporation (PLDC). I have reservations about this bill because the transfer includes adjacent land that is outside of the current intended harbor development area: land that is designated as "open space" in the Kona Community Development Plan and coastal areas that are part of the Kaloko Honokohau National Historic Park. I would like to note that based on conversations with the PLDC Executive Director, the adjacent land is being included to enable the PLDC to incorporate shoreline access and deal with environmental protection issues – the adjacent land is not being transferred for development purposes. Nonetheless, I am hesitant to support this transfer of adjacent land because I do not want development on these lands and do not see any assurances of this in the wording of the bill.

"Part II and Part III of the bill was not in the original bill, is unrelated to the Honokohau Small Boat Harbor redevelopment, and was not intended by the bill's authors."

Representative Johanson 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 Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2398 regarding the Aloha Stadium Special Fund creation and the Public Land Development Corporation. I have significant concerns about the parts of this measure regarding the Public Land Development Corporation. I worry that it cedes too much power to an entity that is exempted from many of the same regulations and processes that govern other State departments. However, I do believe the Aloha Stadium, Stadium Authority and Stadium management team need to be on a path to financial self-sufficiency. I am willing to support this bill because I believe the special fund established for the Aloha Stadium would help attain that self-sufficiency and ultimately help the State and our community."

Representative Ward 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 opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with just a one brief comment. My major concern with this bill is procedurally, in the manner in which it was amended and adopted, that I wish that there had been more opportunity for the House to have public comment and receive public comment on this very important bill which has very important issues."

Representative Riviere rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, in opposition. I share the former Representative's concerns about the process, and how things magically come across different than they started. This bill started out, I believe and I might be wrong, but I believe it was to address the Aloha Stadium development. That is a conversation worthy of having. It also, along the way, swept in the Honokohau Harbor development, which is quite controversial, and has always been controversial, and opposed by many people in West Hawaii.

"I support the Chair of the Committee who narrowed the scope to just the harbor itself, that was a good amendment along the way. But now again, magically, it sweeps up a whole bunch of land in the Honokohau area. I would note, hopefully, every Representative saw this email. It came

in at 5:00 o'clock last night, 5:14, from the Kaloko Honokohau Park Service, and it's from the Superintendent. The Superintendent has grave concerns that this bill will sweep in parts, portions of the park, and the Superintendent notes that it would be highly inappropriate for this Public Land Development Corporation to be developing in and adjacent to the national park. So I think there's a very fundamental flaw right there, and for those reasons, I am in opposition."

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition to H.B. 2398, and would like to elaborate upon my reasons why. H.B. 2398 transfers development rights of certain lands under the division of boating and ocean recreation and land division to the public land development corporation. It exempts certain lands from the definition of public land under Chapter 171 HRS, but requires legislative approval for the sale or gift of those lands. It creates the stadium facilities special fund into which shall be deposited a portion of the proceeds generated by the PLDC on Aloha stadium lands and facilities. It allows the PLDC to contract with State and county agencies for lease management services of PLDC-controlled land. Finally, it clarifies the definition of development rights.

"Although this bill may have stemmed from good intentions, such as concerns for job stimulus and interests to enhance State revenue, the routes by which it attempts to achieve these are unrealistic and non-navigable. According to one longtime land use advocate, the public land development corporation (PLDC) "is not intended to be a traditional administrative agency of the lands it will be (re)developing which this particular bill expects it to do over the next several years." A more logical maneuver would be to place the site within DBEDT.

"Numerous Native Hawaiian associations and individual advocates raise concerns in regard to the development of the Honokohau marina on the Big Island. Office of Hawaiian Affairs states that this bill "raises unknown implications with regards to responsible development and management by an entity that has not yet established its guiding documents." Community groups such as Life of the Land also oppose this bill on the principle that it overrides informed consent of the people, reflecting back to the recent occasion in the late 1990s when several native Hawaiian families were evicted from Honokohau grounds in order to formalize the area's recognition as a "National Park." In our attempts to marshal land into designated entities, let us not forget the true meaning of cultural preservation.

"This bill fails to assign managerial responsibility to an appropriate administration agency. In maneuvers of such a magnitude, we must not set out in the wrong lane. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support, although I do have one slight reservation. It's just to make a historical footnote that, I'm just concerned that the future direction could be the PLDC will subsume the powers of some of these other agencies like the Hawaii Tech Development Corp. So that's the only reason for my slight reservation. Just for historical record. Thank you."

Representative Har rose to respond, stating:

"Thank you, Mr. Speaker. Just briefly, I think again, it's important that we understand the role of the LDC. I think, first of all, I want to quell some of the incorrect information that's been espoused about the LDC. First and foremost, they are subject to sunshine. Second, they are subject to Chapter 343. Any project is subject to Chapter 343. Number three, they are subject to Chapter 6E Historic Preservation.

"I would invite the Members, on March the 22nd, 2012. The draft rules for the LDC just came out. They are now going out to public hearing as required by Chapter 91. So for any of you who have concerns, I would

urge you to review those rules. And if you have the opportunity, please attend those public hearings to get your input recognized. Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. In spite of that great speech, I wish to vote no on this measure. My major concern is that it takes away from the oversight of the State as a whole. Even though the Legislature will still have the authority to approve or disapprove, I think it weakens the whole system. It is all going to be dependent on the Board. If we're very fortunate, we will have a good Board and things will work well. If they don't have a good Board, things will not work well. Thank you, very much."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also have reservations on this measure, mainly because the bill seeks to develop land around Aloha Stadium. I think the first order of business is to look for a replacement for Aloha Stadium. It's very important to the citizens of Hawaii to have an arena of this size. Secondly, the bill pertains to land use, and this section sets up a special fund, albeit a special fund to gather revenues generated from Stadium lands and facilities. But I just raise that question rhetorically. Thank you."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this bill. I just wanted to kind of clarify. I do believe that the Representative from Kapolei mentioned that the Attorney General's Office requested some clarifying amendments to the PLDC language, or to the PLDC law that we passed last year. However, I wonder whether Part III of this particular bill, relating to the Stadium, was actually requested by the Attorney General, because my understanding is that it was not. So I want to make it very clear to the Members that this bill included other language outside of the recommendations made by the Attorney General."

"Now, I'd like to focus for a minute on Part III which is regarding the Stadium. As we all know, the Stadium Authority is the governing body over, not only the facility, but the surrounding land. This bill, I think confuses the situation. Are we not saying that the PLDC is going to be running the Stadium lands, in and around the structure? Where does that put the Stadium Authority? And as the Representative from Kahala mentioned, there has been for a few years now, talk about the replacement of the Aloha Stadium. One of the probably, most logical solutions to the aging facility is actually to rebuild in place, and the place is the lower lot of the Stadium. I understand from the Senator from Moanalua, that the Aloha Stadium lands in the lower lot are actually State lands, and not governed, he believes, by the deed restrictions of the federal government."

"Having said all of that, I just don't think that it's proper or good form for us to give another entity the development rights of that particular site, that particular area surrounding Aloha Stadium in light of the fact that eventually the Stadium facility will have to be rebuilt and we'll probably be rebuilding it on that particular area. I do have significant concerns regarding this portion of the bill, because as the Representative from Tantalus mentioned, that part of the bill was not even heard by the House. We are accepting a Senate Draft of this particular House Bill, and that particular Part III was inserted at the very last minute by the Senate. We've had no public discussions about this particular provision in the House, and I think that is clearly a violation of our House Rules and possibly even a violation of the State Constitution."

"Mr. Speaker, I have concerns regarding the PLDC. I've mentioned it to some of you earlier, and I'll mention it publicly. I think the biggest concern that I have regarding the PLDC is that, as the Representative from Kapolei already mentioned, the PLDC is in the process of promulgating rules that'll talk about how their processes work. I had thought that until those rules are defined and voted on, and set in stone, that we would not be pushing along these routes. And for a Representative of an area close to Aloha Stadium, I think that the community in and around the Stadium may have some concerns as it relates to public discussion and debate, regarding the future of the Aloha Stadium lower parking lot, or for that matter, anything in and

around Aloha Stadium. So for those reasons, Mr. Speaker, I do not support this measure."

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I'd just like to make a couple brief comments. Thank you. I've talked about the Public Land Development Corporation. I also have serious concerns about the broad authority that it has, in particular about land. It can condemn and sell land, essentially. And I think these issues are so critical to the people of Hawaii, all of us, whether it's a host culture of any of us who enjoy these islands, but especially the host culture. I'm concerned, and when I look at this bill, the Public Land Development Corporation, it's primary goal was to do culturally appropriate development. I have a hard time understanding why, with a bill like that, it would not go to Hawaiian Affairs, and EEP."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure with written comments. I'll just summarize my comments. There are three challenges with this legislation. The first is that it is an unconstitutional abdication of the Legislature's role in the disposition of public land. Second, this legislation violates the three Reading requirement as discussed in the case entitled Taomae vs. Lingle. And third, this legislation does not conform to the legacy that has been set forth by prior Legislatures."

"In the absence of governing principles with respect to the environment in this Body, we can look to the Governor's agenda. Unfortunately he set forth five guiding principles for the environment and natural resources, which I would like to restate here. Number one, considered interest of people many generations into the future. Number two, sustainable use and management of natural resources. Number three, long-term planning. Number four, taking responsibility for our own mess. And number five, personal responsibility and leading by example. Thank you, very much."

Representative Saiki submitted the following:

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108 Hawai'i 245
Supreme Court of Hawai'i.

Patrick Y. TAOMAE, Barbara L. Franklin, Gene Bridges, Nan Kaauomaa, A. Joris Watland, George Harris, Hackson Andrea Low, Esther Solomon, Richard G. Chisholm, Michael J. Golojuch, Christopher A. Verleye, Heather K.L. Conahan, Juliet Begley, Pamela G. Lichty, Sheryl L. Nicholson, Eric G. Schmedier, Carolyn M. Golojuch, Colin Yost, William A. Harrison, Norman V. Bode, Rodney E. Aiu, Richard C. Jackson, Theodore N. Isaac, Mark R. Ewald, Rev. Michael G. Young, Paula F. Myers, Louis Rosof, Joan H. Rich, Susan L. Arnett, Pamela O'Leary Tower, David Bettencourt, Lunsford Dole Phillips, Mary Anne Scheele, Raymond Scheele, Robert P. McPherson, Jean A. Evans, Donald E. Evans, and Arthur E. Ross, Plaintiffs

v.
Linda LINGLE, in her official capacity as Governor of the State of Hawai'i; and Dwayne D. Yoshina, in his official capacity as Chief Election Officer for the State of Hawai'i, Defendants.

No. 26962. | Sept. 1, 2005.
| As Amended Sept. 2, 2005.

Synopsis

Background: Thirty-eight registered voters initiated original proceeding for declaratory and injunctive relief to challenge passage by the electorate of constitutional amendment that allowed state legislature to define what behavior constituted a continuing course of conduct in sexual assault cases, and that amended the law defining continuous sexual assault of a minor.

[Holding:] The Supreme Court, Acoba, J., held that proposed constitutional amendment failed to conform to procedures set forth in Constitution.

Declaratory and injunctive relief granted.

West Headnotes (7)

[1] **Constitutional Law**

✦ Reading of Proposals

Proposal to amend Hawai'i Constitution failed to conform to procedures set forth in Constitution, inasmuch as proposed amendment entitled "A Bill for an Act Relating to Sexual Assault" was not titled as a constitutional amendment, and the proposal to amend Constitution was not subjected to three readings in each house on separate days, but rather, received only three readings in total; such errors were plain, clear, manifest, and unmistakable violation of the Constitution beyond a reasonable doubt. Const. Art. 3, § 15; Art. 17, § 3.

[2] **Constitutional Law**

✦ Presumptions and Construction as to Constitutionality

Constitutional Law

✦ Burden of Proof

Constitutional amendments that have been approved by the voters will be upheld unless they can be shown to be invalid beyond a reasonable doubt, and the burden of showing this invalidity is upon the party challenging the results of the election; the infraction should be plain, clear, manifest, and unmistakable.

[3] **Constitutional Law**

✦ Strict, Mandatory, or Literal

Compliance with Procedural

Requirements

Constitutional provisions regarding constitutional amendments are not directory, but mandatory, and strict observance of every substantial requirement is essential to the validity of the proposed amendment.

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Lichty, Sheryl L. Nicholson, Eric G. Schneider, Carolyn M. Golojuch, Colin Yost, William A. Harrison, Norman V. Bode, Rodney E. Aiu, Richard C. Jackson, Theodore N. Isaac, Mark R. Ewald, Rev. Michael G. Young, Paula F. Myers, Louis Rosof, Joan H. Rich, Susan L. Arnett, Pamela O'Leary Tower, David Bettencourt, Lunsford Dole Phillips, Mary Anne Scheele, Raymond Scheele, Robert P. McPherson, Jean A. Evans, Donald E. Evans, and Arthur E. Ross.

propose[d] a constitutional amendment to allow the [Hawai'i State Legislature (legislature)] to define what behavior constitutes a continuing course of conduct in sexual assault cases [and] amend[ed] the law defining continuous sexual assault of a minor[.]

See Complaint at 2, ¶ 2.² Plaintiffs contend that this bill was not validly adopted because its title was insufficient and because the constitutional amendment did not receive three readings in each house of the legislature. Plaintiffs thus seek: a declaratory judgment that H.B. 2789, H.D. 1, S.D. 1 was not validly passed and, therefore, should not have been signed by Defendant Governor Linda Lingle (Governor Lingle) or submitted to the voters in the November 2, 2004 general election; an injunction prohibiting Governor Lingle and Defendant Dwayne D. Yoshina, Chief Elections Officer (collectively, Defendants) from certifying any votes cast on Question 1 (pertaining to H.B. 2789, H.D. 1, S.D. 1) in the November 2, 2004 general election; an injunction prohibiting Defendants from allowing Question 1 to be printed or published as part of the Hawai'i Constitution; attorneys' fees and costs; and such other relief as this court may deem just and proper.

² Because this is an original proceeding, there is no record on appeal. The basic facts are not disputed by the parties.

Defendants respond that H.B. 2789, H.D. 1, S.D. 1 was properly enacted because the legislature followed the procedure set forth in articles III and XVII of the Hawai'i Constitution. Article III, entitled "The Legislature," provides in pertinent part:

BILLS; ENACTMENT

each senatorial district wherein such a newspaper is published, within the two months' period immediately preceding the next general election.

At such general election the proposed amendments shall be submitted to the electorate for approval or rejection upon a separate ballot.

The conditions of and requirements for ratification of such proposed amendments shall be the same as provided in section 2 of this article for ratification at a general election.

(Emphasis added.)

Defendants also maintain that the process by which H.B. 2789, H.D. 1, S.D. 1 was approved was in conformity with the past practice of the legislature, which had not been previously challenged. They assert that Plaintiffs cannot show a "grave offense" to the constitution and, therefore, urge this court to give deference to the legislature's interpretation of the constitutional requirements for passing a constitutional amendment.

The legislature submitted an amicus brief echoing the arguments of Defendants. According to its brief, the legislature approved H.B. 2789, H.D. 1, S.D. 1 in compliance with the language of the Hawai'i Constitution and with this court's decision in *Watland v. Lingle*, 104 Hawai'i 128, 140, 85 P.3d 1079, 1091 (2004), which held that clear and unambiguous constitutional provisions must be construed as they are written. The legislature further asserts that a decision favorable to the Plaintiffs in this case would "interfere with the Legislature's normal course of business[.]"

II.

H.B. 2789 was introduced in the legislature in response to this court's decision in *State v. Rabago*, 103 Hawai'i 236, 81 P.3d 1151 (2003). In that case, a majority of this court struck down Hawai'i Revised Statutes (HRS) § 707-733.5(2) (Supp.2002)³ because it infringed on a defendant's constitutional right to a unanimous jury verdict under article I, sections 5⁴ and 14⁵ of the Hawai'i Constitution, inasmuch as it did not require the jury to agree on which three specific acts constituted the "continuous sexual assault." *Id.* at 253-54, 81 P.3d at 1168-69.

Section 14. No law shall be passed except by bill. Each law shall embrace but one subject, which shall be expressed in its title. The enacting clause of each law shall be, "Be it enacted by the legislature of the State of Hawaii."

PASSAGE OF BILLS

Section 15. No bill shall become law unless it shall pass three readings in each house on separate days. No bill shall pass third or final reading in either house unless printed copies of the bill in the form to be passed shall have been made available to the members of that house for at least forty-eight hours.

Every bill when passed by the house in which it originated, or in which amendments thereto shall have originated, shall immediately be certified by the presiding officer and clerk and sent to the other house for consideration.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session. Before the carried-over bill is enacted, it shall pass at least one reading in the house in which the bill originated.

(Emphases added.) Article XVII, entitled "Revision and Amendment," provides in pertinent part:

**AMENDMENTS PROPOSED
BY LEGISLATURE**

Section 3. The legislature may propose amendments to the constitution by adopting the same, in the manner required for legislation, by a two-thirds vote of each house on final reading at any session, after either or both houses shall have given the governor at least ten days' written notice of the final form of the proposed amendment, or, with or without such notice, by a majority vote of each house on final reading at each of two successive sessions.

Upon such adoption, the proposed amendments shall be entered upon the journals, with the ayes and noes, and published once in each of four successive **1191 *248 weeks in at least one newspaper of general circulation in

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2 Cases that cite this headnote

discernible argument in support of that position.

[4] **Constitutional Law**

✦ Existence of Ambiguity

In interpreting constitutional provisions, the general rule is that, if the words used in a constitutional provision are clear and unambiguous, they are to be construed as they are written.

5 Cases that cite this headnote

13 Cases that cite this headnote

Attorneys and Law Firms

**1189 *246 Lois K. Perrin, American Civil Liberties Union of Hawaii Foundation; Earle A. Parrington, Honolulu, on the briefs for Plaintiffs.

Mark Bennett, Attorney General of Hawai'i; (Charles M. Aina & Russell A. Suzuki, Deputy Attorneys General, with him on the briefs) for Defendants.

Susan Jaworowski (Senate Majority Attorney) and Richard Dvorch (Chief Attorney of the House of Representatives), Honolulu, for Amicus Curiae The Legislature of the State of Hawai'i.

MOON, C.J., LEVINSON, NAKAYAMA, ACOBA, and DUFFY, JJ.

Opinion

Opinion of the Court by ACOBA, J.

We conclude that articles III and XVII of the Hawai'i Constitution require that (1) a proposal to amend the constitution must be reflected in the title of the bill and (2) a proposed constitutional amendment must be read three times in each house to be validly adopted. For the reasons stated herein, we determine that House Bill 2789, House Draft 1, Senate Draft 1, 2004 Haw. Sess. L. Act 60 at 301 [hereinafter, H.B. 2789, H.D. 1, S.D. 1] violated these requirements.

I.

In this original proceeding, thirty-eight¹ registered voters of the State of Hawai'i *247 **1190 (collectively, Plaintiffs) challenge the passage of H.B. 2789, H.D. 1, S.D. 1, which

¹ The Plaintiffs are Patrick Y. Taomae, Barbara L. Franklin, Gene Bridges, Nan Kaauomaa, A. Joris Watland, George Harris, Hackson Andrea Low, Esther Solomon, Richard G. Chisholm, Michael J. Golojuch, Christopher A. Verleye, Heather K.L. Conahan, Juliet Begley, Pamela G.

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³ HRS § 707-733.5, entitled "Continuous sexual assault of a minor under the age of fourteen years," states, in pertinent part:

(1) Any person who:

(a) Either resides in the same home with a minor under the age of fourteen years or has recurring access to the minor; and
(b) Engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, but while the minor is under the age of fourteen years, is guilty of the offense of continuous sexual assault of a minor under the age of fourteen years.

(2) To convict under this section, the trier of fact, if a jury, need unanimously agree only that the requisite number of acts have occurred; the jury need not agree on which acts constitute the requisite number.

(Emphasis added.)

⁴ Article I, section 5 of the Hawai'i Constitution, entitled "Due Process and Equal Protection," states:

No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

⁵ Article I, section 14 of the Hawai'i Constitution, entitled "Rights of Accused," states:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, or of such other district to which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against the accused, provided that the legislature may provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional; to have compulsory process for obtaining witnesses in the accused's favor, and to have

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the assistance of counsel for the accused's defense. Juries, where the crime charged is serious, shall consist of twelve persons. The State shall provide counsel for an indigent defendant charged with an offense punishable by imprisonment.

On January 28, 2004, H.B. 2789 was introduced in the House of Representatives as "A Bill for an Act Relating to Sexual Assault." **1192 *249 It passed its first reading on the same day. H.B. 2789 proposed to amend HRS § 707-733.5(2) to read, "To convict under this section, the trier of fact, if a jury, need not unanimously agree that all of the alleged acts have occurred; provided that the jury agrees on which acts constitute the requisite number."

The amendment was intended to harmonize HRS § 707-733.5(2) with the decision in *Rabago*. On February 23, 2004, H.B. 2789 was amended upon the advice of the House Committee on Judiciary and designated H.B. 2789, H.D. 1. These amendments did not affect the proposed changes to HRS § 707-733.5(2). On February 23, 2004, H.B. 2789, H.D. 1 passed its second reading in the House of Representatives. On February 25, 2004, H.B. 2789, H.D. 1 passed its third reading in the House of Representatives by a vote of forty-nine to zero with two members excused.

On February 26, 2004, H.B. 2789, H.D. 1 passed its first reading in the Senate. On March 31, 2004, the Senate Committee on Judiciary and Hawaiian Affairs submitted a report agreeing with the Attorney General's opinion that it was necessary to amend the Hawai'i Constitution in order for the legislature to effectuate the statutory amendment because the change proposed in H.B. 2789, H.D. 1 did not "do anything to avoid the *Rabago* decision." The committee recommended that the bill be amended by "[a]dding a constitutional amendment to allow the Legislature to define what behavior constitutes a continuing course of conduct in sexual assault crimes[.]" The bill was so amended and designated as H.B. 2789, H.D. 1, S.D. 1. As amended, the bill stated in pertinent part,

SECTION 1. The purpose of this Act is to propose an amendment to article I of the Constitution of the State of Hawaii to provide that the legislature may

define what behavior constitutes a continuing course of conduct in sexual assault crimes and to amend the Hawaii penal code to statutorily define the behavior.

SECTION 2. Article I of the Constitution of the State of Hawaii is amended by adding a new section to be appropriately designated and to read as follows:

"SEXUAL ASSAULT CRIMES"

Section . The legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes."

2004 Haw. Sess. L. Act 60, §§ 1-2 at 301. On March 31, 2004, H.B. 2789, H.D. 1, S.D. 1 passed its second reading in the Senate. On April 2, 2004, H.B. 2789, H.D. 1, S.D. 1 passed its third reading in the Senate by a vote of twenty-three to zero with two members excused. On the same day, H.B. 2789, H.D. 1, S.D. 1 was certified by the Senate President and Senate Clerk as having passed the Senate and was sent back to the House of Representatives for consideration. On April 5, 2004, the House of Representatives informed the Senate that it disagreed with the amendments proposed by the Senate in H.B. 2789, H.D. 1, S.D. 1. 2004 Senate Journal at 508.

On April 6, 2004, the Senate sent notice of the final form of H.B. 2789, H.D. 1, S.D. 1 to Governor Lingle as required by article XVII, section 3 of the Hawai'i Constitution. On April 8, 2004, members from both the Senate and the House of Representatives were appointed to a conference committee to consider the amendments proposed in H.B. 2789, H.D. 1, S.D. 1. 2004 House Journal at 764, 793. As acknowledged by counsel at oral argument, the conference committee did not issue a report. On April 22, 2004, the House of Representatives (1) advised Governor Lingle that the conference managers on the part of the House of Representatives agreed to the amendments proposed by the Senate and (2) sent notice to Governor Lingle of the final form of H.B. 2789, H.D. 1, S.D. 1 to be considered for final reading by the House of Representatives as required by article XVII, section 3 of the Hawai'i Constitution. 2004 House Journal at 1063.

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On April 26, 2004, H.B. 2789, H.D. 1, S.D. 1 passed its final reading in the House of Representatives by a vote of forty-four to zero with seven members excused. Thereafter, the House informed the Senate that it had agreed to the amendments made and that the bill had passed final reading in the House of Representatives. 2004 Senate Journal at 715. On April 27, 2004, H.B. 2789, H.D. 1, S.D. 1 was sent to Governor Lingle.

**1193 *250 H.B. 2789, H.D. 1, S.D. 1 was presented to the voters as Question 1 at the November 2, 2004 General Election. It was one of four proposed constitutional amendments submitted to the electorate. A total of 282,852 voters (65.6%) voted in favor of Question 1. On the other hand, 148,152 voters (34.4%) voted against Question 1 or left the question blank.

III.

On October 15, 2004, eight Plaintiffs involved in this case filed a related suit⁶ in the Circuit Court of the First Circuit (circuit court case).⁷ The circuit court case sought, *inter alia*, (1) a declaration that the final bill was not properly adopted by the legislature and, therefore, should not have been signed by Governor Lingle and submitted to the voters at the November 2, 2004 general election and (2) an injunction prohibiting Defendants from placing Question 1 on the November 2, 2004 ballot, disseminating voter information concerning Question 1, and tabulating or certifying any votes cast on Question 1. Plaintiffs also filed a motion for a temporary restraining order, which was denied on October 26, 2004.

⁶ See *Taomae v. Lingle*, Civ. No. 04-1-1889-10.

⁷ The Honorable Victoria S. Marks presided.

On November 22, 2004, Plaintiffs filed their complaint in this matter. On November 23, 2004, Defendants filed their answer. On January 21, 2005, Plaintiffs filed their opening brief. On March 4, 2005, Defendants filed their answering brief. On March 17, 2005, the legislature filed its amicus brief. On March 18, 2005, Plaintiffs filed their reply brief. On July 12, 2005, Plaintiffs filed a request for judicial notice of several undisputed facts. On July 14, 2005, this court heard oral argument⁸ and, at that time, Chief Justice Moon

orally granted the request for judicial notice on behalf of the court without objection.

⁸ Lois Perrin, American Civil Liberties Union, argued for the Plaintiffs. Also present for the Plaintiffs was Earle A. Purlington. Mark J. Bennett, Attorney General, State of Hawai'i, argued for Defendants. Also present for Defendants was Charleen M. Aima, Deputy Attorney General.

IV.

[I] As mentioned previously, Plaintiffs challenge the validity of the passage of H.B. 2789, H.D. 1, S.D. 1 and its presentation to the electorate in the 2004 general election.⁹ The present case is not a typical "election contest" that is reviewed pursuant to HRS § 11-172 (1993). This court has jurisdiction over cases challenging the validity of constitutional amendments presented to the voters at a general election under HRS chapter 11, Part XI.¹⁰ HRS § 602-5(6) (1993),¹¹ and HRS § 602-5(7) (1993).¹² *Watland*, 104 Hawai'i at 133 n. 8, 135 n. 12, 85 P.3d at 1084 n. 8, 1086 n. 12; *Kahalekai v. Doi*, 60 Haw. 324, 330-31, 590 P.2d 543, 548-49 (1979). Because the basis for jurisdiction over this manner of election challenge is not HRS § 11-172, the burden of proof is different; the complaint does not need to allege that different action by Defendants would have affected the outcome of the election,¹³ nor are Plaintiffs required **1194 *251 to prove such an allegation in order to prevail. *Watland*, 104 Hawai'i at 134-36, 85 P.3d at 1085-87.

⁹ Because this is an original proceeding, there is no standard of review.

¹⁰ HRS chapter 11, Part XI governs elections.

¹¹ HRS § 602-5(6) confers the authority upon this court to "make or issue any order or writ necessary or appropriate in aid of its appellate or original jurisdiction, and in such case any justice may issue a writ or an order to show cause returnable before the supreme court."

¹² HRS § 602-5(7) authorizes this court to "make and award such judgments, decrees, orders and mandates, issue such executions and other processes, and do such other acts and take such other steps as may be necessary to carry into full effect the powers which are or shall be given to it

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by law or for the promotion of justice in matters pending before it."

13 A "typical" election challenge, which would be reviewed pursuant to the standards set forth in HRS § 11-172, would be one in which a candidate contended that the election procedure was flawed in some way as to cause that candidate to lose. HRS § 11-172 states, in pertinent part, that "[t]he complaint shall set forth any cause or causes, such as but not limited to, provable fraud, overages, or underages, that could cause a difference in the election results." (Emphasis added.) See, e.g., *Akaka v. Yoshida*, 84 Hawai'i 383, 384-85, 935 P.2d 98, 99-100 (1997) (candidates for Office of Hawaiian Affairs Trustee positions contended that ballots were mishandled). This court has determined that such suits are inapposite to cases like the one at bar, in which a constitutional amendment that has been presented to the voters at a general election is disputed. *Watland*, 104 Hawai'i at 134-35, 85 P.3d at 1085-86.

[2] This court has stated that constitutional amendments that have been approved by the voters "will be upheld unless they can be shown to be invalid beyond a reasonable doubt." *Kahalekai*, 60 Haw. at 331, 590 P.2d at 549 (citing *Keenan v. Price*, 68 Idaho 423, 195 P.2d 662 (1948); *City of Raton v. Sproule*, 78 N.M. 138, 429 P.2d 336 (1967)). "The burden of showing this invalidity is upon the party challenging the results of the election." *Watland*, 104 Hawai'i at 133, 85 P.3d at 1084. "[T]he infraction should be plain, clear, manifest, and unmistakable." *Blair v. Cayetano*, 73 Haw. 536, 541-42, 836 P.2d 1066, 1069 (1992) (brackets in original) (quoting *Schwab v. Ariyoshi*, 58 Haw. 25, 31, 564 P.2d 135, 139 (1977)). Thus, Plaintiffs must prove beyond a reasonable doubt that the process by which H.B. 2789, H.D. 1, S.D. 1 was passed in the legislature was a "plain, clear, manifest, and unmistakable" violation of article III, sections 14 and 15 and article XVII, section 3 of the Hawai'i Constitution. *State ex rel. Bronster v. Yoshida*, 84 Hawai'i 179, 186, 932 P.2d 316, 323 (1997).

[3] In this regard, constitutional provisions regarding constitutional amendments are not directory, but mandatory, and "strict observance of every substantial requirement is essential to the validity of the proposed amendment." *Blair*, 73 Haw. at 543,

836 P.2d at 1070 (quoting *Andrews v. Governor of Maryland*, 294 Md. 285, 449 A.2d 1144, 1146 (1982) (citations omitted)). Therefore, if Plaintiffs can show that even one "substantial requirement" was violated, they have satisfied their burden of proof. Plaintiffs need not demonstrate that the results of the election would have been different if the requirement had been fulfilled.

V.

[4] "In interpreting constitutional provisions, the general rule is that, if the words used in a constitutional provision ... are clear and unambiguous, they are to be construed as they are written." *Watland*, 104 Hawai'i at 139, 85 P.3d at 1090 (internal quotation marks, citations and brackets omitted). We believe the words in article III, sections 14 and 15 and article XVII, section 3 are clear and unambiguous. Because these provisions regulate the procedure by which the constitution is amended, failure to strictly comply with the requirements of these sections invalidates a proposed constitutional amendment. The plain and unambiguous language of article XVII, section 3 requires that a constitutional amendment first be proposed by the legislature. The clear and unambiguous language of article III, section 15 requires that a proposal for a constitutional amendment be subjected to three readings on different days in each house.

We conclude that H.B. 2789, H.D. 1, S.D. 1 did not conform to the procedures set forth in the Hawai'i Constitution for two reasons. First, the proposed amendment was not titled as a constitutional amendment pursuant to article XVII. Second, the proposal to amend the constitution was not subjected to three readings in each house as article XVII, section 3 requires.

VI.

As indicated before, article XVII, section 3 provides that "[t]he legislature may propose amendments to the constitution [.]". (Emphasis added.) Given its ordinary meaning, "propose" means "to put forward for consideration." *Merriam Webster's Collegiate Dictionary* 936 (10th ed.1993). Under article XVII, section 3, such proposals must be "adopt[ed] ... in

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the manner required for legislation." One of the requirements for the passage of legislation is that the subject of the bill "shall be expressed in its title." Haw. Const. art. III, § 14 (emphasis added). The term "shall" is ordinarily used in a mandatory sense. See *Coon v. City & County of Honolulu*, 98 Hawai'i 233, 256, 47 P.3d 348, 371 (2002) ("The use of the word 'shall' in the context of [Revised Ordinances of Honolulu § 38-5.2's] award of 'actual out-of-pocket expenses' is clearly mandatory."); *Scheffe v. Reliable Collection Agency, Ltd.*, 96 Hawai'i 408, 451-52, 32 P.3d 52, 95-96 (2001) ("HRS §§ 388-11(c) and 378-5 ... mandate an award of attorney's fees to the prevailing party by employing the word 'shall' [.]").

**1195 *252 However, as noted in this case, the title of H.B. 2789 was "A Bill for an Act Relating to Sexual Assault" and did not refer to a proposal to amend the constitution. Hence, despite the mandates in article XVII, section 3 and in article III, section 14, the title did not announce that a proposal for an amendment to the constitution was the subject of the bill. In the absence of an indication in the title that the bill set forth an amendment to be made to the constitution, the constitutional amendment was not properly "put forward for consideration," i.e., "propose[d]" by the legislature within the meaning of that term as employed in article XVII, section 3.

While the title given H.B. 2789 upon its introduction was sufficient under article III, section 14 with respect to a statutory amendment, such a title was insufficient to "propose" that the constitution be amended by H.B. 2789, H.D. 1, S.D. 1, the final form of the bill. The bill failed, therefore, to meet the first requirement of article XVII, section 3, that is, that the legislature "propose" the amendment as one to the constitution.

VII.

Manifestly, there is no more effective or adequate manner in which the legislature can fulfill its obligation to "propose" to the electorate changes to the constitution than by designating its action in the title of the bill as required under article XVII, section 3 and article III, section 14. It is essential that constitutional amendments be proposed as such before they are considered in the legislature and presented to the public for approval because "[p]rovisions of our Constitution are of a higher order of law than

statutes. Constitutional provisions are more basic and permanent than statutes." *Gafford v. Pemberton*, 409 So.2d 1367, 1373 (Ala.1982) (per curiam). It is imperative then that in the case of constitutional amendments the purpose of a bill's title to "apprise the people of proposed matters of legislation [.] *Schwab*, 58 Haw. at 30-31, 564 P.2d at 139, is effectuated.

To that end, it is noteworthy that the other three constitutional amendments proposed by the legislature and ratified by the electorate in 2004 stated in their titles that the bills were proposed constitutional amendments, thus adhering to the directives of article XVII, section 3 and article III, section 14. The bills were entitled, "A Bill for an Act Proposing an Amendment to Article I of the Constitution of the State of Hawai'i," "A Bill for an Act Proposing Amendments to Article I, Section 14, of the Hawai'i Constitution," and "A Bill for an Act Proposing an Amendment to Article I of the Constitution of the State of Hawai'i." (Emphases added.) The titles of those bills provided the public with clear notice concerning the nature and content of the legislation and, thus, alerted the citizenry to the opportunity to legislatively comment and debate those bills in a meaningful way. These bills attracted fifty, thirty-four, and twenty pieces of written testimony, respectively.

In contrast, H.B. 2789, H.D. 1, S.D. 1 attracted only seven pieces of written testimony. Two of those pieces were virtually identical submissions from the Attorney General suggesting that the legislature add a constitutional amendment giving itself the power to enact the statutory amendment. Two other pieces of testimony were essentially verbatim submissions from the Office of the Public Defender conveying its belief that the statutory amendment did not remedy significantly the flaw upon which the decision in *Rabago* was based.

As counsel confirmed in oral argument, because of the manner in which the bill was amended and adopted, the general public had no opportunity to provide comment in the legislature on the proposed amendment itself. The procedure followed hereunder eliminated "the mature deliberation, amendment and compromise usually necessary to produce sound and lasting legislation" contemplated by the framers.¹⁴ Stand. Comm. Rep. No. 47 in 1 Proceedings **1196 *253 of the Constitutional Convention of Hawai'i

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1950 at 184. The words "in the manner required for legislation" in article XVII, section 3 instruct that, at the least, as to a constitutional amendment, the framers intended that there must be public participation as ordinarily contemplated in the case of statutory legislation. *See infra* discussion.

14 The Committee on Revision, Amendments, Initiative, Referendum and Recall stated, "All good citizens must, to some extent, neglect their everyday affairs, their work and their business, to take part in these important processes, elections and legislative sessions], whether it be to advocate good candidates or good laws, or oppose bad ones. This responsibility they must cheerfully accept as the price of liberty and efficient government." Stand. Comm. Rep. No. 47 in 1 Proceedings of the Constitutional Convention of Hawaii 1950 at 183.

VIII.

Furthermore, based on the constitutional amendments passed in 2004, it appears that the legislature's current practice is to designate in the title that a bill is a constitutional amendment. *See supra*. "[W]hile ... past practice is not conclusively determinative in interpreting the text of the constitution, it does factor into our analysis." *Bronster*, 84 Hawai'i at 190, 932 P.2d at 327. The predominate practice of the legislature has been to entitle proposed constitutional amendments with some version of the phrase, "Proposing an amendment to Article of the Constitution of Hawai'i."

As mentioned previously, the titles of the bills proposing the other three amendments ratified in the 2004 general election expressly referred to constitutional amendments. *See text supra* at 252–253, 118 P.3d at 1195–1196. In the 1996, 1998, 2000, and 2002 general elections, ten proposed constitutional amendments presented to the voters for ratification were also entitled as proposed constitutional amendments through the legislative process.¹⁵ Thus, based on our analysis of the constitutional requirements set forth in articles III and XVII, including the predominate legislative practice, we conclude that the failure to designate H.B. 2789, H.D. 1, S.D. 1 as a constitutional amendment in its title was a plain, clear, manifest, and unmistakable

violation of the constitution beyond a reasonable doubt.

15 Between 1996 and 2002, ten constitutional amendments presented to the electorate for ratification were entitled as follows: "A Bill for an Act Proposing an Amendment to Article VII, Section 11, of the Constitution of the State of Hawaii[.]" 1996 Haw. Sess. L. at 981, "A Bill for an Act Proposing an Amendment to Article VII, Section 12, of the Hawaii Constitution, to Allow the use of Revenue Bonds for the Funding of a State Property Insurance Program Providing Hurricane Insurance Coverage [.]"¹⁶ *id.* at 982, "A Bill for an Act Proposing an Amendment to Article VII, Section 3, of the Constitution, to Provide for the Appointment of a Tax Review Commission Every Ten Years[.]"¹⁷ 1997 Haw. Sess. L. at 1246, "A Bill for an Act Proposing a Constitutional Amendment Relating to Marriage [.]"¹⁸ *id.*, "A Bill for an Act Proposing an Amendment to Article X, Section 6 of the Hawaii Constitution to Provide the University of Hawaii with Autonomy in All Matters Related to the University[.]"¹⁹ 2000 Haw. Sess. L. at 1178, "A Bill for an Act Proposing an Amendment to Article VII, Section 3, of the State Constitution to Provide for the Appointment of a Tax Review Commission Every Ten Years[.]"²⁰ *id.* at 1179, "A Bill for an Act Proposing an Amendment to Article IV, Sections 7 and 8, of the Constitution of the State of Hawaii, to Stagger Senate Terms After Reapportionment[.]"²¹ 2000 Haw. Sess. L. Act 1 at 1 (2d Special Sess.), "A Bill for an Act Proposing an Amendment to Article III, Section 6 of the Hawaii Constitution, to Change the Eligibility to Serve as a Member of the Senate or House of Representatives[.]"²² 2002 Haw. Sess. L. at 1021, and "A Bill for an Act Proposing Amendments to Article VII, Section 12, and Article X, Section 1 of the Constitution of the State of Hawaii to Authorize the State to Issue Special Purpose Revenue Bonds and use the Proceeds from the Bonds to Assist Not-For-Profit Private Elementary Schools, Secondary Schools, Colleges, and Universities."²³ *Id.* at 1022. The only amendment not entitled as a proposal between 1996 and 2002 was an amendment proposed in 1996 which was entitled "A Bill for an Act Relating to School Construction Projects." 1996 Haw. Sess. L. at 980.

Of these ten proposed amendments between 1996 and 2002, the relevant House and Senate Journals are unclear as to whether two of

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sets forth one of the prerequisites that must be followed *prior* to any submission to the public for its vote. By incorporating the procedure for legislation set forth in article III, section 15 the framers plainly directed that any proposed constitutional amendment would be subject to the reading procedure.

In this instance, the constitutional amendment included in H.B. 2789, H.D. 1, S.D. 1 received only three readings *in total*. As previously stated, the bill in its final form, including the constitutional amendment, was read and passed in the Senate on March 31, 2004 and on April 2, 2004, and read and passed in the House of Representatives only once, on April 26, 2004. This was a patent violation of article III, section 15. Allowing constitutional amendments to be approved in this manner precludes the public from participating in the legislative process with respect to constitutional amendments as discussed previously, and also undermines the intent of the framers that the constitution not be "easily amended." Comment by Delegate Fukushima, ****1198 *255** in 2 Proceedings of the Constitutional Convention of Hawaii 1950 at 744.

In the Committee Debates at the Constitutional Convention of 1950, Delegate Fukushima explained that the process for amending the State Constitution was to ensure that "the Constitution should not be easily amended and ..., at the same time, the procedure of amending the Constitution should not be rendered practically prohibitive or impossible." *Id.* The Committee on Revision, Amendments, Initiative, Referendum and Recall instructed, "This framework [i.e., the Federal Constitution], which cannot be changed except with great effort and deliberation, produces an enduring stability not found in other types of government." Stand. Comm. Rep. No. 47 in 1 Proceedings of the Constitutional Convention of Hawaii 1950 at 183 (emphasis added).

As part of this framework, the Committee noted that

[t]he system of checks and balances between departments [which] tends to prevent excesses, abuses and usurpations, and the short but certain tenure of the legislators and governor insures that, by and large, the government will be responsive to

the true and enduring dictates and desires of the people, but will not necessarily follow the dangerous and often mistaken dictates of storms of lusty, temporary and changeable public emotion.

Id. With respect to the legislature and in evident consonance with such a framework, the Committee indicated that

[o]ne of the necessary features of laws adopted by the legislature is the necessity for three readings and the opportunity for full debate in the open ... during the course of which the purposes of the measures, and their meaning, scope and probable effect, and the validity of the alleged facts and arguments given in their support can be fully examined and, if false or unsound, can be exposed, before any action of consequence is taken thereon.

Id. at 184 (some emphasis in original and some emphases added). These premises confirm that the three reading requirement in each house must be afforded to a proposed constitutional amendment.

The three-reading requirement not only provides the opportunity for full debate; it also ensures that each house of the legislature has given sufficient consideration to the effect of the bill. *Schwegmann Bros. v. Calvert Distillers Corp.*, 341 U.S. 384, 396, 71 S.Ct. 745, 95 L.Ed. 1035 (1951) (Jackson, J. concurring) (concluding that the three-reading requirement in the United States Constitution is intended to "make sure that each House knows what it is passing and passes what it wants"). Thus, the three-reading requirement serves a critical purpose in ensuring that constitutional amendments are adopted only after deliberate forethought. On the other hand, requiring a constitutional amendment to be read and passed three times in each house (*i.e.*, "in the manner required for legislation") would not render the process for amending the constitution "practically prohibitive or impossible [.]" Comment by Delegate Fukushima in 2 Proceedings of the Constitutional Convention of Hawaii 1950 at 744. For as this case demonstrates,

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these proposed amendments were given three readings in both houses of the legislature. As to the two said amendments, the respective legislative journals indicate that they were given second and third readings in the house where the amendment originated. *See* 2000 Senate Journal 1531 (S.B. 539, "A Bill for an Act Proposing an Amendment to Article X, Section 6, of the Hawaii Constitution, to Provide the University of Hawaii with Autonomy in All Matters Related to the University") and 2002 House Journal 1849 (H.B. No. 1012, "A Bill for an Act Proposing an Amendment to Article III, Section 6 of the Hawaii Constitution, to Change the Eligibility to Serve as a Member of the Senate or House of Representatives"). There is no indication of when these proposed amendments were introduced or when they received their first readings in the Senate or House of Representatives, respectively.

IX.

Defendants argue that there is no constitutional provision which expressly directs the legislature to entitle constitutional amendments ****1197 *254** in a certain way. They rely on the language of article III, section 14 that the title of the bill must "express" the single subject of the bill, in this case, sexual assault. While that interpretation of article III, section 14 is appropriate when applied to ordinary legislation, it must be remembered that article XVII specifically governs constitutional amendments.

Under article III, sections 14 and 15, statutes are amended in the manner required for ordinary legislation. A statutory amendment must be introduced, read three times in each house, and passed by a simple majority. Haw. Const. art. III, §§ 13¹⁶–15. In contrast, under article XVII, section 3, while the legislature has the authority to propose a constitutional amendment in a single session, the legislature cannot make that amendment law. In the single session process, a constitutional amendment can only be effected if it is proposed as such, given three readings in each house, and meets the other requirements set forth in article XVII. Haw. Const. art. XVII, § 3. The critical distinctions between "enacting" ordinary legislation pursuant to article III, section 14 and

"proposing" a constitutional amendment under article XVII are exemplified by the fact that constitutional amendments are governed by a separate article.

16 Article III, section 13 of the Hawai'i Constitution, entitled "Quorum, Compulsory Attendance," states, in pertinent part, "the final passage of a bill in each house shall require the vote of a majority of all the members to which such house is entitled, taken by ayes and nos and entered upon its journal."

Defendants cite to *Schwab* to support their proposition that the title of H.B. 2789, H.D. 1, S.D. 1 "embraced" the subject matter of the entire bill. They rely on the proposition that the single subject requirement means that a bill's parts are "so connected and related to each other either logically or in popular understanding as to be parts of or germane" to the subject expressed in the title. *Schwab*, 58 Haw. at 32–33, 564 P.2d at 140. However, as presaged above, *Schwab* is distinguishable from the case at bar. In *Schwab*, this court considered the requirements embodied in article III alone, *id.* at 30–39, 564 P.2d at 139–44; in this case, we construe the requirements of article III as incorporated in the specific and separate provisions of article XVII. There was no constitutional amendment at issue in *Schwab*; therefore, it is not dispositive in the case at bar.

X.

Additionally, in considering H.B. 2789, H.D. 1, S.D. 1, the legislature failed to satisfy the requirement set forth in article XVII, section 3, that a proposed constitutional amendment be passed "in the manner required for legislation" because the constitutional amendment, *see* §§ 1 and 2 of the bill, did not receive three readings in each house as required by article III, section 15. The plain reading of article XVII, section 3 requires that a proposed constitutional amendment advance through the processes set forth in article III, section 15, including the requirement that "[n]o bill shall become law unless it shall pass three readings in each house on separate days." Haw. Const. art. III, § 15 (emphasis added).¹⁷

17 Defendants' contention in oral argument that the term "propose [d]" in article XVII refers to a proposal of the constitutional amendment to the public is incorrect inasmuch as article XVII

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three of the four constitutional amendments adopted in the 2004 legislative session were passed in this manner. *See supra*. In light of the foregoing reasons, we also conclude that the failure to give the proposed constitutional amendment three readings in each house on separate days was a plain, clear, manifest, and unmistakable violation of the constitution beyond a reasonable doubt.

XI.

Because the requirements of article XVII, section 3 and article III, sections 14 and 15, were not fulfilled, as discussed above, H.B. 2789, H.D. 1, S.D. 1 was not constitutionally adopted. Based on the foregoing, we grant Plaintiffs' request for (1) a declaration that H.B. 2789, H.D. 1, S.D. 1 was invalidly passed and should not have been signed by Governor Lingle or presented to the voters in the 2004 general election and (2) an injunction prohibiting Defendants from allowing H.B. 2789, H.D. 1, S.D. 1 to be printed or published as part of the Hawai'i Constitution.

XII.

Defendants contend that: (1) any bright line rule adopted by this court regarding the ****1199 *256** requirements of articles III and XVII "apply only to bills or amendments the Legislature considers in future legislative sessions" (emphasis omitted); (2) invalidation of H.B. 2789, H.D. 1, S.D. 1 will violate the separation of powers doctrine established in article IV, section 4 of the United States Constitution; and (3) voiding the amendment would violate the fourteenth amendment to the United States Constitution.

A.

As to its first argument, Defendants contend that any other course of action would be unfair because the legislature and the voters did not have a bright line rule to follow regarding the application of article XVII, section 3 and its relationship to article III, section 14. Defendants rely on the holding in *Jenkins v. Cades Schutte Fleming & Wright*, 76 Hawai'i 115, 869 P.2d 1334 (1994) (*per curiam*), in which this court established a bright line rule regarding the strict application of Hawai'i Rules of Civil Procedure (HRCP) Rule 58. In that case, we noted,

rigid enforcement of HRCP 58 and application of our holdings in this opinion to cases currently pending before this court and the Intermediate Court of Appeals would work an unnecessary hardship on those who have relied upon our prior case law. We will not rigidly apply the Rule 58 requirement of a separate judgment or our holdings in this opinion to appeals currently pending. However, for all appeals from circuit courts filed after March 31, 1994, we will enforce strict compliance with the separate document requirement of HRCP 58.

Id. at 119, 869 P.2d at 1338. Defendants argue that it would be wrong to invalidate a constitutional amendment which received nearly two-thirds of the votes in the general election. However, in oral argument, counsel acknowledged that the vote margin has no legal significance in the determination of this case. The legislature has the opportunity to propose identical constitutional and statutory amendments in compliance with the Constitution. Thus, the legislature will suffer no permanent hardship comparable to the threat of losing the opportunity to appeal an adverse ruling of the court that was present in *Jenkins*.

Furthermore, the requirements of HRCP Rule 58 were not plain and clear before the decision in *Jenkins*. *Id.* On the other hand, the requirements for adopting a constitutional amendment are established in the plain and unambiguous language of articles III and XVII; the legislature fulfilled the requirements of article XVII, section 3 and article III, sections 14 and 15 with regard to the three other proposed constitutional amendments that were presented to and ratified by the voters in the 2004 general election; and the framers of the constitution manifestly contemplated public participation in the legislative procedure that was precluded in this case. *See discussion supra*.

B.

[5] [6] As to the second argument, Defendants assert that if this court invalidates H.B. 2789, H.D. 1, S.D. 1, we will intrude upon the province of

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the legislature, a co-equal branch of government, thus violating the separation of powers doctrine. The separation of powers doctrine is embodied in the Guarantee Clause, article IV, section 4 of the United States Constitution, which reads:

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Questions arising under the Guarantee Clause are nonjusticiable because they are "political, not judicial, in character, and thus are for the consideration of the Congress and not the courts." *Ohio v. Akron Metro. Park Dist. for Summit County*, 281 U.S. 74, 79–80, 50 S.Ct. 228, 74 L.Ed. 710 (1930) (citations omitted).

Defendants' arguments that this is a political, and not judicial, question are unconvincing. It is well settled that the courts, not the legislature, are solely vested with the responsibility to determine whether a constitutional amendment has been validly adopted.

"The power to ascertain the validity of changes in the constitution resides in the courts, and they have, with practical uniformity, exercised the authority to determine *1200 *257 the validity of proposal, submission, or ratification of change in the organic law. The question of the validity of the adoption of an amendment to the constitution is a judicial and not a political question."

Kahalekai, 60 Haw. at 330–31, 590 P.2d at 548–49 (quoting 16 Am.Jur.2d, Constitutional Law, § 43) (emphasis added). Thus, this court does not improperly encroach upon the legislature's power by invalidating H.B. 2789, H.D. 1, S.D. 1.

C.

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of fees or costs, together with a statement of authority for each category of items.... Requests for non-indigent attorney's fees and costs allowed by statute or contract shall be submitted in a form that substantially complies with Form 8 in the Appendix of Forms.
(2) A request for fees and costs must be filed with the appellate clerk, with proof of service, no later than 14 days after entry of judgment. An untimely request for fees and costs may be denied.... If oral argument is had or additional work is performed thereafter, the attorney may submit a request for additional fees and costs.
(3) Objections to requests for fees and costs must be filed with the appellate clerk, with proof of service, within 10 days after service on the party against whom the fees and costs are to be taxed unless the time is extended by the appellate court. A reply to the objections must be filed with the appellate clerk, with proof of service, within 7 days after service of the objections on the initiating party.

19 HRS § 11–175, entitled "Powers of supreme court, costs," provides:

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[7] As to the third argument, Defendants contend that invalidation of H.B. 2789, H.D. 1, S.D. 1 would violate the fourteenth amendment to the United States Constitution, which provides in pertinent part that "[n]o state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law[.]" However, Defendants present no discernible argument regarding the alleged violation of this amendment. This court may "disregard [a] particular contention" if the appellant "makes no discernible argument in support of that position [.]"
Norton v. Admin. Dir. of the Court, 80 Hawai'i 197, 200, 908 P.2d 545, 548 (1995) (citing Hawai'i Rules of Appellate Procedure (HRAP) Rule 28(b)(7)), *recon. denied*, 80 Hawai'i 357, 910 P.2d 128 (1996). See HRAP 28(b)(7) ("Points not argued may be deemed waived.").

The entirety of Defendants' argument that invalidation of H.B. 2789, H.D. 1, S.D. 1 would violate the fourteenth amendment is this: "For similar reasons tied to notions of fundamental fairness [referring to the argument that invalidation would violate the Guarantee Clause, *supra*], we also respectfully submit that invalidating the amendment would also violate the due process clause contained in the [fourteenth] amendment of the United States Constitution." This argument does not contain any reasoning, supported by citations to case law or authority to constitute a discernible argument; thus we decline to decide the issue.

XIII.

Plaintiffs' prayer for relief requested that this court award them attorneys' fees and costs because "this case presents a novel issue of constitutional significance." We order that any request for attorneys' fees and costs be submitted in accordance with the procedure set forth in HRAP Rule 39(d) (2005).¹⁸ See also HRS § 11–175 (1993).¹⁹

18 HRAP Rule 39(d), entitled "Request for fees and costs; objections," states, in pertinent part:

(1) A party who desires an award of attorney's fees or costs shall request them by submitting an itemized and verified bill

XIV.

Therefore, IT IS HEREBY ORDERED that Plaintiffs' requests for (1) a declaration that H.B. 2789, H.D. 1, S.D. 1 is invalid, (2) and an injunction prohibiting Defendants from printing or publishing Question 1 as part of the Hawai'i Constitution are granted and judgment thereon shall be entered upon proper submission by Plaintiffs. It is further ordered that Plaintiffs shall submit their *1201 *258 claim for attorneys' fees and costs pursuant to HRAP Rule 39(d).

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The Chair recognized Representative Har, stating:

"Representative Har, this is your third time up. For what purpose do you rise?"

Representative Har responded, stating:

"I realize that, but I'm rising to rebut for thirty seconds."

Speaker Say: "You are allowed to rebut. Please."

Representative Har: "Thank you, Mr. Speaker. Mr. Speaker, again I think it's important. There's been a lot of talk, and I think that that is great."

Representative Ward rose, stating:

"Point of information Mr. Speaker. I recall the Minority standing up to rebut and that was not allowed. I don't understand. You can stand up three times?"

Speaker Say: "No, but on point of rebuttal. You have two times to stand on giving your statements and your position. This is a point of rebuttal which the Chair will allow her."

Representative Ward: "We will remember that. Thank you very much for the lesson."

Representative Chang rose, stating:

"Mr. Speaker, I yield my time."

Speaker Say: "There is no need to yield your time."

Representative Thielen rose, stating:

"Point of inquiry Mr. Speaker. Yes, are we now going to be allowed three times to speak? Because I would like that privilege on Thursday, when I'll be fighting against some of the really bad bills."

Speaker Say: "Representative Thielen, the Chair will allow you to stand twice. On the third point, maybe you will be granted the opportunity on the point of rebuttal, to state that, for the record."

Representative Thielen: "And I will just turn in, in advance, that I will be rebutting a lot on Thursday."

At 2:04 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:06 o'clock p.m.

At this time, the Chair announced:

"The Chair stands corrected. Representative Har, you're out of order on your third time."

Representative Fontaine rose, stating:

"Yes, Mr. Speaker. I would like to change my reservations vote to a no vote on this one."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support, written comments."

Representative Chong's written remarks are as follows:

"Mr. Speaker, I stand in support. I disagree with the Representative from Moiliili/McCully and his interpretation of the Supreme Court case. I do not think it applies to this piece of legislation. Thank you, Mr. Speaker."

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Representative Takai rose, stating:

"Yes, Mr. Speaker. I just have a request for permission to insert into the Journal, a letter written by the United States Department of Interior regarding this bill. Thank you."

Representative Takai submitted the following letter:



United States Department of the Interior

NATIONAL PARK SERVICE
Kaloko Honokohau National Historical Park
73-1486 Kananani Street, #14
Kailua Kona, Hawaii 96740



IN REPLY REFER TO:
L7621 (2012-4)

April 30, 2012

To: Senator Shan S. Tsutsui, Senate President
Calvin K.Y. Say, Speaker of the House
Members of the Legislature

Subject: A BILL FOR AN ACT RELATING TO LAND USE ON THE ISLAND OF
HAWAII, HB 2398 HD2 SD1

Dear President Tsutsui, Speaker Say and Members of the Legislature:

I am providing comments on behalf of the National Park Service regarding HB 2398, HD2 SD1, Relating to Land Use on the Island of Hawaii. This bill proposes to transfer development rights of specific parcels of land to the public land development corporation near Honokohau Harbor. The parcels of land proposed in this bill include approximately twenty-five acres of State lands (a portion of TMK (3) 7-4-008:071 and all of TMK (3) 7-4-008:041) in the Kealahou ahupuaa within Kaloko-Honokohau National Historical Park (National Park) and Honokohau Settlement National Historic Landmark (NHL), and is immediately adjacent to the National Park/NHL's southern boundary. Perhaps the inclusion of these two TMKs in this bill was an inadvertent oversight. Included inadvertently or not, there should be no development on lands within the National Park boundary or NHL. All of TMK (3) 7-4-008:041, and the portion of TMK (3) 7-4-008:071 that is within the National Park/NHL, should be excluded from this bill.

Any large-scale development project on lands within or adjacent to the National Park/National Historic Landmark will significantly impact its cultural landscape, traditional and customary practices by Native Hawaiians in the Park, and cultural and natural resources. The National Park Service remains supportive of infrastructure and operational improvements to the existing Honokohau Harbor for health and safety reasons, traffic management, and access, but for the reasons set out below, we are highly concerned about the appropriateness of development in the area within the National Park boundary and NHL. Given the significance of the area and National Historic Landmark designation, the public, Native Hawaiian Organizations, and the local community must be allowed every opportunity to fully participate in environmental and cultural review and analyses of any and all proposed development or "improvement" projects in this area.

Kaloko-Honokohau National Historical Park is part of the National Park System and was established by Congress to protect its nationally significant cultural and natural resources. The National Park Service and the State of Hawaii share a commitment to care for and preserve

public trust resources including cultural and natural resources, and associated values, for the people of Hawaii and the United States. Congress has mandated that the National Park Service preserve and protect the resources and values of the National Park in an unimpaired condition in order to perpetuate their inherent integrity for the benefit and inspiration of present and future generations. (16 USC §1 et seq.) Kaloko-Honokohau National Historical Park was created in 1978, through the efforts of the local community to preserve, interpret, and perpetuate traditional Hawaiian activities and culture. In particular, residents of Kona were concerned that this place of great significance to Hawaiians would be lost to urban development.

Congress's decision to create the Park came primarily from the 1974 Hono-kohau Study Advisory Commission Report ("The Spirit of Ka-loko Hono-kohau") that recommended that the existing Honokohau Settlement National Historical Landmark (designated in 1962) and its adjacent waters be preserved for the benefit of the Hawaiian people and the nation as part of the National Park System. Even at the time of the Spirit Report in the early 1970's, the Advisory Commission was concerned about future land use adjacent to the National Park. They stated:

"Furthermore, since most of the land in the ahupuaa of Ke-ala-kehe is owned by the state, its use will have direct impact on Ka-loko, Hono-kohau. Finally, lands that are designated or owned by the state in the area should be given special zoning limiting their uses to activities compatible to a cultural park. The County General Plan and zoning ordinances of the area should limit the uses of the lands immediately surrounding Ka-loko, Hono-kohau to compatible activities. Lands further mauka should be restricted in density in order to preserve the integrity of the park and protect its water resources." (p.54)

The Spirit Report and the 1994 General Management Plan for the Park point out that Kaloko Honokohau is a small and fragile portion of the larger environment that has influenced the history of the entire area and that continues to affect the Kona community today. In creating the National Park, Congress stated that it shall be administered generally in accordance with the guidelines provided in the Spirit Report and that management "shall to the maximum extent feasible utilize the traditional Native Hawaiian mauka a concept of land and water management." (16 USC § 396d). The Spirit Report reminds us:

"Each ahupua'a developed around a recognition that all of its elements were interdependent. What affected the mauka regions, affected the makai. What affected the neighboring ahupua'a affected it. What affected the land affected the fishponds and the sea. What affected the water cycle affected the total environment. This is the way it was and is at Ka-loko, Hono-kohau." (p. 51)

The urban expansion foreseen by the Advisory Commission in 1974 is now underway. The direct and cumulative impacts of development projects on lands adjacent to the National Park are leading to the long term degradation of the National Park, threaten the integrity of the Honokohau Settlement NHL, and are further diminishing the rapidly disappearing Hawaiian cultural landscape. Large-scale development adjacent to the National Park will fundamentally alter the water, air, sounds, sights, and traditional and customary practices by native Hawaiians in the National Park and the NHL. Water quality and quantity will be altered forever by fresh and brackish groundwater withdrawals, and non-point source pollution inputs.

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As currently drafted, the bill transferring development rights to the public land development corporation is inconsistent with the purposes of the National Park and with local land-use decisions. Development of the lands within the National Park boundary and NHL is fundamentally in conflict with reasons for establishing Kaloko-Honokohau National Historical Park identified in the Spirit Report and by Congress in the National Park's enabling legislation. In 2009, in response to a previously proposed development at Honokohau Harbor area, the Hawaii County Council unanimously passed an Amendment to the Hawaii County General Plan (Bill 156) changing the Land Use Designation from Urban Expansion to Open for the State-owned lands in the vicinity of and south of Honokohau Harbor.

As you are well aware, development of coastal lands has irreversible and far-reaching consequences. The National Park Service requests that you carefully review the need for transferring development rights on the parcels within the National Park boundary and NHL. Preservation of coastal open space and cultural landscape will benefit the quality of life in the Kona community, Native Hawaiian values and traditional and customary practices, and nationally significant natural and cultural resources. We appreciate your consideration of protecting these irreplaceable Hawaiian resources. If we can answer any questions or provide information, please contact me at (808) 329-6881, ext. 1201.

Sincerely,

Kathy Billings
Kathy Billings
Superintendent

The motion was put to vote by the Chair and carried, and H.B. No. 2398, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Final Reading by a vote of 29 ayes to 22 noes, with Representatives Awana, Belatti, Ching, Choy, Fontaine, Giugni, Hanohano, Jordan, Keith-Agaran, C. Lee, Luke, Marumoto, Morikawa, Nishimoto, Riviere, Saiki, Souki, Takai, Takumi, Thielen, Ward and Wooley voting no.

H.B. No. 2526, HD 2, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2526, HD 2, on the following showing of Ayes and Noes:

Ayes, 4 (Yamane, McKelvey, Yamashita and Marumoto). Noes, none. Excused, 2 (Oshiro and Har).

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2526, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS," passed Final Reading by a vote of 51 ayes.

H.B. No. 2553, HD 2, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2553, HD 2, on the following showing of Ayes and Noes:

Ayes, 5 (Chang, Yamane, M. Lee, Morikawa and Riviere). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2553, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Final Reading by a vote of 51 ayes.

At 2:08 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2398, HD 2, SD 1
H.B. No. 2526, HD 2, SD 2
H.B. No. 2553, HD 2, SD 2

END OF CALENDAR**H.B. No. 468, HD 1, SD 2:**

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

At this time, the Chair announced:

"Please note that the Chair has discharged the House Conferees previously appointed to H.B. No. 2681 HD 1 SD 1. So at this time the Chair will now proceed to reconsider its disagreement to the Senate Amendments to certain House Bills including the aforementioned measure."

Representative Takai rose, stating:

"Point of information, Mr. Speaker. Is this a motion to give notice as well?"

The Chair responded, stating:

"This is the motion to reconsider on our disagreement."

"Representative Riviere, what is the motion before this Body, so that everyone knows what this first motion is?"

Representative Riviere responded, stating:

"Thank you, Mr. Speaker. I believe this motion is that we will be reconsidering a former disagreement with Senate version of the bills, and to put them back into play."

Speaker Say: "You are absolutely correct."

Representative Riviere: "But it's okay if we leave them where they are at this point. Thank you."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills.

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried:

H.B. No. 302, HD 1, (SD 2)
H.B. No. 2113, HD 1, (SD 1)
H.B. No. 2257, HD 1, (SD 1)
H.B. No. 2258, HD 2, (SD 1)
H.B. No. 2409, (SD 1)
H.B. No. 2601, HD 3, (SD 1)
H.B. No. 2681, HD 1, (SD 1)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Chong moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried:

H.C.R. No. 50, HD 1, (SD 1)
H.C.R. No. 51, HD 1, (SD 1)

H.C.R. No. 50, HD 1, SD 1:

Representative Chong moved that H.C.R. No. 50, HD 1, SD 1, be Adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. In support of this Resolution requesting the Governor to recognize local Koreans by directing the placement of commemorative plaques designating the former sites of the Korean Christian Institute. I wanted, as I've mentioned my support for this before. My own district, Liliha, is very much intertwined with the wonderful history of Dr. Syngman Rhee, who was sort of the Abraham Lincoln of Korea, as is my understanding. And it's nice to acknowledge these historical things. Thank you."

The motion was put to vote by the Chair and carried, and H.C.R. No. 50, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF COMMEMORATIVE PLAQUES DESIGNATING THE FORMER SITES OF THE KOREAN CHRISTIAN INSTITUTE," was Adopted, with Representative McKelvey being excused.

H.C.R. No. 51, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 51, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT

OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," was Adopted, with Representative McKelvey being excused.

ANNOUNCEMENTS

Representative Choy: "Yes, Mr. Speaker. Usually we wear bowties on Wednesdays, but tomorrow we don't have a session. I was requested to ask everyone to wear bowties on Thursday so we can have a picture taking on Thursday. Thank you, Mr. Speaker."

Representative Awana: "Thank you, Mr. Speaker. With your indulgence, and as Chair of the House Committee on International Affairs, I would like to invite the Members of this Body to a Hong Kong reception. Unfortunately, I'm not speaking of a trip to Hong Kong, but an opportunity to meet with some pop stars from Hong Kong."

"On behalf of the Hawaii State Legislature, Speaker Say, Senator Chun Oakland, and myself, will be hosting these pop stars at the State Capitol tomorrow at 3:00 p.m. in Conference Room 325. As I understand, Mr. Speaker, our Senate colleagues will be performing for the singers, and those in attendance. There will be refreshments and everyone's invited. Thank you, Mr. Speaker."

Representative Ward: "And speaking of refreshments, Mr. Speaker, I want to thank everyone, you, and all those who organized a real cornucopia of a potluck. In fact we could have stopped our arguments after eating so much food because of that. But secondly, I just want to remind the Members, at least on this side of the aisle, that we'll caucus at 10:00 a.m. tomorrow in the Caucus Room. Thank you."

Speaker Say: "I think, Members of the House, credit should be given to Representative Marilyn Lee for coordinating today's potluck."

Representative Ching: "Thank you, Mr. Speaker. Besides being May Day, today, the first of May, it is also the first day of National Historic Preservation Month across the nation, remembering our nation's history and heritage. So the entire month of May is dedicated to historic preservation. Thank you."

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R. No.

Re-referred to:

124 Committee on Human Services

S.C.R. Nos.

Re-referred to:

84, SD1 Committee on Housing

89, SD1 Committee on Agriculture

156, SD1 Committee on Transportation

SUPPLEMENTAL CALENDAR #1

REPORTS OF CONFERENCE COMMITTEES

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1269, SD 2, HD 2, presented a report (Conf. Com. Rep.

No. 107-12) recommending that S.B. No. 1269, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 107-12 and S.B. No. 1269, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF COMPENSATION FOR PURPOSES OF THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Representatives Rhoads and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2214, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 108-12) recommending that S.B. No. 2214, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 108-12 and S.B. No. 2214, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred for a period of 48 hours.

Representatives Mizuno, Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2576, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 109-12) recommending that S.B. No. 2576, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109-12 and S.B. No. 2576, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred for a period of 48 hours.

Representatives Chang, Tsuji and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2378, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 110-12) recommending that S.B. No. 2378, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 110-12 and S.B. No. 2378, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2664, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 124-12) recommending that H.B. No. 2664, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124-12 and H.B. No. 2664, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2275, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 125-12) recommending that H.B. No. 2275, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125-12 and H.B. No. 2275, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2739, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 126-12) recommending that S.B. No. 2739, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126-12 and S.B. No. 2739, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," was deferred for a period of 48 hours.

Representatives McKelvey, Coffman and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2239, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 127-12) recommending that S.B. No. 2239, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 127-12 and S.B. No. 2239, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Representatives Chang, Cabanilla, McKelvey, Souki and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2927, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 128-12) recommending that S.B. No. 2927, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 128-12 and S.B. No. 2927, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2466, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 129-12) recommending that S.B. No. 2466, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 129-12 and S.B. No. 2466, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," was deferred for a period of 48 hours.

Representatives Aquino, Keith-Agaran and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2515, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 130-12) recommending that H.B. No. 2515, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 130-12 and H.B. No. 2515, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Representative Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2012, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 131-12) recommending that H.B. No. 2012, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 131-12 and H.B. No. 2012, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1800, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 132-12) recommending that H.B. No. 1800, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 132-12 and H.B. No. 1800, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Representative Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1838, SD 1, presented a report (Conf. Com. Rep. No. 133-12) recommending that H.B. No. 1838, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 133-12 and H.B. No. 1838, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Representatives Souki and Ichiyama, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2684, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 134-12) recommending that H.B. No. 2684, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134-12 and H.B. No. 2684, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," was deferred for a period of 48 hours.

Representatives Tsuji and Hashem, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 283, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 135-12) recommending that H.B. No. 283, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135-12 and H.B. No. 283, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred for a period of 48 hours.

Representatives Tsuji and Hashem, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1942, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 136-12) recommending that H.B. No. 1942, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136-12 and H.B. No. 1942, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Tsuji and Hashem, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1943, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 137-12) recommending that H.B. No. 1943, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137-12 and H.B. No. 1943, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred for a period of 48 hours.

Representatives Tsuji, Nishimoto and Hashem, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2100, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 138-12) recommending that H.B. No. 2100, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138-12 and H.B. No. 2100, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1953, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 139-12) recommending that H.B. No. 1953, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139-12 and H.B. No. 1953, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," was deferred for a period of 48 hours.

Representatives Keith-Agaran and M. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 246, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 140-12) recommending that H.B. No. 246, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140-12 and H.B. No. 246, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1755, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 141-12) recommending that H.B. No. 1755, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141-12 and H.B. No. 1755, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2251, SD 1, presented a report (Conf. Com. Rep. No. 142-12) recommending that H.B. No. 2251, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142-12 and H.B. No. 2251, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2883, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 143-12) recommending that H.B. No. 2883, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143-12 and H.B. No. 2883, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," was deferred for a period of 48 hours.

Representatives Hanohano, Chang and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2806, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 144-12) recommending that H.B. No. 2806, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144-12 and H.B. No. 2806, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," was deferred for a period of 48 hours.

Representatives McKelvey and Choy, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2319, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 145-12) recommending that H.B. No. 2319, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145-12 and H.B. No. 2319, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING

TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Representatives McKelvey, Nishimoto and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2873, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 146-12) recommending that H.B. No. 2873, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146-12 and H.B. No. 2873, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," was deferred for a period of 48 hours.

Representatives Coffman and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1726, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 147-12) recommending that H.B. No. 1726, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147-12 and H.B. No. 1726, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred for a period of 48 hours.

Representatives Cabanilla, McKelvey, Yamashita and M. Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2302, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 148-12) recommending that H.B. No. 2302, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148-12 and H.B. No. 2302, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred for a period of 48 hours.

Representatives Mizuno and Jordan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2540, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 149-12) recommending that H.B. No. 2540, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149-12 and H.B. No. 2540, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," was deferred for a period of 48 hours.

Representatives Mizuno, Keith-Agaran and Jordan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2448, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 150-12) recommending that H.B. No. 2448, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150-12 and H.B. No. 2448, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred for a period of 48 hours.

Representatives Mizuno and Jordan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2415, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 151-12) recommending that H.B. No. 2415, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 151-12 and H.B. No. 2415, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," was deferred for a period of 48 hours.

Representatives Keith-Agaran and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2404, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 152-12) recommending that H.B. No. 2404, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 152-12 and H.B. No. 2404, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," was deferred for a period of 48 hours.

Representatives Oshiro, Yamane, Mizuno and Takumi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 304, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 153-12) recommending that H.B. No. 304, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 153-12 and H.B. No. 304, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," was deferred for a period of 48 hours.

Representatives Belatti and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2116, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 154-12) recommending that S.B. No. 2116, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 154-12 and S.B. No. 2116, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2778, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 155-12) recommending that S.B. No. 2778, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 155-12 and S.B. No. 2778, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," was deferred for a period of 48 hours.

Representatives Rhoads, McKelvey, Herkes, Ito and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2424, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 156-12) recommending that S.B. No. 2424, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 156-12 and S.B. No. 2424, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was deferred for a period of 48 hours.

Representatives McKelvey and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2780, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 157-12) recommending that S.B. No. 2780, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 157-12 and S.B. No. 2780, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2939, SD 1, HD 1, presented a report

(Conf. Com. Rep. No. 158-12) recommending that S.B. No. 2939, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 158-12 and S.B. No. 2939, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2827, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 159-12) recommending that S.B. No. 2827, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 159-12 and S.B. No. 2827, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2536, HD 2, presented a report (Conf. Com. Rep. No. 160-12) recommending that S.B. No. 2536, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 160-12 and S.B. No. 2536, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," was deferred for a period of 48 hours.

Representatives Mizuno, Yamane and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2435, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 161-12) recommending that S.B. No. 2435, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 161-12 and S.B. No. 2435, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," was deferred for a period of 48 hours.

Representatives Mizuno, Yamane and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2779, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 162-12) recommending that S.B. No. 2779, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 162-12 and S.B. No. 2779, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," was deferred for a period of 48 hours.

Representatives Aquino, Rhoads, Har and Cullen, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2261, HD 1, presented a report (Conf. Com. Rep. No. 163-12) recommending that S.B. No. 2261, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 163-12 and S.B. No. 2261, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," was deferred for a period of 48 hours.

Representatives McKelvey, Brower and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 112, SD 1, HD 1, presented a report

(Conf. Com. Rep. No. 164-12) recommending that S.B. No. 112, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 164-12 and S.B. No. 112, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Representatives Aquino, Keith-Agaran and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2776, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 165-12) recommending that S.B. No. 2776, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 165-12 and S.B. No. 2776, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Representatives Yamane, Mizuno and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2320, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 166-12) recommending that S.B. No. 2320, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 166-12 and S.B. No. 2320, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," was deferred for a period of 48 hours.

Representatives Brower, Awana and Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 490, SD 3, HD 1, presented a report (Conf. Com. Rep. No. 167-12) recommending that S.B. No. 490, SD 3, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 167-12 and S.B. No. 490, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was deferred for a period of 48 hours.

Representatives Rhoads, McKelvey and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2220, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 168-12) recommending that S.B. No. 2220, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 168-12 and S.B. No. 2220, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," was deferred for a period of 48 hours.

Representatives Tsuji and Hashem, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2695, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 169-12) recommending that S.B. No. 2695, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 169-12 and S.B. No. 2695, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," was deferred for a period of 48 hours.

Representatives Aquino and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1968, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 170-12) recommending that H.B. No. 1968, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 170-12 and H.B. No.

1968, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," was deferred for a period of 48 hours.

Representatives Aquino, Keith-Agaran and Cullen, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2226, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 171-12) recommending that H.B. No. 2226, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 171-12 and H.B. No. 2226, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," was deferred for a period of 48 hours.

Representatives Aquino and Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2599, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 172-12) recommending that H.B. No. 2599, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 172-12 and H.B. No. 2599, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," was deferred for a period of 48 hours.

Representatives Takumi, Mizuno and Jordan, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2545, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 173-12) recommending that S.B. No. 2545, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 173-12 and S.B. No. 2545, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2933, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 174-12) recommending that S.B. No. 2933, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 174-12 and S.B. No. 2933, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2344, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 175-12) recommending that S.B. No. 2344, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 175-12 and S.B. No. 2344, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," was deferred for a period of 48 hours.

Representatives McKelvey, Keith-Agaran and Choy, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2947, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 176-12) recommending that S.B. No. 2947, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 176-12 and S.B. No. 2947, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2678, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 177-12) recommending that S.B. No. 2678, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 177-12 and S.B. No. 2678, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOULIULI," was deferred for a period of 48 hours.

Representatives McKelvey and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2236, HD 2, presented a report (Conf. Com. Rep. No. 178-12) recommending that S.B. No. 2236, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 178-12 and S.B. No. 2236, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred for a period of 48 hours.

Representatives Yamane and Morikawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2958, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 179-12) recommending that S.B. No. 2958, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 179-12 and S.B. No. 2958, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Cabanilla and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2804, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 180-12) recommending that S.B. No. 2804, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 180-12 and S.B. No. 2804, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," was deferred for a period of 48 hours.

ADJOURNMENT

At 2:18 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 9:00 o'clock a.m., Thursday, May 03, 2012. (Representative McKelvey was excused.)

HOUSE COMMUNICATIONS

House Communication dated May 1, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 302, HD 1, SD 2
H.B. No. 2113, HD 1, SD 1
H.B. No. 2257, HD 1, SD 1
H.B. No. 2258, HD 2, SD 1
H.B. No. 2409, SD 1
H.B. No. 2601, HD 3, SD 1
H.B. No. 2681, HD 1, SD 1

House Communication dated May 1, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members

of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 2314, HD 1, SD 1
H.B. No. 2375, SD 2
H.B. No. 2398, HD 2, SD 1
H.B. No. 2491, HD 1, SD 1
H.B. No. 2526, HD 2, SD 2
H.B. No. 2529, HD 1, SD 1
H.B. No. 2553, HD 2, SD 2

House Communication dated May 1, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bills on Final Reading:

H.B. No. 280, HD 1, SD 2, CD 1
H.B. No. 609, HD 2, SD 2, CD 1
H.B. No. 679, HD 1, SD 1, CD 1
H.B. No. 1054, HD 1, SD 1, CD 1
H.B. No. 1295, HD 3, SD 2, CD 1
H.B. No. 1398, HD 1, SD 1, CD 1
H.B. No. 1543, SD 1, CD 1
H.B. No. 1617, HD 2, SD 2, CD 1
H.B. No. 1666, HD 1, SD 1, CD 1
H.B. No. 1705, HD 1, SD 1, CD 1
H.B. No. 1788, HD 1, SD 1, CD 1
H.B. No. 1791, SD 1, CD 1
H.B. No. 1875, HD 2, SD 2, CD 1
H.B. No. 1879, HD 2, SD 1, CD 1
H.B. No. 1892, SD 1, CD 1
H.B. No. 1925, HD 1, SD 1, CD 1
H.B. No. 1972, HD 2, SD 1, CD 1
H.B. No. 1974, HD 2, SD 1, CD 1
H.B. No. 1984, SD 1, CD 1
H.B. No. 2004, HD 2, SD 2, CD 1
H.B. No. 2078, HD 2, SD 2, CD 1
H.B. No. 2099, HD 1, SD 1, CD 1
H.B. No. 2175, HD 2, SD 1, CD 1
H.B. No. 2232, HD 2, SD 1, CD 1
H.B. No. 2244, HD 1, SD 2, CD 1
H.B. No. 2265, HD 2, SD 2, CD 1
H.B. No. 2290, HD 1, SD 2, CD 1
H.B. No. 2320, HD 2, SD 2, CD 1
H.B. No. 2326, HD 1, SD 1, CD 1
H.B. No. 2328, HD 1, SD 1, CD 1
H.B. No. 2347, SD 1, CD 1
H.B. No. 2487, HD 1, SD 2, CD 1
H.B. No. 2502, HD 2, SD 2, CD 1
H.B. No. 2513, HD 1, SD 2, CD 1
H.B. No. 2568, HD 2, SD 1, CD 1
H.B. No. 2569, HD 2, SD 1, CD 1
H.B. No. 2589, HD 2, SD 2, CD 1
H.B. No. 2593, HD 2, SD 1, CD 1
H.B. No. 2594, HD 2, SD 1, CD 1
H.B. No. 2595, HD 2, SD 2, CD 1
H.B. No. 2623, HD 1, SD 1, CD 1
H.B. No. 2644, HD 2, SD 1, CD 1
H.B. No. 2685, HD 2, SD 2, CD 1
H.B. No. 2686, HD 1, SD 1, CD 1
H.B. No. 2740, HD 1, SD 1, CD 1
H.B. No. 2776, HD 2, SD 2, CD 1
H.B. No. 2848, HD 3, SD 2, CD 1
H.B. No. 2871, HD 1, SD 1, CD 1
S.B. No. 243, SD 2, HD 1, CD 1
S.B. No. 596, SD 2, HD 1, CD 1
S.B. No. 1276, SD 2, HD 2, CD 1
S.B. No. 1382, SD 2, HD 1, CD 1
S.B. No. 1500, HD 1, CD 1
S.B. No. 2001, SD 1, HD 2, CD 1
S.B. No. 2056, HD 2, CD 1
S.B. No. 2103, SD 2, HD 2, CD 1

S.B. No. 2158, HD 1, CD 1
S.B. No. 2221, SD 1, HD 1, CD 1
S.B. No. 2222, SD 2, HD 1, CD 1
S.B. No. 2238, SD 1, HD 2, CD 1
S.B. No. 2277, SD 2, HD 2, CD 1
S.B. No. 2318, SD 1, HD 2, CD 1
S.B. No. 2335, HD 2, CD 1
S.B. No. 2375, SD 3, HD 2, CD 1
S.B. No. 2402, SD 1, HD 1, CD 1
S.B. No. 2486, SD 1, HD 1, CD 1
S.B. No. 2508, SD 2, HD 1, CD 1
S.B. No. 2540, SD 2, HD 2, CD 1
S.B. No. 2632, SD 1, HD 1, CD 1
S.B. No. 2640, SD 1, HD 1, CD 1
S.B. No. 2646, SD 1, HD 2, CD 1
S.B. No. 2655, SD 2, HD 3, CD 1
S.B. No. 2737, SD 1, HD 2, CD 1
S.B. No. 2742, SD 1, HD 2, CD 1
S.B. No. 2745, SD 1, HD 2, CD 1
S.B. No. 2746, SD 1, HD 3, CD 1
S.B. No. 2748, SD 1, HD 1, CD 1
S.B. No. 2763, SD 2, HD 2, CD 1
S.B. No. 2765, SD 2, HD 2, CD 1
S.B. No. 2766, SD 2, HD 2, CD 1
S.B. No. 2767, SD 2, HD 1, CD 1
S.B. No. 2769, SD 2, HD 3, CD 1
S.B. No. 2773, SD 1, HD 1, CD 1
S.B. No. 2787, SD 2, HD 1, CD 1
S.B. No. 2797, SD 1, HD 1, CD 1
S.B. No. 2800, SD 1, HD 1, CD 1
S.B. No. 2810, SD 1, HD 1, CD 1
S.B. No. 2813, SD 1, HD 1, CD 1
S.B. No. 2816, SD 1, HD 1, CD 1
S.B. No. 2821, HD 3, CD 1
S.B. No. 2825, SD 1, HD 1, CD 1
S.B. No. 2833, SD 1, HD 2, CD 1
S.B. No. 2858, SD 1, HD 2, CD 1
S.B. No. 2871, SD 1, HD 2, CD 1
S.B. No. 3001, SD 2, HD 2, CD 1
S.B. No. 3002, SD 2, HD 1, CD 1
S.B. No. 3006, SD 2, HD 2, CD 1
S.B. No. 3008, HD 3, CD 1
S.B. No. 3062, SD 1, HD 2, CD 1

House Communication dated May 1, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 50, HD 1, SD 1
H.C.R. No. 51, HD 1, SD 1

SIXTIETH DAY

Thursday, May 03, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 9:11 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Majority Leader Pono Chong, after which the Roll was called showing all Members present with the exception of Representative Marumoto, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1199 and 1200) were received and announced by the Clerk:

Gov. Msg. No. 1199, transmitting his statement of objections to S.B. No. 2101, SD 1, HD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2101

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2101, entitled "A Bill for an Act Relating to the TRICARE Program."

The purpose of this bill is to extend the repeal of the general excise tax exemption for amounts received from the TRICARE Program from December 31, 2013, to December 31, 2015.

Act 105, Session Laws of Hawaii 2011, temporarily suspended numerous exemptions from the general excise tax that were not related to the TRICARE Program. The temporary suspension of the exemptions in Act 105 expires on June 30, 2013. During the regular session of 2013, all of the general excise tax exemptions, including the exemption for the TRICARE Program, should undergo a fair and comprehensive review at the same time. Because the exemption for the TRICARE Program will not expire until December 31, 2013, there is no need to extend the expiration date of this single exemption now.

For the foregoing reasons, I am returning Senate Bill No. 2101 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1200, informing the House that on May 02, 2012, the following bill was signed into law:

S.B. No. 3025, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS." (ACT 098)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 831 through 834) were received and announced by the Clerk:

Sen. Com. No. 831, dated May 1, 2012, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 280, HD 1, SD 2, CD 1
H.B. No. 609, HD 2, SD 2, CD 1
H.B. No. 679, HD 1, SD 1, CD 1
H.B. No. 1054, HD 1, SD 1, CD 1
H.B. No. 1295, HD 3, SD 2, CD 1
H.B. No. 1398, HD 1, SD 1, CD 1
H.B. No. 1543, SD 1, CD 1
H.B. No. 1617, HD 2, SD 2, CD 1
H.B. No. 1666, HD 1, SD 1, CD 1
H.B. No. 1705, HD 1, SD 1, CD 1
H.B. No. 1788, HD 1, SD 1, CD 1
H.B. No. 1791, SD 1, CD 1
H.B. No. 1875, HD 2, SD 2, CD 1
H.B. No. 1879, HD 2, SD 1, CD 1
H.B. No. 1892, SD 1, CD 1
H.B. No. 1925, HD 1, SD 1, CD 1
H.B. No. 1972, HD 2, SD 1, CD 1
H.B. No. 1974, HD 2, SD 1, CD 1
H.B. No. 1984, SD 1, CD 1
H.B. No. 2004, HD 2, SD 2, CD 1
H.B. No. 2078, HD 2, SD 2, CD 1
H.B. No. 2099, HD 1, SD 1, CD 1
H.B. No. 2175, HD 2, SD 1, CD 1
H.B. No. 2232, HD 2, SD 1, CD 1
H.B. No. 2244, HD 1, SD 2, CD 1
H.B. No. 2265, HD 2, SD 2, CD 1
H.B. No. 2290, HD 1, SD 2, CD 1
H.B. No. 2320, HD 2, SD 2, CD 1
H.B. No. 2326, HD 1, SD 1, CD 1
H.B. No. 2328, HD 1, SD 1, CD 1
H.B. No. 2347, SD 1, CD 1
H.B. No. 2487, HD 1, SD 2, CD 1
H.B. No. 2502, HD 2, SD 2, CD 1
H.B. No. 2513, HD 1, SD 2, CD 1
H.B. No. 2568, HD 2, SD 1, CD 1
H.B. No. 2569, HD 2, SD 1, CD 1
H.B. No. 2589, HD 2, SD 2, CD 1
H.B. No. 2593, HD 2, SD 1, CD 1
H.B. No. 2594, HD 2, SD 1, CD 1
H.B. No. 2595, HD 2, SD 2, CD 1
H.B. No. 2623, HD 1, SD 1, CD 1
H.B. No. 2644, HD 2, SD 1, CD 1
H.B. No. 2686, HD 1, SD 1, CD 1
H.B. No. 2740, HD 1, SD 1, CD 1
H.B. No. 2776, HD 2, SD 2, CD 1
H.B. No. 2848, HD 3, SD 2, CD 1
H.B. No. 2871, HD 1, SD 1, CD 1
S. B. No. 243, SD 2, HD 1, CD 1
S. B. No. 596, SD 2, HD 1, CD 1
S. B. No. 1276, SD 2, HD 2, CD 1
S. B. No. 1382, SD 2, HD 1, CD 1
S. B. No. 1500, HD 1, CD 1
S. B. No. 2001, SD 1, HD 2, CD 1
S. B. No. 2056, HD 2, CD 1
S. B. No. 2103, SD 2, HD 2, CD 1
S. B. No. 2158, HD 1, CD 1
S. B. No. 2221, SD 1, HD 1, CD 1
S. B. No. 2222, SD 2, HD 1, CD 1
S. B. No. 2238, SD 1, HD 2, CD 1
S. B. No. 2277, SD 2, HD 2, CD 1
S. B. No. 2318, SD 1, HD 2, CD 1
S. B. No. 2335, HD 2, CD 1
S. B. No. 2341, SD 2, HD 2, CD 1
S. B. No. 2375, SD 3, HD 2, CD 1
S. B. No. 2402, SD 1, HD 1, CD 1
S. B. No. 2486, SD 1, HD 1, CD 1
S. B. No. 2508, SD 2, HD 1, CD 1
S. B. No. 2540, SD 2, HD 2, CD 1

S. B. No. 2632, SD 1, HD 1, CD 1
 S. B. No. 2640, SD 1, HD 1, CD 1
 S. B. No. 2646, SD 1, HD 2, CD 1
 S. B. No. 2655, SD 2, HD 3, CD 1
 S. B. No. 2737, SD 1, HD 2, CD 1
 S. B. No. 2742, SD 1, HD 2, CD 1
 S. B. No. 2745, SD 1, HD 2, CD 1
 S. B. No. 2746, SD 1, HD 3, CD 1
 S. B. No. 2763, SD 2, HD 2, CD 1
 S. B. No. 2765, SD 2, HD 2, CD 1
 S. B. No. 2766, SD 2, HD 2, CD 1
 S. B. No. 2767, SD 2, HD 1, CD 1
 S. B. No. 2769, SD 2, HD 3, CD 1
 S. B. No. 2773, SD 1, HD 1, CD 1
 S. B. No. 2787, SD 2, HD 1, CD 1
 S. B. No. 2797, SD 1, HD 1, CD 1
 S. B. No. 2800, SD 1, HD 1, CD 1
 S. B. No. 2810, SD 1, HD 1, CD 1
 S. B. No. 2813, SD 1, HD 1, CD 1
 S. B. No. 2816, SD 1, HD 1, CD 1
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 S. B. No. 2858, SD 1, HD 2, CD 1
 S. B. No. 2871, SD 1, HD 2, CD 1
 S. B. No. 3001, SD 2, HD 2, CD 1
 S. B. No. 3002, SD 2, HD 1, CD 1
 S. B. No. 3006, SD 2, HD 2, CD 1
 S. B. No. 3008, HD 3, CD 1
 S. B. No. 3062, SD 1, HD 2, CD 1

Sen. Com. No. 832, dated May 1, 2012, informing the House that the Senate has on April 27, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2859, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT."

S.B. No. 2876, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS."

Sen. Com. No. 833, dated May 1, 2012, informing the House that the Senate has on April 25, 2012, reconsidered its action taken on April 13, 2012, in passing the following Senate Bill on Final Reading, and that said bill has this day passed Final Reading:

S.B. No. 650, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES."

Sen. Com. No. 834, dated May 1, 2012, informing the House that the Senate has made the following change to Senate Conferee assignments for the following bill:

S.B. No. 2785, Senate Conferees discharged.
 SD 2, HD 2

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Pine introduced her family: grandmother, Ms. Alionora Marcos; mother, Ms. Maria Pine; brother, Mr. Kawika Pine; and husband, LT Brian Ryglowski.

Representative Pine also introduced her former and current staff:

Former Office Managers: Mr. John Gollner; and Ms. Sarah Correa and her husband, Mr. Brian Correa and son, Reagan.

Former and Current Staff Members: Mr. Jame Schaedel, Ms. Eliza Talbot, Ms. Kauai Alapa, Ms. Kaylee Skaar, Ms. Linda Dela Cruz, Ms. Kim Guynes, Mr. Mariano Doctolero, and Ms. Lilia Lambinico.

Representative M. Lee introduced her legislative staff: Ms. Heather Calderwood; Ms. Tate Carpenter; Ms. Kelly Suzuka; and Ms. Lee Ying Kwok. They were accompanied by her Office Manager, Mr. Keanu Young.

Representative Tokioka introduced friends visiting from Kauai, Mr. Elester and Mrs. Mila Calipio. They were accompanied by Kauai Senator Ron Kouchi.

Representative Ward introduced the State Chief Information Officer, Mr. Sanjeev "Sonny" Bhagowalia.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Third and Final Reading by consent calendar.

At 9:20 o'clock a.m., Representative Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:22 o'clock a.m.

LATE INTRODUCTIONS

The following late introductions were made to the Members of the House:

Representative Ching introduced her Office Manager, Ms. Jessica Bursack and her mother and mother's husband visiting from California, Mrs. Laura Bursack and Mr. Lamar Chandler.

Representative Rhoads introduced Attorney General David Louie and Special Assistant, Mr. Joshua Wisch.

Representative Cabanilla introduced an active member of the Filipino community, Department of Transportation Deputy Director, Mr. Jade Butay.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 131-12 and H.B. No. 2012, HD 1, SD 1, CD 1:

Representative Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2012, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative M. Lee.

Representative Oshiro rose to speak in support of the measure, stating:

"I rise in support of H.B. 2012, CD 1. Before I proceed in speaking to the merits of the budget before us, please allow me the tradition and customary opportunity to thank those who have spent countless hours preparing what lies before us. First off, I need to extend a shout out of appreciation to Chair David Ige, the members and the staff of the Senate Committee on Ways and Means.

"We started this endeavor about 2 weeks ago to work out a compromise, and we worked very hard together. They were long and tough negotiations, but we finally resolved and came out with this Conference Draft. So I want to thank him for his graciousness and willingness to entertain and consider

my thoughts and ideas on the budget. I appreciate it tremendously, David. Thank you, very much.

"I'd also like to thank Vice Chair Marilyn Lee, because again, we wouldn't be here talking about a Conference Draft and the House position if she was not by my side. And of course, Representative Kyle Yamashita who took the lead on behalf of the House to negotiate the CIP portion of the budget. Good job, Kyle. I know it was tough going, and you had a real formidable counterpart in the Senate, Senator Kidani. But again, thank you for advancing the House position throughout. Of course, Mr. Speaker I must thank the Committee members for their hard work and dedication to developing the policies you see within this budget.

"To our veteran members, your knowledge of the practice and past actions have helped us, and driven us to decisions on these key issues. The Freshmen members, your refreshing inquisitiveness and insight brought new light to our discussions. And to my Minority members, Representatives Ward, Marumoto and Riviere, thank you very much for your often contrary views. I think it prompted some interesting and lively discussions. Equally important, it helped the Foodbank, tremendously.

"Likewise, thanks to the Committee Chairs for your time and attendance as the Second Chair of our Committee on Finance. I think taking advantage of it, gave us additional insight to the policies of the Subject Matter Chairs and I think the participation of them both enlightened and even at times entertained us, Mr. Speaker. And again, they contributed generously to the Hawaii Foodbank, also.

"Finally, I must thank my Finance staff. They are truly the unsung heroes, the ones that work day in, day out, behind those walls without any windows, often cloistered away in those dark crevices and corners that mere mortals fear to tread. They worked together very well. None of us lost anyone. And the crew remained comfortable and comforting to each other.

"Our permanent and session staff include, Mr. Speaker, Jo Hamasaki. He's the one that actually put together the budget itself, the document you see before you, and the Committee Reports. He knit and stitched the entire budget together. Thank you, Jo. Karen Horita was also with us in the front office. Puna Chai, Susan Fernandez, Erik Abe, Randall Hiyoto, Stacey Tagala, Nandana Kalupahana – that's not Hawaiian. That's Sri Lankan. Lucia Phan, Maria Millon, Midori Hirai, Bill Gillispie, Maryanne Takahashi, Megan Shimizu, Erin Ebisuya, Daniel Kikawa. You know, Daniel was an intern for the University of Hawaii, and one of the fortunate, lucky ones to end up in the House Finance Committee. But he's well on his way, prepped and prepared for law school at the Richardson School of Law in the Fall. He learned a lot and said he really enjoyed his experience. Napualani Young, she was the last fiscal analyst to join us. I think she's going to be staying on. I think she got the bug of being in the Legislature and she will be working with Chair Coffman's Office as his new Office Manager. Karisa Look, a second-time veteran. Matthew Tsujimura, a first timer. Micah Munkata, and Michael Ong. Mr. Speaker, how about a round of applause for the Finance Staff.

"Mr. Speaker in his inaugural speech four years ago, Hawaii's President Obama said ..."

Representative Manahan rose to yield his time, and the Chair "so ordered."

The Chair addressed Representative Oshiro, stating:

"Your introduction took up the whole first half of your time."

Representative Oshiro continued, stating:

"Thank you, Mr. Speaker. I think the kudos were well deserved and earned. Four years ago, in his Inaugural Address, President Obama made these statements:

The question we ask today is not whether our government is not too big or too small, but whether it works. Whether it helps families find jobs at a decent wage, care they can afford, a retirement that's dignified. Where

the answer is yes, we intend to move forward. When the answer is no, programs will end. Those of us who manage the public's dollars will be held to account, because only then can we restore the vital trust between a people and their government.

"I believe these words are even more applicable and noteworthy today. Mr. Speaker, your Committee on Finance has accepted its responsibility to craft this Supplemental Budget, constrained by the dynamic and constantly changing fiscal realities.

"We have not taken the easy route, Mr. Speaker, but kept on the course set last year as we continue our voyage through the turbulent water of the great recession. We have not deviated from the course and challenges set for us last year. Mr. Speaker, this is why we maintain that a steady, deliberative approach to this budget remains a prudent attempt at preparing for the challenges in reprioritizing, rehabilitating, and renewing government service in the years ahead. That's right, the three R's. Reprioritizing, rehabilitating, and renewing government service for our employees and those they serve.

"Short-term and long-term goals of the budget are to: Triage targeted programs to ensure that the most basic needs are met, particularly on human services, education, and agriculture; those are the basics. Support long-term planning and accountability efforts to fundamentally change the character and delivery of government services.

"Mr. Speaker for the past three years, since 2009, a common visual aid in our Finance hearings and Conference Room has been a poster which prompted answers to four fundamental questions, and many have seen it.

"The first question was, How far can we cut government programs and services? Second question, What programs and services are we willing to live without? Third question, Are we willing to pay more for the programs and services we want? And the fourth question, What do we want Hawaii to look like when the recession ends?

"As I look back on this Session, I feel that there are still those who believe that any resources available should be spent simply to return to the status quo. Mr. Speaker, to spend money simply because we can, or to merely restore programs that were cut in the past, without evaluation and assessment of our return on investment or outcomes, is simply not the right thing to do. To do so means that we have not learned the lessons of the recession from which we emerge. And let us keep in mind that we are barely addressing longer term liabilities of our public workers: our public workers' pension systems – the Employees' Retirement System, and health insurance costs of the Employer Union Trust Fund.

"This is, Mr. Speaker, my biggest disappointment of this Session, and of this budget. See, about four years ago, the GASB reporting requirements were issued to all states, when we at the state level were notified that we should begin to set aside moneys for the unfunded liability facing us to fund government employees and retiree health benefits, the EUTF. Mr. Speaker, all the counties have, to some degree, put aside a portion of money for this purpose, but the State of Hawaii has not. We should be setting aside nearly \$500 million per year in the EUTF to ensure that we can pay ..."

Representative McKelvey rose to yield his time, and the Chair "so ordered."

Representative Oshiro continued, stating:

"Thank you. We should be setting aside nearly \$500 million per year in the EUTF to ensure we can pay for retiree health benefits when the time comes. We could not get agreement to set aside a mere 10% of that amount, \$50 million as a down payment, a good-faith gesture, earnest money on our future obligations to our current retirees and current workers. We had, in our fiscal plan, a means to meet these objectives over a 6-year period. Mr. Speaker, in a last ditch effort, I even sought to deposit \$5 million, \$5 million of the House portion of the \$50 million of the GIA and bill allocations that you and the Senate President allowed us to use last week Friday. But that too was rejected, Mr. Speaker.

"Mr. Speaker, let us not bury our heads in the sand. The longer we wait to set aside any money for this obligation, the more expensive it will become. Then we will no longer be arguing about how much to spend on human services. Or arguing about how much to spend on education. Or how much to spend on agriculture. Or how much to spend on watersheds. The only thing we'll be paying for then, will be the fixed government costs of debt service, Medicaid, and retirement benefits. Pension and health care for government employees and retirants. But actually Mr. Speaker, let me correct that. There is a solution. We can eliminate health care coverage for current and future workers. No longer will our brothers and sisters, aunts and uncles, mothers and fathers, who are teachers, plant quarantine inspectors, librarians, prison guards, get support in accessing health care after they retire. They'll be on their own, but that is absurd and unnecessary.

"Mr. Speaker, our recovery nationally, and our recovery here at home has changed the lives of everyone. We know that for the next three or four years, we will not get back to the robust unemployment numbers of early 2005, 2006, until maybe to 2015 or 2018. We will no longer experience the skyrocketing growth of the mid-2000s, but a more moderate pace of maybe 2% to 3% for the next four or five years. Mr. Speaker, we are a state where one in five of our population is on Medicaid.

"Most young families cannot afford a mortgage, even with historically low interest rates, and the middle class watches their dreams and the dreams of their children vanish into exhaustion from working two or more jobs to support a family as an income divide deepens and inflation eats away at their gains. Is this what we want Hawaii to look like when the recession ends, or the effects of the recession ends?

"Mr. Speaker, this budget, if revenue projections of the Council on Revenues come through, may provide us an opportunity next year, but all we did this year was miss a golden opportunity to stabilize our long-term financial plan and provide for a stronger State fiscal health. Mr. Speaker, despite my personal disappointment, there is much good in this budget, and those of you who were here in 2007, may remember our top ten reasons to vote for the budget that I used. Vice Chair Lee has it before us. Budget cuts in 2008. We reduced that list to the top five reasons to vote for the budget. Vice Chair Lee also has that chart.

"Mr. Speaker and colleagues, times are tough. But in spite of the recovery that is ahead of us, if we stay the course, I offer you a renewed, rehabilitated, and reprioritized Top 10 Reasons to Vote for the Budget In 2012:

Number 1, \$250,000 to develop an early Childhood Obesity and Diabetes Prevention Program for the State, one of the Governor's initiatives.

Number 2, \$1 million for the Freeway Service Patrol on Oahu, which starts at Fort Ruger Road and will now extend coverage to Ainakoa Street in Hawaii Kai."

Representative Rhoads rose to yield his time, and the Chair "so ordered."

Representative Oshiro continued, stating:

"Thank you.

"\$1.4 million and 19 positions for staffing shortages, electricians, carpenters, plumbers, and housing specialists who will get uninhabitable rental units repaired for waitlisted applicants without a roof over their heads.

"And over \$5 million, Mr. Speaker, to launch the Governor's watershed initiative, a program to protect priority watersheds throughout the State.

"Number 5, \$3.3 million for Hawaii's Adult Education Program, which provides GED, English as a Second Language, and competency-based programs necessary to attain a degree.

"Number 6, Mr. Speaker, \$3.4 million for the Justice Reinvestment Initiative, to bring prisoners home from out-of-state, provide

rehabilitation services, and most importantly, strengthen victim assistance programs at both the State and county levels.

"Number 7, \$22.9 million for Medicaid payments to maintain the safety net.

"Number 8, \$26 million for continued construction of UH West Oahu, and \$3 million for a bookstore, dining room and catering facilities at the new Kapolei Campus, set to open in August.

"Number 9, \$700,000 for the statewide institutionalization of the Na Pua No'eau program.

"And number 10, \$14 million for the Weighted Student Formula, and \$25 million for school buses to ensure support for our students in the classroom and getting them to class.

"The budget before you proposes to triage targeted programs to serve immediate critical needs. This is a balanced investment, a long-term information technology initiative.

"Finally, Mr. Speaker, I look forward to examining the IT plan due in July 2012. This \$25.3 million initiative could fundamentally transform government services, fundamentally transform government services. And what's different about this initiative and the ones we've seen in the past, is that it recognized the computerizing inefficiency for obsolete systems. It doesn't mean we'll be better or more efficient. It simply means that they're automating bad systems.

"The biggest challenge to the initiative is taking a hard, comprehensive look at State programs and services to see what needs to be changed. Success will come when we participate, share our knowledge, and change. The evidence is there in the CIO's working group. Many have come forward and honestly put forward their ideas and discuss their own shortcomings and need to change, and I highly commend those public servants for risking their own standing amongst their peers to come forward and give an honest assessment.

"We should not simply restore funding to restore funding that was cut. We must demand more accountability and transparency, and we will do so as we emerge from this recession. Using the glass is half full approach to the recession we've been struggling through, we all have had an opportunity that it should not be squandered. As we emerge from the great recession, let us not forget what we have learned from the past several years.

"Mr. Speaker, change is difficult, but it must happen, given the metrics in our budget and our financial plan. Simply returning to former funding levels is unsustainable. Mr. Speaker, I look forward to working with everyone in this Chamber as we emerge from the great recession and reprioritize, rehabilitate, and renew the way government works and is funded. I humbly ask for the Members' support on H.B. 2012, CD 1. Thank you very much, Members. Thank you very much, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of the proposed budget. As your Chair of the Committee on Housing this bill greatly demonstrates the Legislature's foresight, and the need of our people for more affordable housing and rental units. Mr. Speaker, with your indulgence, please allow me to tell you why I make such remarks. This bill funds rental cash assistance and rental assistance, repair and maintenance of public housing, funds the Hawaii Finance and Development Corporation, funds the homeless intervention initiatives, as well as tax credits for those entities that want to build low income housing.

"The second item that I want to thank you for, the Finance Committee, and this Body, Mr. Speaker, is the appropriation for land acquisition and design for a new high school in Ewa which is now fashionably termed 'East Kapolei' in the books.

"Whatever this Body calls this upcoming high school, Mr. Speaker, this appropriation for this new high school is a clear statement of the Legislature's recognition of the needs of an upcoming robust community and how congested Campbell High School and Waipahu High School are currently. I thank this Body for recognizing this need.

"Furthermore, Mr. Speaker, this bill also provides for additional funding for UH West Oahu. This bill, Mr. Speaker, provides funding also for the Hawaii Finance Development Corporation, who partners with private developers in the construction of affordable housing and affordable rentals. I believe this appropriation will address one of the greatest needs of our people. And believe it or not, Mr. Speaker, this bill also provides \$15,600,000 for homeless services.

"Furthermore, all these measures ultimately benefit all our people for the job creation in the implementation of these projects. Job creation, Mr. Speaker. Job creation. Mr. Speaker, although the Chair of Finance is not totally happy with this bill, I submit to you, that I could not have been more proud of the sensitivity and clear demonstration of that sensitivity by the funding initiatives of the Committee on Finance, and the hard work and cooperation of the members of the Housing Committee. If I may Mr. Speaker, on behalf of the people that I represent, I thank you and the entire Body for a job well done this Session."

Representative Ward rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support with a few observations. Thank you, Mr. Speaker. As with the beginning with the Chair of Finance, I too am very appreciative of all of his hard work and of all of our colleagues' hard work, and particularly the Minority's hard work and the price that they paid to participate with the Finance Chair. Mr. Speaker, unbeknownst to us we were charged a particular per question fee for the food and a great cause, for the Foodbank. But I want you to know that the Minority paid the most in those fees. Because we love, not only because we love food and the Foodbank, but we love to ask questions, which is part of my role now, Mr. Speaker in this marketplace of ideas and where iron sharpens iron.

"The first macro I guess you'd have say that if this was a family and we were on the kitchen table and we said, 'Here's our budget', the question would be, 'Would we break out the champagne? Would we maybe bring out a beer?' The fact is, we made it through the year, and we actually spent a little bit less on this budget. Maybe \$463,000. But next year, we're going to add a few more million to the point where the budget's going to go up 3.2%, Mr. Speaker. The point is, we've made it through. We have to be grateful that we've gone that far, but we have to be mindful that things on the horizon are not hunky dory.

"Mr. Speaker, you yourself know that we have some things that may be foreboding in terms of what's coming down the pike. It's the concerns of things that are really out of our control. They're external to us. Those things indicated, for example, the oil prices. Everybody knows that even though they went down for a couple of pennies last week, that if the visitor industry, which is leading our recovery, has the ticket prices getting out of reach, our visitor industry could take a big dip in the third quarter of this year. Another huge externality is what's going on with, even though we haven't heard much recently, about the Iranian and the Israel crisis. And then thirdly, it's an unknown factor about the Presidential election of November. And as you are fond to note, that when there are indecisions and uncertainties in the climate, people who would otherwise invest or be bullish are having a tendency to hold back.

"So, Mr. Speaker, we can celebrate with a beer then. We can say that we made it through. But there are few things in the budget that I should point out that probably are a little bit of a surpiser, and I should probably point those out.

"Let me start with the good news. It's really happy to see that the film studios got funding. The spaceport license, Mr. Speaker. One thing that we tried for almost three Sessions, or three years, to get the spaceport license. We're really happy that the PISCES is going to take off, and the whole point of this, Mr. Speaker, is to point out how part of our obligation in protecting the people of Hawaii is to grow the pie. Right now, Mr.

Speaker, if you look at the cost of living, income is down over the last 5 years, 3.2%.

"We haven't grown the pie. We've cut it up in different parts, but in order for everybody to share something, we've got to get more entrepreneurial, more growth oriented. And when we have a spaceport license, when we have PISCES, when we have growth in the area of the film studios, I think it's a good foreboding, because we're not going to be able to make it now. And as the Chair bemoaned the fact that, you know there are hard times with Hawaii's families. I'd bemoan the statistic that 57% of our families cannot afford to send their kids to school with lunch money without a subsidy. 57%. That's got to hurt all of us. We cannot be proud of the fact that we're subsidizing the basic necessities of lunch.

"So, Mr. Speaker, growing the pie. Part of the budget is going to do that, but some parts of the budget, I think, may be a little bit questionable. I was surprised to see that the transpacific cable project was in the budget. I was thinking that that needed a little more airing before it actually went for a dollar amount, and it got put in as a line item.

"But speaking of line items, I'm really happy to see that we've scoured the budget. We just went through every point of the budget and the provisos, there's no state bank appropriation of \$75,000 in the budget. And I want you to know that I've bored people speaking about the state bank and how the Governor doesn't want to be the head of this bank, but we would have made him the head of the bank. So I want to commend the Chair for the marketplace of ideas. Listening to people."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Ward continued, stating:

"I had no intention of going as long as the Chair of the Finance Committee, but I commend the Chair for being open at a time when we are right on the cusp of making it through. We don't want to do high risk investments such as the state bank, Mr. Speaker.

"Maybe a couple of other surprises are noteworthy. The growth of some of these spending items scares me a little bit because Mr. Speaker, if we look at, and I know we've given the analogy time and again about if the water's boiling, and the frog jumps in, it jumps right out of the water. But when it gets into comfortable lukewarm water, it stays there. It kicks back. It feels good, and in the meantime it gets cooked. The data that we've looked at, from the Minority side, is that groceries, gas, and electricity have gone up 25% to 30% in the last five years. Mr. Speaker, that's on top of what otherwise is 25% more cost of living than the mainland.

"The point is, Mr. Speaker, when we on this Floor say, 'Well look, this new fee, or this new approach to raising revenue is only a cup of Starbucks coffee,' I think we miss the point of what we're otherwise doing to the people of Hawaii. When the cost of living goes so high, and that's why the Chair of Human Services, the Chair of Housing, who can be prideful that, 'Hey we got money for the homeless,' the problem is, that the economy, the growing of the pie has been missing in equation from Hawaii and unfortunately, sometimes, in the budget.

"Lastly, Mr. Speaker, I think if we just have a little bit of reflection on where we are, where we're going and how the astuteness of the Chair of Finance and all the Members, we should be very prideful. But we should also be mindful of the fact, and why we're celebrating this budget and can be happy is because the economy is picking up. Mr. Speaker, that's the private sector. That's the sector that sometimes we, maybe too much on this side of the aisle, speak up saying, 'Hey guys, let's give them a break,' because they have just put the taxes in along with the people of Hawaii that have made this budget a worthwhile budget, and one that we can be proud of. Having said that, Mr. Speaker, okay, no champagne. But I think I'll pop open a beer for the day. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in very strong support. Mr. Speaker, I would like to properly thank everyone that contributed to the budget. I would like

to thank the Chair and everyone who had a big part in this process. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, and Members of the House, I wish to speak in favor of this budget. Again, I wish to thank the Leadership, the Chairman and the Members of Finance, and the CIP Chairman and subcommittee for doing a wonderful job. I think the management especially, in the last hours of the completion of the budget, deserves an A for the great work that they did. You know, we had a lot of work to do coming into Friday, with the House Leadership, and the Chairman and the Conferees, who had the strength and the willingness to work throughout the weekend and to complete the budget.

"To complete the budget is a tremendous task at best, and to do it without an extension, because we were on the verge of an extension. But they did it all, with discipline. That's what it takes to be a good Finance Committee Member, and a good Chairman, and good leadership is discipline. You need to do what you need to do, and they did it. They came out with a balanced budget, with a carryover. It's a good carryover for two consecutive years, and for this I think you deserve much kudos and congratulations.

"A caveat that I may have, is that of course nothing is perfect. I would wish that in future years, in the coming years, that we look at the personal income tax where we need to reduce the personal income tax for those of the middle class and of lower incomes. And of course, to reduce the top income tax, Members. It was down to 7 3/4% at one time, and now it's up to 11%. And that was done by necessity. I've always said that the revenue that we have, and what we had in the past is not enough to maintain all of the State programs that we have, and that we want to have. We're responsible for education, for health, for human services, which many of our counterparts on the mainland are not. But we're responsible for it, and because of that we're constantly fighting the battle of not having enough money, through good years and bad years. So I would hope that as we move along, we would come to a realization, that what we have and what we want to keep will eternally be difficult unless we look at some other means of raising revenue.

"You must remember that during these past few years, we have cut over \$2 billion of the budget. Now this money is money that eventually has to be put back. Wages have been cut. They're paying more for their health benefits. Private programs have been looked at and we have taken money away just to balance the budget. And you can't blame the Finance Committee members for that. We all share in that blame because we're not looking sometimes, at the bigger picture.

"The bigger picture is that we want to have the best education program in the world. We want to have the best lower education, higher education, take care of health, and the poor which are increasing in numbers because of the high unemployment. But the revenue picture is not enough. So, Members as we move along, if you want to maintain ..."

Representative Ichiyama rose to yield her time, and the Chair "so ordered."

Representative Souki continued, stating:

"If you want to maintain the quality of programs, then you have to look at all the areas of enhancing revenue, whatever they may be. And again, in concluding, I certainly wish to thank the Chairman, for his courageous, hard work, and the Committee members, and you, Mr. Speaker, and the Majority Leader, for your leadership. Thank you, very much."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. At this time I rise in support of this measure. Thank you, Mr. Speaker. I concur with the Chair of Finance that there are good things in this budget that benefit all the people of Hawaii. And as the Representative, I share, I know, with the Senator of the human services, health corridor of our State, our gratitude.

"This measure, and a very extensive bill, has some things I'd like to highlight with great gratitude. And before I get to those specifics though, I would like to thank the Finance Chair, the Leadership of House and Senate, your staff, and all others, who spent such long hours finalizing this budget. I'd like to mention the General Obligation Bond appropriation for Hawaii Health Systems Corporation. These funds will be used to upgrade medical facilities throughout the State, addressing health and safety deficiencies. As we know, we are a State that has a lot of long-term care needs. Maluhia Center will receive money for this, to upgrade their plumbing, their electrical system.

"We'll maintain medical facilities for all the people of Hawaii to ensure that they can provide the service and treatment for our State. And we thank the Chair of Finance, all of Leadership, all of the colleagues, all of the hard work that went into consideration of the St. Francis Healthcare System of Hawaii special purpose revenue bond. With the St. Francis Medical Healthcare System and the sisters, we have almost a century of service to the poor, the needy, all those that come for help. And it is good that they are going to have this chance to continue to be in Liliha.

"Third, and I'm very, very touched, I'm very happy, to see that a subject deeply important to me, that I mentioned on the Floor at the beginning of Session, allocates funds for the Childhood Obesity and Diabetes Prevention Program. I thank the Chair of Finance, his vision, his courage, his leadership. As you know, obesity and diabetes are not only serious, tragic issues, but they continue to grow in prevalence for our local people. This measure will help to increase awareness of this epidemic, a scourge among our people. It will help to fund research, data collection. The important thing is it would begin our action, action to stop this tide. S.B. 2778 will help educate the public and bring us closer to health of our people.

"So on top of all I previously said, I deeply, sincerely thank all those who worked on it, and also H.B. 304, where the health of our people again, hopefully will be taken care of through the Kalihi-Palama area. Because these will not just benefit the recipients, but the entire community and State of Hawaii, to help the least fortunate and some of those who their health is not well. They're not in the best of health. So I express, again, my views, and voice my support for this bill. I think we made a difference. Thank you, Mr. Speaker. Additional written comments."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in support of this measure.

"This measure is the State Budget bill, and while it is a very extensive bill, there are a few points I'd like to highlight. Before I get to specifics, I would like to thank the Finance Chair, his staff, and all the others who spent the long hours last week and weekend finalizing the budget.

"The first highlight I'd like to mention is the general obligation bond appropriation for the Hawaii Health Systems Corporation (HHSC). These funds will be used to upgrade medical facilities throughout the State to address health and safety deficiencies. It is essential to maintain our medical facilities and ensure they can provide service and treatment for the citizens of the State and our communities. Thank you for this appropriation.

"Second, I'd like to thank the Legislature for thinking about and taking into consideration the St. Francis Healthcare System of Hawaii. The funds provided in this bill and from the SPRBs in SB2939 will help St. Francis provide support and care for the good people of Hawaii.

"Third, and this concerns a subject that is deeply important to me, I'd like to thank the Legislature and those who worked on the budget for allocating funds for a childhood obesity and diabetes prevention program.

"Though I rise in support to the measure, Mr. Speaker, I would like to take this opportunity to insert the words of the Representative from Hawaii Kai as if they were my own. I believe my colleague adequately addresses the appropriate comments and thoughts on this measure. Thank you."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you, very much for guiding the House and Senate Committee on Conference. You have demonstrated unwavering support for agricultural sustainability in Hawaii. Guided by the Council on Revenue's forecasting of the State revenues growth of 11.5% during the fiscal year ending June 30th, although lower than what was earlier predicted. The Committee continuously noted that we must continuously strive and consciously protect our ports of entry with inspectors, to defend our agricultural industry from the catastrophic losses that we have been experiencing throughout the years, the relentless invasion of foreign pests.

"This budget notes, that 9 federally funded inspector positions at Kahului were about to be terminated. They have been placed on the budget's general fund. Further, 20 special funded positions lost through reduction in force were originally intended to be placed on special funds. Now the budget calls for general funding. Understanding this strain placed on special funds means that these moneys are now available to be redirected.

"I'd like to add further that other departmental positions that have been severely understaffed have been reinforced via this budget: 2 positions to inspect and audit Food Security and Safety Standards; 2 positions created for the Agricultural Land Branch within the Agricultural Resource Management Division; 4 statewide positions, reinforced for quality assurance, and water, the backbone of agriculture.

"Our short staffed irrigation programs have been provided with 5 irrigation positions; and additionally, 6 positions that were in the special funds for Molokai, Hawaii, and also Oahu have been reinforced. Another 2 temporary positions were converted to permanent positions for the creation of Agricultural Infrastructure Branch for the irrigation systems, statewide. Measurements and Standards Branch, completely decimated by budget cuts and retirements. 4 more positions were added to augment this service statewide.

"In other areas, appropriations to construct the much needed bio-security facilities and replacement of the antiquated vacuum cooling chambers, in Kamuela. This along with other initiatives including the electronic importer manifest legislation, the invasive species inspector dog program, funding for coffee berry borer eradication program, honeybee research program, and feed subsidy programs are all geared to reinforce our ability to withstand the onslaught of invasive species.

"Mr. Speaker, I'd truly be remiss if I would not close on such a cognizant and greatly disappointing activity that took place last month, or should I say a judgment that took place last month, mainly the federal judges issuance of permanent injunction stopping our State from requiring air cargo carriers from charging customers a fee for the efforts to protect our islands from invasive species."

Representative Hashem rose to yield his time, and the Chair "so ordered."

Representative Tsuji continued, stating:

"Thank you, very much. I'm referring to the special funds, the cargo fees that were used for countering invasive species. But I implore upon you, Mr. Speaker, that this should not deter our legislative responsibility to be committed, and to be forthright in our war against invasive species. I truly believe that this budget reinforces that commitment. Thank you, very much."

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, very much. I do appreciate following the Chairman of the Agriculture Committee. I found it an honor and privilege to serve under him. I enjoyed working for the agricultural cause here in Hawaii, and he's a very dedicated person who's interested in farmers and sustainability. I also was privileged to serve under the Chairman of Finance, Vice Chairman and the staff. I found them very professional. You learn an awful lot if you do serve on Finance, and I got a PhD there. The Minority wasn't privileged

to attend all the meetings, but you know, maybe if we were more involved, we would be more agreeable, and not have to ask so many questions.

"Thank you also, Finance Chair, for the funds put in for sexual assault services. Many members of the Finance Committee did write to request this, so we do appreciate it. But thank you, especially for the \$167,000 in the Department of Agriculture budget to restart the dog detection program. This will pay for 3 inspector dog handlers, and 1 inspector trainer. So, this will help keep out the brown tree snakes in Hawaii. I've sort of bird dogged this particular prevention program since the early '90s when I obtained the first state appropriation to supplement the federal program. This new program will help ferret out invasive species at the airport baggage area, and also in the small package area. So, I just want to shout out a mahalo to all persons involved, the Finance Chairs, the Ag Chairs. Thank you, very much."

Representative M. Lee rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of the measure and of the budget. And if my speech is a bit disjointed, the reason is, I actually read the Committee Report. It took me about an hour, but I read the Committee Report. First, I want to thank the Chair of Finance and the Finance staff for their work, often at considerable personal sacrifice. The making of a balanced budget is at times all consuming, and as Members, we owe the Chair and the staff a debt of gratitude. Their calmness and grace under pressure were amazing, truly amazing. The members of the Finance Committee, I'd like to thank them, also. For the most part, they arrived promptly and were rewarded with stars.

"Mr. Speaker, this budget is obviously a collaborative effort between the House and Senate. Personally, there were a few areas that I might have liked to come out differently, especially as Chair referred to the \$50 million to begin addressing the annual required contribution of the Employer Union Health Benefits Trust Fund, the unfunded liability. That was not to be. However, in general, there were positive areas, such as support for agriculture, and support for the aging infrastructure, that are long overdue and very welcome.

"With respect to the comments of the Minority Leader, I would like to remind him that during page by page deliberation over the budget, he often suggested adding items. Do you remember that? Oh he's not there. Mr. Speaker, the times we live in are fragile, and we need to continually remind ourselves to look to the future, despite the needs of the present.

"The biblical lesson of the seven fat cows being devoured by the seven lean cows is something we should not forget. Pharaoh asked Joseph what to do. 'Prepare,' he said, 'for hard times. Grow food, and store food to feed your people.' Joseph got specific. He said to set aside 20% of each of the seven years of bounty. When famine struck, not just Egypt, but the entire Middle East, Pharaoh's people were well fed from the granaries. Egypt had saved enough grain to sell to the neighboring kingdoms. They prospered in a time of famine by Joseph's foresight and preparation. Thank you, very much."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I rise in support of H.B. 2012 CD 1. Thank you, very much. Mr. Speaker, I'd like to thank you, the Finance Chair, Finance Vice-Chair, members of the Finance Committee, and of course all my colleagues here, for once again, the opportunity to work on the capital improvements budget on behalf of the House. I'd like to thank also the Finance staff for their support, and especially Puna Chai, who was very vital in putting this together. Her patience and professionalism, is commendable, and paragon. Of course, my staff, Lois Tambalo, Eddie Hayashi, Auli'i Tenn, and John Aimo for their support.

"Mr. Speaker, although there are signs that the State economy is improving, we must remain mindful that the effects of the great recession are still felt across our State, especially through our construction industry which is still experiencing high levels of unemployment. Therefore, Mr. Speaker, it is crucial that we must further reinforce our efforts to stimulate the economy through capital investments and job creation.

"Mr. Speaker, at the end of the 2011 Session, this Legislature invested \$1.4 billion in CIP projects, many of which were shovel ready in nature, and addressed the most basic, yet essential needs of our State infrastructure. Therefore, in light of this, as well as the efforts of our Governor and our Director of Budget and Finance to stabilize our debt profile, we took a very prudent approach in developing this current supplemental budget that we have before us. After carefully considering the economic conditions, as well as the priorities of the departments, we scrutinized each request, focusing on those that can be quickly addressed, can quickly address the backlog, and deficiencies that continue to fester within our State facilities. As such, in addition to the \$1.4 billion appropriated last year, this supplemental budget provides \$429 million more in GO and GO Reimbursable bond funded projects in FY 13.

"Overall, Mr. Speaker, this CIP biennium budget provides nearly \$2 billion in GO and GOR, and more than \$5 billion in all means of financing for CIP projects, statewide. Mr. Speaker, I am confident that this budget will achieve our goals of creating jobs and stimulating our economy.

"I'd like to highlight some of these budget proposals. I'd first like to emphasize that when these projects were addressed as we looked at them from the perspective of health, safety, code requirements, reducing repairing and maintenance backlogs throughout several departments while providing jobs for the unemployed and underemployed residents. These projects are shovel ready and should therefore provide immediate infusion of economic activity.

"For fiscal year 2013, we approved nearly \$250 million in bond funded projects for the growing backlog of all campuses for the Department of Education, and the University of Hawaii. Over \$60 million was provided to address the needs of the Hawaii Public Housing Authority, \$35 million will be used to improve and maintain our community hospitals, statewide. In addition, Mr. Speaker, we provided \$26 million to allow the Departments of Agriculture, and Land and Natural Resources, to continue their efforts to maintain our State irrigation systems, rivers, reservoirs, and dams.

"The need to sustain the programs for economic growth is vital for a robust and growing economy. Mr. Speaker, this CIP budget of over \$5 billion will not only sustain our island state, but will help us into economic recovery. Thank you very much, Mr. Speaker. And may I insert additional comments."

Representative Yamashita's written remarks are as follows:

"I would like to state for the record that there was a technical error in the description for the Palolo Chinese Home grant-in-aid in the capital budget. The correct description should have read as follows (correct material underlined; incorrect material bracketed and stricken):

"Construction [for] and renovation of the dining hall [in] and the care home building. This project qualifies as a grant, pursuant to chapter 42F, HRS."

"This statement is made in order set forth the correct legislative intent for the project."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support, very briefly. Mr. Speaker, I think I'd like to address one of the criticisms from the Governor's Office regarding this budget's failure to address the Hurricane Relief Fund. As members will recall, I think that this Body was very supportive at looking at addressing those issues. But one of the great things about being a part of the Legislature is that, that's what democracy is all about. So, we go to battle with the Senate, and so whatever ends up coming out, is part of the democratic process.

"So on the flipside, although the Governor was in fact disappointed with our failure to fund the Hurricane Relief Fund, there is something positive in all of this, and that is the carryover balance. If you look at the carryover balance Members, I think that that, in and of itself speaks volumes of how strong this budget is. Because notwithstanding the fact that should

anything go wrong, if there should be an act of Mother Nature, then this Body will be immediately able to address such a situation. And in fact, if we are out of Session, the Governor will have that power with the carryover balance.

"So for that, I am very proud of this budget. I want to thank the Chair. I want to thank the Vice Chair, and all of the members, including the Minority. And for you, Mr. Speaker, for leading us through these tough times. Mahalo."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support. Mr. Speaker, I intend to speak quickly and briefly, and at a much faster pace than the Representative from Hilo, the current Ag Chair.

"Mr. Speaker, this budget has been a work in progress for this Session. The Chair of Health, would like to express his appreciation for the Finance Chair, the Vice Chair, the members, and the Finance Staff, because Members, as they crafted this budget, they also realized that there were people's lives being affected right during the Session. With their foresight, with their support, we were able to put in moneys earlier in the budget process to save lives for organ transplants. And with the foresight in putting this budget together, this measure today before you, will actually give resources to be able to save lives throughout the State.

"Members, there are projects here that will help the health systems throughout the islands of Lanai, the Big Island, Maui. And Mr. Speaker, there are needed programs that would want more money for resources, however, during our fiscal situation, we realized that we had to tighten our belt and do more with less. Mr. Speaker, as the Health Chair, I appreciate all the hard work, the long hours, the large donation we made to the Foodbank. But Mr. Speaker, I think this is something that we can take back to our families, with pride. Thank you."

Representative Cullen rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 2012.

"First of all, I would like to thank the Chair of the Committee on Finance, his staff and the rest of the members of the Committee for their hard work and dedication on the State budget.

"I would like to point out that within the budget is a \$150,000 appropriation for the Hawaii National Guard Tuition Assistance Program – a program that has gone unfunded in previous years. Taking the lead under the guidance of the Chair of the Committee on Public Safety and Military Affairs (PBM), this is a great effort because those serving our State and country in the armed forces are often nontraditional students – older, with work or family responsibilities; first generation students; or from low-income households.

"By providing the military individuals with information about financial aid options, flexible schedules and services, it will help to support them through graduation, as many who have served since 9/11 have found it difficult to adjust to civilian life.

"I believe that military members and their families deserve some sort of aid from us in gratitude for their service to our nation, and this appropriation in HB 2012 for the tuition assistance would give these individuals the opportunity to not only attend college, but also to make it more attractive thus enhancing their innate and acquired abilities, and giving them the skills to help them in the civilian workforce."

Representative Johanson rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of HB 2012, Relating to the State Budget. I am truly gratified that funding for so many necessary and meaningful projects for the people of House District 32 were included in this measure. Funding to help revitalize and expand Radford High School's track will make it a premiere location to host complex and statewide sporting events. Moanalua High School will continue to get support for the next phase of its innovative Performing Arts Complex, which will serve the greater community and State in addition to nurturing the talent of the Moanalua complex. The new Aiea Library, which many legislators before me have worked so hard to secure, will receive additional support through this measure. I am very supportive of HB 2012 and the investments it makes in our community."

Representative Kawakami rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Kawakami's written remarks are as follows:

"Mr. Speaker, I stand in support of HB 2012 HD1 SD1 CD1. I would like to thank our Finance Chair and Vice Chair for their guidance, patience, and for their ability to be brave when courage was needed."

"Mr. Speaker, my characterization of the Finance Chair is this. Imagine the Finance Chair and two of his buddies at his side at the edge of a cliff overlooking the crystal clear, blue Pacific Ocean. He grabs his buddies by the shoulders and gently whispers to them, "Let's see who can hold their breath the longest," as he plunges into the ocean grasping his two friends. One by One, his friends come up gasping for air, while all along, our Finance Chair sits at the bottom of the sea, smiling, waiting patiently, being brave, with the lungs of a *Kohola*. Mr. Speaker our Finance Chair can hold his breath longer than any of us."

"As Committee meetings stretched into the early morning hours, our Finance Chair's patience, openness, and ability to go the distance was very inspiring. Our Finance Chair is surely someone who leads by example, and one who is willing to jump into the trenches with his troops. He is one that will not ask us to do things that he is not willing to do."

"To the members of the Finance staff, a big mahalo goes out to all of you. They have lungs just as big as the Finance Chair's. To Vice Chair Lee, your kindness and ability to get us to our meetings on time with incentives and not mandates are greatly appreciated. To Representative Yamashita, mahalo for your knowledge, wisdom, and for being a great friend to the people of Kauai. To my fellow colleagues, we have gone to the depths together to formulate a plan that is responsible, that provides services to those who need it most, that creates jobs, that strengthens our educational system, and does not put undue burden on our future generations."

"Mr. Speaker HB 2012 HD1 SD1 CD1 is an example of a collaborative effort that took many hands to formulate. It brings to mind the Hawaiian values of *kuleana* and *laulima* – responsibility and cooperation."

At 10:24 o'clock a.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:27 o'clock a.m.

Representative Morikawa rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morikawa's written remarks are as follows:

"In strong support. I would like to thank Speaker Say, Chair Oshiro, Vice Chair Marilyn Lee and my colleagues on the House Finance Committee for their leadership and guidance in the budget process. As a freshman legislator, the wisdom of Speaker Say to appoint freshmen to the Finance Committee allows us to learn the legislative process faster. I am proud to be a part of legislators who worked to bring back fiscal stability to the State's budget. We started our first Session in 2011, facing a huge deficit and a barebones workforce that was not providing efficient services to the people of Hawaii."

"We made some bold legislation and cut funding to many non-profit organizations. I'm thankful that these organizations survived the year and now are getting back some of the funding they so direly need. We have done a stellar job in getting the State out of the deficit, and now we can move forward to strengthen our economy."

Representative Giugni rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Giugni written remarks are as follows:

"I am in strong support of HB2012 HD1 SD1 CD1, Relating to the State Budget that combines the efforts of the House of Representatives, the Senate, the Administration, and countless interested parties who have greatly contributed to this measure. The budget takes a prudent approach as the economy gradually recovers from the great recession, but still faces significant segment weaknesses and outside risks. Weaknesses includes the construction sector – improving on Oahu, but down on the Neighbor Islands, and an uncertain Honolulu Rail Transit project. The major outside risk is oil which has moved to over \$100 per barrel and high oil prices restrain visitor growth."

"The budget improves the health and human services safety net, strengthens primary and secondary education, invests in the State's information technology infrastructure, and includes \$50,000,000 to begin addressing the Employer-Union Health Benefits Trust Fund's (EUTF) unfunded liability. In addition, the budget boosts Capital Improvement Projects (CIP) which will add construction jobs and help the Hawaii economy. CIP projects will address many critical health, safety and code requirements, and reduce current repair and maintenance backlogs in primarily the Department of Education, University of Hawaii, Department of Agriculture, and Department of Land and Natural Resources."

"I am confident HB2012 helps Hawaii move down the road to better economic health."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2012, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 51 ayes.

At 10:28 o'clock a.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2012, HD 1, SD 1, CD 1

SUSPENSION OF RULES

At this time, the Chair announced:

"Please note, that H.R. No. 124 has been re-referred solely to the Committee on Human Services per the Committee Referral Sheet No. 77."

"Additionally, S.C.R. No. 57, SD 2 has been re-referred solely to the Committee on Culture and the Arts, per Committee Referral Sheet No. 78."

"The Committee on Finance has waived its referral to these measures and it is therefore appropriate for the House to consider action for the adoption of these two measures that are before us."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on a certain House Resolution and certain Senate Concurrent Resolutions.

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Chong, seconded by Representative Evans and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1460-12 and 1789-12, recommending referral to the Committee on Finance."

UNFINISHED BUSINESS

H.R. No. 124:

On motion by Representative Chong, seconded by Representative Evans and carried, H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON ASSET LIMITS TO QUALIFY FOR PUBLIC ASSISTANCE," was adopted.

S.C.R. No. 57, SD 2:

On motion by Representative Chong, seconded by Representative Evans and carried, S.C.R. No. 57, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ESTABLISH A WORKING GROUP TO DEVELOP RECOMMENDATIONS REGARDING THE ADMINISTRATIVE PLACEMENT OF THE STATE FOUNDATION ON CULTURE AND THE ARTS," was adopted.

At 10:30 o'clock a.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:30 o'clock a.m.

At this time, the Chair announced:

"Members at this time, we will be taking a measure out of order, which is H.B. No. 468, HD 1, SD 2, which is listed on page 15. We'll be taking this one out of order at this point in time."

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans:

H.B. No. 468, HD 1, (SD 2)

At 10:31 o'clock a.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:35 o'clock a.m.

At this time, the Chair announced:

"Members, let me restate for all of you, we will be taking a measure out of order, which is H.B. No. 468, HD 1, SD 2, which is listed on page 15. The reason why we are taking this out of order is that this is a non-fiscal bill. Before we enroll the budget, the Senate has to adopt the budget also. So we just want to take some of these measures that are controversial out of order for discussion, very honestly, and sincerely."

Representative Tokioka rose, stating:

"Mr. Speaker, can we get a clarification on what the motion does?"

The Chair responded, stating:

"The motion at this point in time is to move to agree to the amendments made by the Senate to H.B. No. 468, HD 1."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House Bill.

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 468, HD 1, SD 2, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

H.B. No. 468, HD 1, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 468, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Keith-Agaran, Ito, Tokioka and Thielen). Noes, none. Excused, none.

Representative Chong moved that H.B. No. 468, HD 1, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising with some serious reservations and really a question."

The Chair addressed Representative Thielen, stating:

"Recess if you have the question. Or would you like speak?"

Representative Thielen continued, stating:

"No, I'm going to say my question now, to you, in session. Mr. Speaker, this is an ethics bill, a county ethics commission bill. I was wondering why would the Neighbor Islands want an Oahu-dominated judicial council to nominate their Ethics Commission members. It's a very Oahu-centric bill, and a little bit arrogant, I believe. When you talk about home rule and home governance, that's much better served under our present system, where a Neighbor Island mayor appoints the Ethics Commission members, and the Neighbor Island councils confirms or rejects those members. I don't think anyone could argue that the Judicial Council isn't Oahu dominated.

"So right there, we've got again this Oahu-centric thinking applying to the Neighbor Islands, and I am just questioning the wisdom of this measure. Thank you. Or I guess maybe the intent behind it, I don't think Oahu is the end all, know all, be all, in our island system. Thank you."

At 10:39 o'clock a.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:41 o'clock a.m.

Representative Thielen rose, stating:

"Mr. Speaker, if I could just have a point of information. This isn't my second time speaking. I convinced myself. I'm changing my with reservations vote to a no vote. I don't believe Oahu should be dominating this ethics for the Neighbor Islands. Thank you."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you. My opposition to this bill isn't about any of the intent or anything else. It has to do with the effect. I think the previous speaker just pretty much mapped out my concerns, as a Representative from the Neighbor Islands about this measure. Especially when you look at the fact that now our counties will be under the control of a Commission that is Oahu dominated with no level of review or certainty that we will be represented.

"Mr. Speaker, my own philosophy has been that we pass legislation not for the sake of passing legislation, but to address a real need, a critical need. And often in my humble opinion, it's guided by our constituents, the public. Nowhere in Maui County, not a single letter to the editor, not a single phone call to my office, not a single email has come in to me telling me about anything that is wrong with the system that Maui County presently uses, Mr. Speaker. Not a one. Nothing.

"In fact, the phone calls I did receive were shock from our County Council Members and the Mayor's Office at how this measure, which was in Conference last year, suddenly re-arose again. Where was the pressing public need? And unfortunately, what happens is, under this, it appears to them, that basically it is being inferred that our County Council and our County Mayor are somehow corrupt. That somehow, that their system is not 100% above board, and that is completely untrue, Mr. Speaker. We have good people who've been vetted very closely by the public and our Council who serve on our County Ethics Commission, and they've done a great job. They have reviewed various cases which have been very controversial, but nowhere has my office received, or I've received in talking story at the beach, at the supermarket, or anything, 'Hey, you guys got to get on this. This is a problem.'

"And I think what we're here to do is respond to the real issues of this State that people are calling and emailing our office about. That's what I'd like for us to focus on. But I cannot support this measure because there is no justification for it. And quite frankly, it appears to me that it sends the message that something is inherently wrong with the Neighbor Islands that the State has to step in with an Oahu-only Council to somehow set things straight, and that's why I can't support this bill, Mr. Speaker.

"I think this is, as a Neighbor Islander, I'm especially aggrieved, and kind of saddened, that this measure would appear. I know the mechanics contain optional language, but again, there has been no pressing or compelling need or input to my office whatsoever for Maui County. If the issue is for another county, then the measure should reflect that, as other measures which are coming before this Body today have tried to do by breaking them out by the various counties. Thank you, very much."

Representative Fontaine rose in opposition to the measure and asked that the remarks of Representative McKelvey be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Morikawa rose to speak in opposition to the measure, stating:

"I am in opposition. Thank you, Mr. Speaker. I understand the intent of this bill, but in my previous employment at the County of Kauai, I was a departmental personnel specialist. About four or five years ago, out of all my 36 years plus, for the first time, the Mayor initiated this ethics reporting for every single county employee on Kauai. For me it was a surprise, but these guys actually filled out a form and the Commission reviewed every single employee's record. There were some conflicts, and it was brought to their attention. So with that, I feel that this is unnecessary. Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I'm opposed to this measure, and if I could have the remarks from the Representative from Lahaina, as my own. As with him I am aggrieved that this measure has even been brought to the Floor. I believe that not only does it impede upon the jurisdiction of the counties, which by their Charter is governed. But remember, the State Constitution provided autonomous powers to the respective counties. And within the respective counties, you have charter commissions and councils who make ordinances for their respective residents. If there's any change to come within the ethics system, it should come from the councils or the charter commissions. They are the jurisdictional body for the respective counties.

"Again, I reiterate, the Constitution provides autonomy to the respective counties. This bill impedes the responsibility that the Constitution provides. Thank you very much, Mr. Speaker."

Representative Keith-Agaran rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, in support. Now, I appreciate the concerns about county home rule that have been expressed by my colleagues from Maui, from the good Representative from Kailua, and also from the Representative from Kauai. It's precisely for home rule concerns that I recommended to my fellow Conferees that we agree to the SD 2 established this year. This bill was not in Conference last year, which

addresses those home rule objections. Rather than sticking with the House position which we established and would have required the counties to use the Judicial Council.

"Judicial Council is established in our statutes, and allows the Chief Justice to appoint them. It requires that the Judicial Council be fairly represented. So, if the Judicial Council were to serve in the purpose that's in this bill, then I think the Chief Justice would have to adjust the membership.

"Mr. Speaker, what is before you today, is language suggested by the Attorney General's Office, to address concerns in respect to mandating each county to adopt a charter amendment to provide the Judicial Council nominate the members. Instead, the Attorney General's Office suggested that the selection process for ethics commissioners remain at the discretion of each county, and the present draft adopts language suggested by the Department of Attorney General.

"When the bill was heard in the House, the City Ethics Commission did submit testimony, which frames the philosophical discussion we're having about this bill this morning; whether it's best to continue, the traditional political appointment and confirmation system followed by the counties, or whether it's better to follow the example of the State, which in the view of some in recent years has had a strong, independent, proactive Ethics Commission and Ethics Director.

"Don't get me wrong, Mr. Speaker, I also would prefer to have an ethics commission whose members I know well, and who need to be appointed or confirmed by me, in order to serve and advise me on my compliance with Ethics Code. And I believe that that system can work well. I think that helps with transparency if the public sees who the nominees are, what their backgrounds are and whether they will serve well. But to quote Chuck Totto, the Executive Director of the Honolulu Ethics Commission, 'No one can argue against having highly independent and impartial citizens sit in the State and county ethics agencies.'

"The question, which is what we have here before us today, is what processes are likely to ensure those qualities in agency members. The revised Charter of Honolulu, like I believe the other charters of the counties, provides that all board and commissions members, including those for the Ethics Commission, be appointed by the mayor and confirmed by the council. This provides for the traditional checks and balances, in the advise and consent process.

"The original House proposal, which we heard last year, and passed, would require the counties to adopt an approach similar to the State's by which an independent body would develop a list of nominees for the ethics agency. Mr. Totto pointed out at the time that, unlike the State with its three branches, the counties have only an Executive and Legislative Branch, with both falling under the auspices of the county ethics commission. There was no obvious independent agency at the county to provide nominees in the same way that the Judicial Council does at the State level.

"Now I acknowledge that I don't have an experience with the review of nominees that the State Senate does at our level, or the county councils conduct. And perhaps as I've said, that worked very well in reassuring the public about the quality of people appointed to the county ethics commissions. This bill gives the counties the option of using Judicial Council if they wish to do so. Unlike past versions of this bill, including S.B. 755 for the 2007 Session, this bill does not require the counties to adopt an ordinance or to make a change to their charter. Instead, this bill simply enables the Judicial Council to act as the independent nominating agency if a county changes its charter to name the Judicial Council to make the nominations. Such charter amendments can only be initiated at the county level, and would have to be approved by the people of the affected county. That's home rule. If the people of the county are satisfied with their existing process with its traditional check and balance between the mayor and the council for appointment of positions, this bill does nothing to force them to change that. Mahalo."

Representative Tokioka rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. And I'd like to insert the words from the speakers from Maui and the Representative from Kailua as if they were my own, Mr. Speaker. I look at this bill as a total home rule issue. I think I've spent more time on the county council level than most in this Body – 10 years, Mr. Speaker. And when you come from a Neighbor Island county, just even being in part of this Body, you feel intimidated. You feel like everything is Honolulu-centric.

"So, Mr. Speaker, when I look at the merits of the bill, my position in opposition is basically that, Mr. Speaker, and I'll just talk about the Kauai situation. If you look at the nomination selection as the Chair of Judiciary said, the Mayor appoints, and the Council confirms. In that process, you have three Readings, minimum, before any selection can be approved. So at those three Readings, the public can go to the County Council Chambers and give input on a particular member.

"The way this bill is set up, Mr. Speaker, there is no process for that, as it exists in this bill right now. There is some language, at the end of page 1 that kind of confuses it. It says, 'Provided that the county charter or ordinance requires members of the commission to be appointed from the nominations made by the Judicial Council.' This language is not in anyone's charter on any island.

"So, I would say that if it's not broken, as the Representative from Lahaina said, why would we try to fix it? Because we're just putting our *mana'o* and telling the councils, 'You guys are not ethical. Mayor Kenoi, Mayor Carvalho, Mayor Arakawa, Mayor Carlisle, you're not ethical. We're more ethical than you.'

"I'll give you the members from Kauai, who are on the Ethics Commission. The Chair, Kurt Akamine, who I know every single member from the delegation of Kauai knows who he is. He's the President of Hawaii Long Term Care Association on Kauai, a big group that helps *kupuna* in our community. The Vice Chair, Mr. Speaker, is a former Navy Seal. He was the Human Resources Director for the largest plantation company on Kauai. He's retired now. The Secretary, Mr. Speaker, is an attorney and a Hawaiian rights activist. His name is Warren Perry. The next member is Kathleen Clark. She is the CEO of Hawaii Pacific Health Wilcox Hospital, the largest health care system on Kauai. Calvin Murashige, Mr. Speaker. I know many of you in this Body know who he is. He's a retired judge, Mr. Speaker. Would it be incumbent on anybody from Kauai to say that these members are not ethical enough to serve on a commission?

"And Mr. Speaker, this Judicial Selection Council, 15 members, ladies and gentlemen. 15 members. Where are they from? They're all from this island, and nothing in this bill says, that anybody on that selection committee needs to be from the Neighbor Island. As we all know, Chief Justice Recktenwald is a very admirable man, and if he thought this bill was good, he would have been introducing it. This didn't come from the Judiciary. This came from within this building, Mr. Speaker. So, I have a hard time with that process, and I don't know why I would need to tell a former judge for 30 something years, he was a judge, Mr. Speaker. Or a former Navy Seal, and others on Kauai, that you're not ethical enough. That we need people who are more ethical than you.

"And anybody from the Neighbor Islands I would suppose that you would feel the same way, because I have the list of the other members from the Neighbor Islands, but it's not my *kuleana*. It's not the island that I represent, so I won't go there. But I think for those reasons, Mr. Speaker, this is not ripe, as attorneys would say. This is not ripe. The people who submitted testimony in support of this bill, Mr. Speaker, I've sat in committees when they've said, 'How can you pull a bill from last year, out in a Committee, in one Committee, send it over to the House in one Committee, and pass a bill like that. That's not open.' And we hear it all the time. But now that they support this bill, it's open? I don't think so.

"So, Mr. Speaker, and colleagues, I think most times when people make Floor speeches, people have already made their mind up on what they're going to do. I hope that in this case, it's not that, Mr. Speaker. Coming from a Neighbor Island, this bill is not ready, and I ask my colleagues to vote in opposition. Thank you very much, Mr. Speaker."

Representative Souki rose to respond, stating:

"Yes, Mr. Speaker. I will not be speaking again, against. I will yield to the eloquence of the Representative from Kauai, as to his remarks. Thank you."

Representative Wooley rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I'd just like to make a couple points here. I'm not sure why there's an effort to make this personal. It's not about anybody in particular. It's not an attack on anybody. It's a legislative change. Historically, the Constitution, the State Constitution, requires that ethics commissioners be appointed in a way that is impartial. At the moment, the way it usually happens is the mayor appoints, and in some counties there's also a council approval process.

"But there has been report, after report finding that when that happens, when that process is allowed, you have the foxes watching the hen house. And it's not that there's anybody bad in the room. But when you have a process where you pick your friends to be your ethical, legal advisors, problems can arise. This bill, I actually really think the language was brilliant. It gives the counties the option. It gives them a tool, a resource, one that the State has used and it has been successful, but it doesn't mandate anything. So they have to go through their own process to decide how they're going to address the constitutional obligation.

"I would also just like to note for the record a County of Suffolk report talking about this very issue. I would also like to refer to the bill that passed this Body in 2007. That was S.B. 755 and it mandated that the counties do a process. So, I'm having a hard time understanding if there's someone who has as concern about the counties having an option to do something when they previously, in 2007 voted to mandate that the counties do the same thing."

Representative Luke rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, in support and very brief remarks. As pointed out by previous speakers, this is just a permissive process. It allows the counties to adopt this process if they want. But I'm all in favor of separating the ethics body that decides on ethical issues for the legislative and executive level, to be separated from the appointing body. Currently, that's the process that is used by the counties, and this allows the counties, if they wanted to change that process, to utilize this process.

"I'm a little puzzled because throughout this whole discussion on this H.B. 468, there has never been any opposition raised, like the ones being raised recently, and there has been no opposing testimony. So I'm in strong support. Thank you."

Representative Fontaine rose to respond, stating:

"Yes Mr. Speaker, thank you. You know, I'm hearing all this discussion, and it brings the question of where does this end? Are we going to start mandating how the counties pick their Civil Service Commissions? The reason why we haven't heard anything from the counties is because they didn't know about it.

"Mr. Speaker, you know very well we had a meeting yesterday with the Big Island Mayor, who didn't even know about this measure. And once he found out about it, he was shocked. So there hasn't been openness. There hasn't been transparency in this bill. And from everyone I've spoken to from other counties, they've all said that they oppose this. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. Because as the speaker from Kauai alluded to, some of us do make up our mind before we come out here. Mr. Speaker, I think this is the one where we need to weigh the voices, the words, the heart of the Neighbor Islanders, and quite frankly, I'd really invite the other Neighbor Islanders who haven't spoken, to tell us, on

Oahu, what they think of it. So far, it looks like the Neighbor Islands are getting Oahu's fingers poked in their eyes. Thank you."

Representative C. Lee rose to speak in support of the measure, stating:

"Thank you, in support. Just very briefly. I think it's absolutely clear that we need to take steps to ensure that there's a perception in the public that we're doing things transparently, openly. And especially in small communities on the Neighbor Islands, where many of my friends serve in various capacities in county government, I think it's clear that it's an island in most cases, where everybody knows everybody. And at any point, you're going to run into someone who you know at the super market, and you'll run into them in your workplace, and be able to have that existing connection.

"So to create a further barrier between someone with whom you're friends, and someone with whom you work, and to create the public perception that there is indeed an impartial process in place, to make sure that, despite those relationships, you're going to have people who are solely invested in the purpose and intent of the job, and nothing else, ensuring ethical outcome. I think that's what this bill really enables counties to do. So, in that perspective, in support."

Representative Saiki rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. I'd just like to clarify that the argument concerning home rule is somewhat misplaced, because the county ethics commissions are the creature of the State Constitution. The State Constitution requires the State and the counties to form ethics commissions, and it delegates to them the responsibility to administer those commissions. The Constitution is silent with respect to the composition, the manner of composition and appointment, to those respective commissions. So, accordingly, it'd be fair game to provide the counties with an option to use the Judicial Council to nominate members. Thank you, very much."

Representative Tokioka rose to respond, stating:

"Yes Mr. Speaker, I can't remember in six years that I got up twice to speak about an issue. But I just want to talk about the earlier comments made, about openness and transparency of a selection process.

"So these 15 members of the Judicial Council, there's nothing set up on how they select these people. So they're going to select in Kauai's case, we have 7 members. In the Big Island's case, they have 5 members. I think Maui has 7 as well. These 15 people, who are not from any of the Neighbor Islands are going to select people in a meeting room some place, with no Chapter 92 involved in it. These are good people, but still, there is no transparency. There is no open process the way this bill is written right now, Mr. Speaker. So once again, for those reasons, Mr. Speaker, in opposition."

The motion was put to vote by the Chair and failed to carry, and H.B. No. 468, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," did not pass Final Reading by a vote of 22 ayes to 27 noes, with Representatives Aquino, Awana, Cabanilla, Carroll, Chang, Choy, Coffman, Cullen, Fontaine, Har, Herkes, Ichiyama, Ito, Jordan, Kawakami, M. Lee, Manahan, McKelvey, Mizuno, Morikawa, Souki, Thielen, Tokioka, Tsuji, Ward, Yamane and Yamashita voting no, and with Representatives Giugni and Hashem being excused.

The Chair then announced:

"Members of the House, H.B. No. 468, HD 1, SD 2, is defeated."

ORDINARY CALENDAR

UNFINISHED BUSINESS

At this time, the Chair announced:

"S.B. No. 2927, SD 2, HD 1, CD 2, will be deferred to the end of the calendar. Deferred to the end of the calendar."

S.B. No. 2927, SD 2, HD 1, CD 2:

By unanimous consent, action was deferred to the end of the calendar.

The Chair then stated:

"At this time, for S.B. 2341, SD 2, HD 2, CD 1, we will take this out of order and we'll debate this particular issue at this point in time."

Conf. Com. Rep. No. 67-12 and S.B. No. 2341, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2341, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This is the agricultural tourism bill. I'm standing up to vote no, and I'd like to explain why. Mr. Speaker, an attorney that I highly respect, who is one of the State's best experts in land use law, sent the following information to me: 'S.B. 2341 amends section 205-4.5, Hawaii Revised Statutes to allow tourism activities, including overnight accommodations of 21 days or less for any one stay within a county, provided that this paragraph shall apply only to a county that includes at least three islands, and has adopted ordinances regulating agricultural tourism activities.'

"Clearly then,' he continues, 'this provision applies to Maui County, at least, if the County adopts the necessary ordinances. But what about the City and County of Honolulu, which in addition to Oahu, includes most of the Northwestern Hawaiian Islands including the Islands of Nihoa and Necker, and such minor offshore islands as Manana and Mokolii. Similarly, Kauai County includes the Islands of Niihau and Kaula in addition to Kauai itself. If you see page 9 of S.B. 2540, CD 1, that section recognizes that Kauai County has three islands, Kauai, Niihau, Kaula.'

"So while we're sitting here with a bill that allegedly is going to only allow ag tourism of 21 nights on Maui, the bill actually applies to Oahu and Kauai as well. If we take the action to pass this measure, Mr. Speaker, it's pretty clear that a land use attorney with this type of knowledge and experience could successfully argue in court, the Legislature put past a bill that allows counties with three islands to go ahead and have ag tourism. So what was intended by some people as a well meaning, let's help Maui agriculture, ends up hitting all of our islands. All of Oahu and Kauai. And I don't believe either of those entities had a chance to weigh in on the possibility that this bill would apply to their islands.

"When you take a look about the agricultural property, it will now be valued for the highest and best use. So, what's that going to be? Growing tomatoes, arugula, basil? Or is it going to be ag tourism of 21 days or less? It's going to be valued at the highest and best use for rental and tourism. Not for farming.

"So, what does that do, eventually to the agricultural land? The agricultural land will be priced for their vacation rental value, and not for their farming. During one of the hearings, there was testimony about a property being marketed, ag land with beautiful views. And you stop to think, well tomatoes don't need a view. What's the purpose of the beautiful view, Mr. Speaker? You know. I know. It's because they want the ag tourism, and unfortunately, under S.B. 2341, they would get ag tourism on Oahu, Kauai, as well as Maui, which was the intent. Maui was the intent of the original bill.

"The price of farmland is nearly out of reach for food farms today, and the vast majority of Hawaii's food is grown on rented land. The problem with expanding this is that we're going to really remove the agricultural land from production. Of course, they'll have their sort of token farm for the ag tourism. Come water the basil and see the goat."

Representative Johanson rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you. The ag tourism is what's really going to fuel this market. It's going to bring that money in to those operators, and it's not going to help the farmers. Our youngsters graduating from school, where they've maybe had some local food information and education. Maybe they've had a school garden. Maybe they want to go into agriculture. But the land won't be available, Mr. Speaker. You and I both know that. The big bucks are in the tourism part. And when you couple ag and tourism, tourism trumps and wins.

"I would like to suggest and read to Members, an email that I received from a Diane Kanealii who says: 'I'm a lifetime resident of Moku O Keawe. I urge you to kill S.B. 2341, which will allow bed and breakfast vacation rental type of activities on ag lands. There are plenty of lands dedicated for commercial hotel purposes, and certainly enough hotel rooms, timeshares, and vacation rental properties to accommodate the tourists. But allowing these short-term vacation rentals is not good for the hotels, the workers, or those who are truly trying to produce agriculture products on their agriculture lands.

"With Hawaii importing 80 to 90% of our food supply, this bill would use more ag lands for tourist operations versus what it was truly set aside for, therefore, setting the trend to be more dependent of tourists, and less on self sufficiency for food. Ag lands were developed and designated for agricultural purposes. Please do not allow these types of operations to occur,' she writes. 'Who is really benefitting from this? The general population? The only ones I see benefitting are those who bought ag lands knowing that it was set aside for agricultural activities, but want to change it to benefit themselves.'

"In other words, the purchaser of that property that was marketed ag land, beautiful views. Mr. Speaker, this bill, unfortunately, has much broader applications than was originally intended and I think it's appropriate that we recommit it to Committee. Thank you."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"In support with some reservations, I wish you'd consider Hawaii Island. We're talking about wilderness lodges. This State is way behind the rest of the country and the rest of the world in developing wilderness lodges. I've talked to many, many, many farmers in South Kona who would welcome the opportunity to have some additional income with some green lodge, wilderness lodge. And just for the record, I have 400,000 acres of zoned agriculture in my district. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I want you to know that this measure, Members, was brought, not because it was a priority of the delegation. It wasn't because we started off this Session in saying, 'Hey, we need to do something at the State level.' It started up because a Conference Committee several years ago, with no public input or anything else, stuck a sentence into a bill that looked innocuous at the time, but basically said you could not have any overnight stay whatsoever on any land zoned agricultural, statewide.

"Then our County Council and our Mayor on Maui started looking at the issue of agricultural tourism, and also how to create a structure, working with the community that would allow legitimate farmers, the ability to have this type of activity. And also set up a review, a complaint process, as well as really being very stringent about what is *bona fide* ag and what isn't, Mr. Speaker.

"Then, when they went to sign this ordinance into law, it was brought to their attention, that because of this little sentence that was shoved in at a Conference Committee at the 11th hour, and 59th minute, several years ago, that they could not enact their own ordinances. Then they asked the

Maui Delegation, would we introduce a measure so that Maui County could at least enact these ordinances after they reached out to everybody, to try to come up with a system that is very stringent.

"Now, one of the members of the Conference Committee of that original bill, sat across the table from us in this Conference Committee, and both she and I have been very clear from the very beginning, she is very clear on the record that she does not want to see this on Oahu. We're both very clear that we do not want non-*bona fide* ag to be a beneficiary.

"I took a little umbrage at the comment that everybody who does ag tourism is somehow a fake farmer, Mr. Speaker. Try telling that to Ali'i Lavender, to the family of Ali'i Chang, that they're fake farmers, Mr. Speaker. Try telling that to the Waipoli guys, to the strawberry guys, that they're fake farmers, Mr. Speaker.

"In fact, there was an article in the paper just yesterday about how this measure, if enacted by Maui County, will allow some of these family farms to survive, and hire young people and keep them on. It's the idea of promoting sustainability. Of sending them home with locally grown products, that they will reorder again. To show them that the sustainable local way of farming is the new way of agriculture that will touch upon all shores, all over the world. Because of one little sentence in a bill, what we're trying to do is to get Maui County the ability to just move forward on this measure, Mr. Speaker.

"And even with that parameter, the magic words, 'and ordinances adopted' is in there. This does not affect Oahu county, unless your Council all of a sudden, tomorrow, rushes something through the three hearings process, and gets it up to the Mayor and signs it. And given the comments of Chair Martin and others, I don't see that happening anytime soon, Mr. Speaker.

"For the Kauai Delegation, I agree. This is a gray area, because of the Senate's position of looking at delimiters. And of course, I supported the House position which was reflected in a Floor Amendment by my colleague from South Maui, and you know, that's a shame. But the whole intent of this is to ensure that a county like Maui that has stringent ordinances can do this. And even with that, Mr. Speaker, even with the 'and ordinances adopted,' past tense, we still put in language that it has to comply to 165.12, which is what the State's view of activities that constitute *bona fide* agriculture.

"So you've got three attempts to try to basically bifurcate this out, Mr. Speaker. And now, some have said, 'Well you've got this special permit process. You can go through that.' Well from the testimony your Committee received from the people of Hana. It's a very long process. It involves attorneys, 10, 20, 30-grand. A lot of hearings. And so what happened is, the one person who did go through that process in Hana, their neighbors saw them, and what the heck they had to go through. They decided just to do it on their own. So this attempt is to try to stop this wildcat proliferation within *bona fide* ag. Let's try to create a system so that we can make sure that only *bona fide* ag has this ability and a very limited basis, Mr. Speaker. That's all this is.

"All we're trying to do is to ameliorate a sentence that was stuck in to a Committee Report for the Conference Draft several years ago, that put us in this position. And as one of the authors in there, who sat across the table from me, which is why we noted it in the Committee Report, the *bona fide* ag section, none of us wants to see this, especially the Oahu Members. They don't want it coming here, and that's why the, 'and ordinance adopted,' keeps it from happening.

"Now if your Council rushes something through and fast tracks it, I will be blown away. But that's not going to happen, Mr. Speaker. While there probably was a better way to do this, I don't think this will bring the woes upon Oahu, that has been stated by some of the previous Speakers. It's only to allow Maui to"

Representative Choy rose to yield his time, and the Chair "so ordered."

Representative McKelvey continued, stating:

"That's pretty much it, Mr. Speaker. So again, colleagues, however you want to go, I understand. But it's important that you know how this originated, and what we are trying to do. I especially do allude to the Representative of the North Shore, because through the entire process, I worked with him to try to make it clear that this is not our intent. Thank you very much, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Mr. Speaker, the reality is after pine and sugar left, our lands have been growing weeds. They've been growing houses. If you want to put anything about the bill, it may not make fake farms, but it'll encourage people to be fake farmers in the sense that if they're not an ongoing entity, as the gentleman from Maui said. They may reach some semblance of that.

"My position is, Mr. Speaker, we have an obligation to the Constitution, to promote agriculture. To preserve agriculture, to be diversified with agriculture, and right now, it's only now a renaissance of agriculture is here. I'd say, before we short circuit it, and let the tail wag the dog, because it's much more lucrative to get 100 to 200 bucks a day with a view, and a breakfast, and a lunch and all the other stuff, than go out there and slave in the hot sun.

"So Mr. Speaker, I'm saying let's give farmers a chance. Let's give diversified agriculture a chance. And then if we can't do it, okay, let the tourists come in and let that happen. But right now Mr. Speaker, we've got to diversify the economy, and we're just not getting to where we can give agriculture a chance. Not this one. Thank you."

Representative Fontaine rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I rise in support. First I'd like to have the words of the speaker from Lahaina entered as my own. And I just wanted to make a few brief comments if I may. You know, ag tourism, like eco-tourism, is a specific niche market, that will attract visitors that may not necessarily come here. They don't want a hotel experience. They want to come here to understand and learn about the host culture. They want to learn about how taro farming is done. Ag tourism is an opportunity for those people to come here and have that experience, and be able to take that back to wherever they're from.

"Mr. Speaker, being a farmer in the State of Hawaii, as you know, is extremely difficult. They get up before the sun rises, and they don't go home until the sun has set for many hours. They work in the dark. They have one crop of tomatoes that gets white fly, and it wipes out their entire crop. That's it. All their income is gone. So this will help supplant farmers who struggle everyday to provide us fruits and vegetables grown locally here, and I think this is a wonderful way that we can help farmers proliferate, and hopefully survive and succeed. Thank you, Mr. Speaker."

Representative Riviere rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition, and I would like to say a few things. I very, very much appreciate the efforts of the Representative from Lahaina. He has very earnestly worked to make sure that the bill only affected the Island and County of Maui. I'm thankful for that.

"The concept of overnight accommodations on agriculture lands in itself is not a bad idea. I could see in lands where they're clearly farming wheat farms in Kansas, or something in Montana, or something where they could add some additional income. That's a great idea. It is a bit concerning here, and it is a worry because we are such a tourist destination.

"Now with the strong support from the delegation from Maui, I want to very much respect their positions on that. On this Island, obviously we don't want it. No way. No how. And this County does not have any strength, apparently, to regulate vacation rentals, or try to do its work on fake farms. Vacation rentals on fake farms would be the end of the North Shore agricultural district.

"So I'm very thankful again that it tries not to apply to Oahu. I am disappointed that the Senate in the Conference Committee amended it to have this ambiguity that now sweeps Kauai into the situation. So for those reasons, I would like to note my opposition. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. I know I'm not from Maui, but I do care for the entire State. And although there are safeguards that are put in this bill for *bona fide* agriculture, I consider this a bad policy, because it's just like opening the door for misuse of agricultural lands. Maybe the safeguards are there today, but it only takes a stroke of a pen to change those safeguards and for those reasons, I'm in opposition. Thank you."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you. In opposition, very briefly. I appreciate, absolutely, the work that the Maui Delegation is doing, and the intent and purpose for which they're doing it. Maui County can do its thing and that's not an issue. I think I wanted to use this though rather as a moment to comment on the broader policy. Hawaii needs agriculture. We need farmers, and we need what it produces for our State, no question. I think this is a real chance to decide: Do we help farmers? Or do we help farmers?"

"I think, statewide, having visited dozens, if not hundreds, of different farms and farmers, absolutely they feel the pressure and feel the need to diversify into other means of value-added products and roadside sales, transient accommodation rentals and the like, in order to stay afloat. But I think the broader policy is, do we help them with that in the long term? Or do we actually help them become productive farmers? Do we give them the incentive to be able to operate the way they want to operate and further their farming production? To remove the speculative interest that is driving up their lease cost, and the price of land for new farmers, and permitting them from getting involved. That's the broader question that I just ask and put out there, in the long term, because at the end of the day, we are a tourist state, but we absolutely do need agriculture, and it's one of the few pillars of the economy that has a bright future here. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just want to clarify. I know there's been some discussion on whether or not it includes Oahu. It doesn't include Oahu. And as far as when I read the bill, and I read the rest of HRS, it does not. For Members' edification, if you look at Chapter 4, Chapter 4 sets our boundaries for election, taxation, education, City, county, and all other purposes. Here are the islands, and Oahu only has one. Thank you."

Representative Pine rose to speak in support of the measure, stating:

"In support, Mr. Speaker. I take a different look at something like this. I actually believe that the reason why ag hasn't thrived as much as it used to, is because we're really not honoring it, or treasuring it enough. And what a way to promote agriculture and how wonderful it is, and the opportunities that you can have with good agriculture, then they have ag tourism. Of course, it makes economic sense to those farmers who are suffering, and just trying to make it in Hawaii, so for that reason, I'm certainly in favor of it for that reason, because we haven't done enough to the farmers to give them the benefits and the breaks so that they can succeed in Hawaii."

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, in opposition. The bed and breakfast issue on the County of Oahu has been a very heated issue with the City Council, and it continues to be, and especially people on the North Shore side, the Windward side, and certain segments of the other coastal areas. We continue to struggle with the issue of bed and breakfast, and how do you regulate this type of activity. I'm afraid that this bill is going to lead to proliferation of more bed and breakfast. Currently the City Council still struggles with how to regulate these kinds of activities within the City and County of Honolulu.

"As far as the three islands issue, it is clearly ambiguous. Because if the bill had been written to state that three inhabited islands, it might be a different issue. But it was written ambiguously to swoop in Kauai and Oahu and the Big Island. And because of that, in the mean time, while the bill is being fixed, for the county to act, there might be other types of bed and breakfast accommodations springing up. Daily we struggle with this type of activity springing up in neighborhoods, that really don't want this type of activity to occur. So, strong opposition."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, I'd like to quote from a June 9th, 2011 *New York Times* article, and I quote:

For all the talk about sustainable agricultural, most farms are not self-sustaining in a very basic sense. They cannot make ends meet financially without relying on income from other jobs off the farm, but increasingly farmers are eking more money out of the land in ways beyond the traditional route of planting crops and raising livestock.

Known as agritourism, such activities are becoming an important economic boost for many farmers.

The USDA census of agriculture, which is conducted every five years, has found that most farms now are only bringing in 13% of their income from the farm, which is why this whole move of agritourism has taken off.

"The article goes on to say that,

The agritourism movement is fueled by city dwellers who want to understand where their food comes from, or who feel an urge to embrace the country life.

"Mr. Speaker, there's been a lot of talk in this Body regarding who this bill should apply to, and as the Vice Chair and on behalf of the Chair of your Committee on Water, Land and Ocean Resources, we had put in language because this bill was to apply only to Maui County. In Conference, we went to three counties, because I think as a policy matter, Members, to continue to use numbers to determine which islands bills should apply to, I think we need to move away from that, quite frankly, because our population continues to grow. And if we continue to have, using, you know, population counts in statute, it creates a very dangerous precedent, now, because one law could be valid one year, and then moot the next year, because population counts continue to move.

"So, as a result, the Conference Committee put in counties of three or more, with the understanding that it applied to Maui County only. But to be sure, if there is any doubt, I think Members should look to page 6. Really, that is the dispositive factor. Meaning, that is the key here. That this shall only apply where their county has adopted ordinances regulating agricultural tourism activities. At this time, Mr. Speaker, Maui County is the only county who has done that, and that is why this applies only to Maui County at this time. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I respectfully disagree with the prior speaker. The land use attorney that I've mentioned, has thirty years of experience in land use in the State of Hawaii. This bill could have been worded, on page 10 and then on the earlier page, shall only apply to a county that includes at least 3, with the added words, 'inhabited islands.' Then we wouldn't have had this problem. Your Minority Caucus could have proposed an amendment, but we always know what happens if the Minority proposes the amendment. The Majority does not accept it. But the word, 'inhabited' is missing. So it clearly can apply to the City and County of Honolulu, and certainly to Kauai.

"I again refer Members to S.B. 2540, page 9, the Islands of Kauai, Niihau, Kaula County of Kauai..."

Representative Chong rose to a point of order, stating:

"Mr. Speaker, point of order. The speaker from Kailua is referencing another bill. She should just stick to this one."

Representative Thielen continued, stating:

"The County of Kauai is clearly referenced as having three islands in legislation that is before us as well. So the bill is too broad. It could have been narrowed. If Maui wants this, fine. But then it should have said inhabited islands. Now we've made it possible for people to lobby and push on Kauai to extend ag tourism there, and to extend it to the City and County of Honolulu.

"Mr. Speaker, I'd also like permission to insert certain paragraphs from the testimony from the City and County of Honolulu, in opposition to this bill, into the Journal. Thank you. And, Mr. Speaker, I do want to disclose, they're written by Laura H. Thielen, my daughter, a former agricultural liaison for the City and County of Honolulu. She wrote them when she was still in that position. Ag liaison for City and County of Honolulu, and the City and County of Honolulu is firmly in opposition of to this bill. Thank you."

Representative Thielen submitted the following excerpt of testimony from the City and County of Honolulu:

By itself, SB 2341 has the potential to transform much of the agricultural district, particularly the scenic regions, into a vacation rental district. The profit margins of agricultural uses simply cannot compete with the profit margins of tourism. Allowing tourism and vacation rentals as a primary use on agricultural lands will affect the valuation of these lands. Agricultural property will be valued for the new "highest and best use," primarily vacation rental and tourism, not the farming potential. This will increase agricultural property values, and subsequently the property taxes, of bonafide farmers and retired farmers, and increase the sale and lease prices for agricultural lands to the point where they may no longer be affordable for farmers to buy or rent.

Permitting tourism including vacation rentals as the primary use on the most productive lands in the agricultural district establishes a precedent for the State. Once that precedent is set, it is only a matter of time before proponents argue to extend it statewide, including to Oahu.

In addition, permitting primarily non-agricultural uses and impacting the valuation of agricultural lands on the neighbor islands may negatively impact the food supply for Oahu, as this island relies upon agricultural products from neighbor islands.

I recognize that the bill retains a reference to tourism on a working farm, however that reference specifically refers to farming operations as defined by HRS 165-2. HRS 165-2 is the Right to Farm Act. That section of the law purposefully defines "farming operation" very broadly in order to deter complaints about any aspect of a farm. However, the consequence of using this section of the law as the definition of "farming operation" is that provided any one of the listed activities - even if it is not a bona fide farm, will mean the tourist operation is permitted. For example, a property may have a beautiful flower and herb garden which provides fresh produce for an on-site restaurant and vacation rental, with a roadside stand selling fresh flowers and herb. This will be a permitted use under the proposed bill.

If the intent is to continue the prohibition of agricultural tourism operations in the absence of a bona fide farm, then the purpose clause of SB 2341 should be amended, and the reference to the requirement of a bona fide farm should not be struck from HRS 205-5, as is proposed in this bill.

Laura H. Thielen, Agricultural Liaison, City and County of Honolulu

Representative Carroll rose in support of the measure and asked that the remarks of Representative Har and McKelvey be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you, very much, Mr. Speaker. In support. And may I insert the words of the Representatives from Lahaina, and Kapolei as if they were my own. Thank you, Mr. Speaker.

"As I look at this issue, the ag tourism statute was put in place in my second year in office. In fact, it was my bill. It was to look at options for farmers to subsidize their farms. It also requires that the county shall further regulate. I look at this from a financial perspective. Every country, every state, every municipality, subsidizes agriculture in some way. Reduced property tax, subsidies, everything like that. And our local farmers are competing against cheaper labor, cheaper land, cheaper water. So the question is, how do we subsidize them? You know, are we going to do it with our taxes? Our tax dollars? Or are we going to give them options? And that's what this bill attempts to do. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2341, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Final Reading by a vote of 30 ayes to 21 noes, with Representatives Belatti, Brower, Cabanilla, Giugni, Hanohano, Johanson, Kawakami, C. Lee, M. Lee, Luke, Morikawa, Nakashima, Nishimoto, Rhoads, Riviere, Saiki, Takai, Takumi, Thielen, Ward and Wooley voting no.

At 11:40 o'clock a.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 2341, SD 2, HD 2, CD 1

At this time, the Chair addressed the Clerk, stating:

"We are now on page 2 of the Order of the Day. This is the Consent Calendar, 5a, Unfinished Business. Madame Clerk, are we able to proceed on?"

The Clerk responded, stating:

"Yes, Mr. Speaker. This next component consists of non-appropriation bills on the Consent Calendar."

CONSENT CALENDAR

UNFINISHED BUSINESS

The Chair then announced:

"Members, at this time, there will be no discussion as these items have been agreed upon by this Body for placement on the Consent Calendar."

Conf. Com. Rep. No. 124-12 and H.B. No. 2664, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2664, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support this bill which facilitates further exploration of a public-private partnership between Maui Memorial Medical Center and Hale Makua Health Services. We, on the Valley Isle, hope that this partnership will model a public-private system of collaborative health care delivery.

"Tough economic times have led to changes in policies or regulations, and efforts of health care providers to maintain an efficient quality of care have been strained. Due to the rapid increase in Maui's population density, the healthcare infrastructure is unable to keep up. Maui's elderly population is also on the rise as retirees are re-locating or returning home to Maui from other islands or the mainland. As a result, access to health care remains a central problem on Maui that will continue unless measures are put in place to address these concerns. As you know, Mr. Speaker, the

only acute care hospitals on Maui cannot accommodate the demand for what should be acute care beds resulting in patients, shifted to long-term care bed waiting lists.

"This public-private partnership will encourage more efficient operations of hospitals and delivery of health care. Hawaii's elderly population is growing and will continue to do so as the baby boomers enter their elder years."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2664, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 126-12 and S.B. No. 2739, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2739, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 147-12 and H.B. No. 1726, HD 1, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1726, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 149-12 and H.B. No. 2540, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2540, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 150-12 and H.B. No. 2448, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2448, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which establishes a formula for calculating the amount to be contributed by the State towards a Medicaid recipient's attorney's fees and costs incurred in obtaining a judgment, settlement, or award, in lieu of recovering the full amount.

"Medicaid provides vital health care to many people in Hawaii. To husband the State's resources, the State's contribution to Medicaid is supposed to be a last resort, paid after other responsible parties have paid for medical treatment. Therefore the State is entitled to recover money from a third party, when that third party is financially responsible for the injuries treated by Medicaid. However, a US Supreme Court decision has complicated the process for obtaining reimbursement from these responsible third parties. Hawaii needs to have a formula for the allocation and distribution of proceeds when a lawsuit is resolved against such a responsible third party, which this measure establishes.

"Among other things, this measure: (1) Clarifies that a notice of lien sent by the Department of Human Services for reimbursement of Medicaid benefits shall be accompanied by an itemized list of payments made by the Department; (2) Caps the amount of the department's lien at one-third of the settlement, judgment, or award, after its contribution for attorney's fees and expenses; (3) Defines the term "medical institution"; and (4) Requires the Department of Human Services to provide a written notice of lien to the court when restitution is sought from a third person in a criminal proceeding.

"This bill also authorizes the Department of Human Services to develop fair and equitable reimbursement levels for nursing facility residents who are Medicaid recipients."

"This measure will provide greater clarity and certainty to the courts, the Office of the Attorney General, lawyers who pursue personal injury claims and injured Medicaid recipients."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2448, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 151-12 and H.B. No. 2415, HD 2, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2415, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 157-12 and S.B. No. 2780, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2780, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 159-12 and S.B. No. 2827, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 172-12 and H.B. No. 2599, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2599, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS," passed Final Reading by a vote of 51 ayes.

At 11:42 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2664, HD 1, SD 1, CD 1
S.B. No. 2739, SD 2, HD 1, CD 1
H.B. No. 1726, HD 1, SD 2, CD 1
H.B. No. 2540, HD 2, SD 1, CD 1
H.B. No. 2448, HD 2, SD 2, CD 1
H.B. No. 2415, HD 2, SD 1, CD 1
S.B. No. 2780, SD 1, HD 2, CD 1
S.B. No. 2827, SD 1, HD 1, CD 1
H.B. No. 2599, HD 1, SD 1, CD 1

ORDINARY CALENDAR

UNFINISHED BUSINESS

S.B. No. 2873, SD 1, HD 3, CD 2:

Representative Chong moved that S.B. No. 2873, SD 1, HD 3, CD 2, pass Final Reading, seconded by Representative Evans.

At this time, the Chair addressed the Clerk, stating:

"Madame Clerk, are we able to make the time, as far as the 48 hours?"

The Clerk responded, stating:

"Yes, Mr. Speaker. Floor Amendment No. 8 was passed on May 1st, 2012, at 10:18 a.m."

Representative Riviere rose to speak in opposition to the measure, stating:

"On S.B. 2873, in opposition. Thank you, Mr. Speaker. This Session has been, as we well know, has been marked by many, many bills to exempt or repeal or limit environmental reviews. This is one of the few that's remaining. I'm thankful that most of the others have gone by the wayside. This bill would exempt secondary actions from environmental review. I believe it's a bad idea for the simple reason that sometimes the secondary actions can cumulatively be even greater than the primary actions."

"So, while the argument is that maybe there's a driveway, or there's something insignificant along the way that doesn't have much likely impact, and therefore we should just exempt it. I stand by what I said all year, which is that somebody has to take a look at the potential impacts, and if the potential impacts are likely to have no significant effect, then they can be exempted. So for that simple reason, I'll keep it brief. Thank you."

Representative Johanson 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 Johanson's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on SB 2873. The exemptions outlined in this measure were utilized successfully by previous Administrations. In those cases, I believe the authority was exercised appropriately. I am leery of exemptions in general and I am still concerned about the impact this could potentially have on the quality of life on our community and constituents, because secondary impacts can sometimes be more detrimental than primary impacts to the environment and the community. However, because this kind of exemption has been used effectively in the past, I am willing to support this measure. I would also like to note that the Office of Environmental Quality Control testified in support of this measure, which further persuades my willingness to support this measure with reservations."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you, Mr. Speaker. It's been described that what this bill is doing, which is to exempt secondary actions by statute. The practice of approving statutory exemptions to Chapter 343 is bad policy. It's frankly bad policy, and it seems to be that the Department of Transportation is the poster child for coming to the Legislature to ask us to pass these statutory exemptions, because it's failing to do its work where it should go to the Environmental Council, and ask for an exemption."

"The Environmental Council has an exemption list, Mr. Speaker. I served on that body a number of years ago, and the exemption list was always a work in progress, moving as the different departments saw a different action that they might be taking, that would actually qualify to be on the exemption list. The Department of Transportation, frankly hasn't used that process as it should have and they instead come to what they consider a favorable Body, the Legislature, to say, 'Exempt us by statute from these different activities.'"

"Well this bill exempts them from roadway improvements; page 2, lines 6 and 7. The environmental laws are not what is holding up the building process. So, removing them will not significantly impact job creation, and it's I think, pretty clear that an alarming number of these measures have come through this Body, where people are just, Legislators are just saying, 'Fine, we want to streamline everything. Get construction moving. It's the environment that's holding everything up'. Well, it's not correct. The environment is not holding up projects."

"There's a report called the Economic Impact of Environmental Regulation, by Stephen M. Meyer, professor in political science at MIT. He answered the question, Do states with stronger environmental policies pay a price in job growth? And if so, how much? After an analysis, he noted the odds that environmentalism could be negatively associated with job losses at the state level are extremely poor, slightly more than 1 to 31. We can safely reject the notion that state environmentalism resulted in economically meaningful job losses.

"If you want to talk about job losses, Mr. Speaker, talk about Act 105, which has hit the construction industry, not for State projects, but the other residential and commercial industry, and has just really had a terrible economic impact on them. Not environmental laws, but an Act this Body passed, which just slowed down the private sector construction jobs significantly. The Act is supposed to expire in 2013, and I hope for goodness sake that this is one of those laws that we will allow it to expire, because the tax money that it's brought in has been minimal, and the economic damage it's done has been amazingly large.

"You stop and look at why would someone go ahead with a project now, with that added tax burden? Why not wait till 2013? And that's evidently what the property owners are doing. They're just delaying the projects because of the added costs we imposed upon them.

"I'll go back to the poster child, Department of Transportation. The Department of Transportation requested exemptions for 11 bridge projects, and at least 8 of those have had appropriations since at least the early to mid-2000's."

Representative Souki rose to a point of order, stating:

"Point of order. Are we speaking on SB 2873?"

Representative Thielen: "We're speaking on the exemptions which apply to the Department of Transportation."

Representative Souki: "Yes, but there's nothing about the bridges here. SB 2873 merely is secondary impacts, secondary work on the highways. Bridges are not secondary work. So what my good friend across the aisle is speaking on is not germane to the bill."

Representative Thielen: "I'll go on with why it is germane to the bill. The Department of Transportation is the poster child for wanting us to pass S.B. 2873. It wants to be exempted, and yet, they have not followed up with projects that they have had in the works."

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you. They have not followed up with projects that they have had in the works. DOT hasn't submitted a draft Environmental Assessment for at least two bridge projects. They also submitted a draft EA without even bothering to follow up with a final EA for two projects."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, Representative Thielen, can you confine your remarks to the bill that is before you."

Representative Thielen continued, stating:

"I will talk about the bill before us. There's a statement that I want to make, that exemptions and statutory exemptions cannot change Administrative bungling, and these exemptions will not lead to job creation. We should not be establishing policy in here by doing a knee jerk reaction to DOT and say, 'We'll do your work for you.' OEQC has said they have no waiting list. They can process these applications for exemptions. DOT has not stepped forward to do the work it should have done."

Representative Souki rose to a point of order, stating:

"Mr. Speaker, again a point of order. The speaker is speaking on exemptions. She should remain on this bill here, which has to do with secondary work on particular projects. Only on secondary work, and not on exemptions."

Speaker Say: "Correct. Representative Thielen, that's why could you please ..."

Representative Thielen: "And I'll go right to him, Mr. Speaker. And the Chair of the Transportation Committee should know, that this bill, this Senate Bill is not necessary if the DOT used the exemption process. It doesn't need to have us set policy. It doesn't need to have us set law to do what they themselves should be doing through the exemption list. There is no waitlist for them. DOT has bungled this and we're now being asked to step in and help them. It's bad policy, Mr. Speaker. I'm firmly against the measure."

Representative Souki rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker and Members. Again, this bill, SB 2873, is for secondary work done on highways, and that includes work like sewage, water and etc., that is being done adjacent to the highway cables. I want Members to understand that in working even with the Senate, the Senators agreed to this language. This language basically just merely clarifies the role of what is secondary. It's not seeking an exemption. It's merely clarifying the language in the bill so that we can understand a little bit better. Obviously, some people didn't read the bill very well, and we have this major debate here. Thank you, very much."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition with written comments, please. With a couple of footnotes. Mr. Speaker, I appreciate the passion of the Speaker Emeritus in defending the integrity of the Department of Transportation, because this does impact them directly. And as the Chair of Transportation, he has a right to defend. However, in making this exemption permanent, he has to be able to defend, what otherwise two quotations. First from the Sierra Club that said in the House Committee under which the Chair has jurisdiction, 'There is no logical basis for DOT's inability to determine whether a traffic connection or the like would impact the environment based on the cumulative impact, or the unusual nature of the specific application.'

"Fast forward to the OEQC's website. The DOT is up there with their list of exemptions, but Mr. Speaker, they have not updated their website since November 15, 2000. So, I think it's great to defend the Department of Transportation, but it looks like somebody's homework hasn't been done, and that's why some of us are fearful of this. Thank you."

Representative Ward's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in opposition to this measure. This is an action that is attempting to make permanent the secondary action law. Originally, the current secondary action law, Act 87 of 2009, had a sunset date of July 1, 2011, which was extended to July 1, 2013 by Act 45 of 2011. This was intended to be a temporary exemption.

"After consulting with my two colleagues from the North Shore and from Kailua, I have concluded that it is unwise to make such a law permanent. One of the bill's supporters is the DOT. They have testified that this bill is necessary because they believe it will prevent unnecessary delays.

"However, I note the Sierra Club's testimony, submitted to the House Committee on Transportation: 'There is no logical basis for DOT's inability to determine whether a traffic connection or the like would impact the environment based on the cumulative impact or the unusual nature of the specific application.'"

"The Sierra Club urged the Committee to 'hold this bill and not continue this odd exemption based on agency incompetence.' And we note that the DOT does not need this exemption to be permanent. Statutory environmental impact statement law already provides for exemptions.

"HRS Section 343-6(a)(2) grants the Environmental Council authority to make rules that establish procedures where specific types of actions are declared exempt from the preparation of an environmental assessment if such actions will probably have minimal or no significant effects on the environment.

"The Office of Environmental Quality Control's Exemption list for DOT is up there on OEQC's website. The exemption list hasn't been updated since November 15, 2000.

"Administrative Rules specifically allow agencies, like the DOT, to submit updates of their exemption lists to the Environmental Council for review and concurrence. See *Hawaii Administrative Rule, 11-200-8 (Exempt Classes of Action)*.

"Rather than trying to make permanent a broad exemption, perhaps the DOT should put its efforts into updating its exemption list.

"I appreciate the opportunity to express my concerns and to voice my opposition to this measure. Thank you, Mr. Speaker."

Representative Ichiyama rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support.

"I would like to clarify some of the points made about this bill, in particular the claim that we are exempting projects from the Environmental Assessment and Environmental Impact Statement process. This is untrue. Under section one of the bill, it states that an applicant must complete an EA or EIS for a project, the primary action. An applicant must follow all of the steps and procedures of Chapter 343. If and only if a secondary action, one that is ancillary to the primary action and touches an existing right of way or highway, is involved, then the applicant is not required to complete a new and separate EA or EIS for that minor secondary action.

"Furthermore, this section of the bill is current law. The Legislature, in its wisdom, enacted Act 87 in 2009 which provided that an applicant would not need to complete an EA or EIS for a secondary action in a right of way. We extended the sunset of this law last Session in Act 45 and now we are making it permanent. I would note that in the three years that this law has been on the books that none of the projects with a secondary action have "subverted" any of the environmental protections in our State or caused any actual harm.

"This bill merely makes permanent a law that helps us to clarify and remove unnecessary duplication and delay in our EA and EIS processes. Thank you very much, Mr. Speaker."

Representative Ching rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise in opposition of S.B. 2873, relating to environmental impact statements.

"The purpose of this bill is to make permanent the exemptions for certain secondary actions from Environmental Impact Statements law (EIS). The Conference Draft before us states that a "secondary action" shall be exempt from HRS Chapter 343, if the action falls under an outlined criteria. These "secondary actions" are identified as an action on infrastructure within the highway or public right-of-way. Mr. Speaker, the EIS was put into place to protect our great state, and ensure the appropriate protocol is in place when it comes to building our infrastructure. Exempting particular projects from this law [EIS] would compromise the preservation of our State and promote leniency to the regulations.

"May I echo the words provided by the Sierra Club during their testimony of this measure when they stated, "This bill continues a statutory

exemption from the environmental review process because of the Department of Transportation's inability to follow the law like other agencies, developers, or the public. The Department of Transportation openly acknowledges its projects are one of the largest causes of invasive species throughout Hawai'i. Accordingly, DOT should be held to a higher standard for the environment, not a lower one."

"Mr. Speaker, the statement provided by the Sierra Club could not be more accurate. Though I encourage the strengthening of our infrastructure, I am disenchanted by the easement of standards required to be met by the DOT. We must identify the DOT as a role model to other organizations, as they help lay the ground work for us to build upon. If we do not hold them to the same standards as the rest, how will be able to effectively enforce the EIS law? Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 2873, SD 1, HD 3, CD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Ching, Hanohano, Riviere, Thielen and Ward voting no.

Conf. Com. Rep. No. 107-12 and S.B. No. 1269, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 1269, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Morikawa rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I understand the fiscal implications of the unfunded liability of the retirement system, but remember, ten years ago, the State skimmed more than \$346 million from the Fund. That was when the system was thriving, and their investments were doing well. Unfortunately, with the recession, inadequate funding by the State and county governments, and poor investments made by the ERS, legislation such as this is introduced.

"Now, I would like to go back in time when I first became a public employee. Government employment was the most secure position a person could get. The pay wasn't that great. I was paid \$1.80 an hour as a summer employee. Then when I got the chance to become a regular permanent employee, I made a whopping \$690 per month with all the benefits of vacation, sick leave, medical, life insurance, and a great retirement. The benefits helped assure me, that I could spend quality time with my children when they had special activities or when they were sick. I knew that they would be okay with the insurance and retirement that my employment provided, so I loved my job.

"Now, these benefits are being reduced or taken away. Is the public employee to blame for the State or counties' budget woes? What makes government employment attractive today? Oh yes, if you get an administrative position you're just fine, but what about the laborers, the clerks, the park caretakers, janitors, the ones that make the very smallest of salaries? These employees need to seek other employment to survive the high cost of living in Hawaii. They work two or three jobs, which take away from other people needing employment. They don't get to spend time with their children, to help them with their homework, get involved with school activities, or see them play sports, or even volunteer to be coaches or team moms. Their health becomes an issue, which in turn adds to the high costs of medical services.

"The upside for the other employer is that they don't need to pay benefits to these government employees, just hourly wages. Unless of course, they provide better benefits to employees. Then, wait a minute. These employees may be seeking other employment for the better benefits.

"Well paid, healthy and happy public employees add to the economy. They spend money that helps small business thrive. They buy houses. They travel. They eat in restaurants. And more importantly, they donate to nonprofit organizations. We need to stop attacking public employee benefits. And let me remind you, these employees are teachers, police officers, firefighters, nurses, health inspectors, social workers and every

single county and State employee who performs services that protect the public's health and safety. These are services that any private entity cannot provide because there is no profit to be made. These are services that provide the safety net to society. The benefit package, which includes a secure retirement, is an incentive to attract and retain a good work force. Thank you, Mr. Speaker."

Representative C. Lee rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Thank you, I absolutely agree with the intent of this measure. There's no question. We cannot allow people to abuse the system and unfairly spike their retirement benefits. And we must address, absolutely, the unfunded liability in the ERS. However, this bill unfortunately, does nothing to address the current problem of spiking abuses for existing employees. And by applying to only new hires prospectively, it will place the burden of funding the gap in the ERS on the shoulders of our next generation of public employees, many of whom would be legitimately forced to work long hours and put their lives on the line without fair compensation.

"Unfortunately, a handful of abusers created this problem. About one in ten people recently retiring from public service were found to be spiking and taking advantage of the system. This is absolutely unacceptable. But we cannot, in a broad stroke, eliminate fair compensation for the thousands of employees who work long hours or in dangerous conditions to pay for the abuses of the handful of people.

"Police officers are often forced to provide Presidential security, support for events like APEC, and work long hours in unexpected situations. The Department of Labor and Industrial Relations notes that in addition to normal services, firefighters also work in conditions involving overtime, standby duty, unusual work hazards, and temporary differentials. These conditions are as much a part of the work performed as the normal work. Services performed by firefighters under dangerous conditions, often involve prolonged hazardous exposures, higher levels of danger, or increased emergency responsibilities. When firefighters perform these functions, they are giving their full service to the community at required levels. For that reason, pay for these conditions should continue to be included in calculations for retirement benefits.

"In public safety, health and education facilities around the State, we ask employees to forego time with their families to work long hours. By contract, although employees can refuse to work overtime, it is the employer who decides if a refusal to work is for good cause and whether or not the employee will be disciplined for their refusal. For many employees, working overtime is often not a choice. We absolutely must prevent abusive spiking and address the bad apples taking advantage of the system. But we must also ensure that other employees are compensated fairly when asked to work, both in their immediate overtime pay, and in retirement benefit calculations that accurately and fairly reflect the employee's work.

"Mr. Speaker, we talk a lot about fiscal responsibility, and we must address our unfunded liabilities. However, we cannot fill the gap in the future ERS liability simply by cutting earned benefits to our next generation of employees, especially when it was the Legislature that helped create the unfunded liability in the first place by siphoning hundreds of millions of dollars out of the ERS. The Hawaii Supreme Court found in 2007 that despite positive earnings, the ERS actuarial funded ratio declined primarily as a result of the past diversions of excess investment earnings, which prevented the ERS from establishing the Rainy Day Fund for the years of poor investment earnings. Therefore, it is plain, clear, manifest, and unmistakable that the hundreds of millions of dollars of reductions in employer contributions unconstitutionally impaired the pension system. In other words, Mr. Speaker, the Legislature's diversion of hundreds of millions of dollars out of the ERS, and to replenish a similar sum, we are now asking future public employees to pay for it by surrendering their legitimate benefits and compensation.

"Public employees already tend to earn less than their private sector counterparts and cutting benefits will only exacerbate the problem of attracting and retaining good employees. This bill will also create two tiers

of employees working side by side, doing the exact same job. One employee asked to work overtime, whose retirement benefits will count for it, and another employee doing the exact same job, but whose retirement benefits will not reflect the extra hours of work the employee had to do. Mr. Speaker, at a time when states across the nation are cutting services and public employees find themselves the target of vicious political attacks, this bill really drives at the heart of what role we expect our public employees to play, and what value we place upon them.

"The general public in Hawaii still places incredibly high social value on our educators, police, firefighters, and so many other dedicated public servants. At the Legislature, we talk so often about what incredible things they often accomplish, and what an important role they play. Let's deal with the abusers, but let's put our money where our mouth is, and support fair compensation for employees who legitimately earn it. Let's not eliminate the hard earned benefits for our next generation of public employees, in reaction to the abuses of a handful or retirees, which this bill doesn't even address. Instead, let's spend a little more time crafting a real solution that prevents abuse, and addresses our unfunded liability without unfairly stripping away the legitimate retirement compensation of many public servants who were given no choice but to work long hours and who often put their lives on the line to protect us.

"There is a fair compromise, Mr. Speaker. I think we just need a little more time to find it. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This is a bill that affects new employees going forward, and changes the calculation of someone's retirement when they reach the age in which they retire. So I'd just like to cover, some of the remarks that have been mentioned by prior speakers.

"First, the issue of overtime and fair pay. It was funny. I was talking to a leader in a private sector union about a year ago, and we were discussing this issue and many other issues. And they were comparing private and public sector employees. He brought up an interesting point on overtime, in that overtime is paid as a benefit because you worked 40 hours in that week, because we've defined that 40 hours is a good balance between that and you being able to tend to your family and other personal matters. And that if we're going to ask you work more than 40 hours a week, we are going to give you a differential, say 1 1/2 times in some cases. Public employees, I think get double time, in very certain situations.

"And the comment was, that's where you get your benefit. What does that have to do with you getting a benefit 25 years later? You're not working overtime 25 years later. So why should that be part of the calculation? You're getting the benefit in the present day for working overtime.

"It was funny. They also went on to the issue of vacation which is for a given year. Why would you get to carry it over because it's meant for a year? But anyway, be that as it may.

"Second is, and I'm not going to pooh-pooh or question prior Legislatures for what they did or didn't do. I was not here. I was not here to address the shortfall, and make the difficult decisions that we have to do every day. If other people want to, that's fine. But actually, I don't find that very fair. It's easy. We could go into the whole issue of if the Legislature had not done that to balance the budget. What were the other options for public workers? Layoffs? And for those who are our present-day senior Members, they probably would have been junior Members 28 years ago when the Legislature did that. Would they have done well in a RIF?

"Thirdly is the issue of two tracks. We have many two track systems right now. Presently, the EUTF, if you start it before July 1st 1996, if you have 10 years of service you received a benefit. Now, I think you only get half the benefit. Why? Because the Legislature saw fringe costs going past 40%. So if a government employee \$30,000, 40% or \$12,000 would go to fringe costs, of which health care was the quickest growing.

"I haven't seen any bills introduced by Members to line up everybody. So for those reasons, I ask the Members to support the bill. Thank you."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. I would like to preface my reservations with starting off by saying that I too also believe that we need to ensure the fiscal solvency of the Employees' Retirement System. And unequivocally, I'd like to say that we should not countenance overt abuse and abuse that is willful and intentional, because that is robbing the taxpayer of what they're giving to the government.

"My concerns though, are predicated on two main issues. The first issue is that while the employee, and the Majority Leader just addressed this, while the employee is compensated for their overtime and some of the things that would be excluded under this bill, when it comes to calculating their retirement benefits, they will not actually be compensated for their actual work, worked. I think therein lies the slight nuance, which is how we presently do it. I realize that that engenders some problems, but I think in attempting to preempt bad actors who are guilty of spiking, which we do need to find some measure to do, we're also potentially adversely impacting the retirement of those honest workers who are obligated sometimes under certain conditions because they are emergency personnel, or because there isn't someone else, to work those hours and to do that work. And I worry that therein lies some complications.

"Secondly, and this point has not been brought up, and I did want to bring this up as part of the debate. I do believe it's fully within management's abilities and prerogatives, if they so chose, to try to successfully settle this problem themselves. They control scheduling as part of their prerogatives with management, and in so doing, I think you can start to watch for when people might be approaching retirement and when all of a sudden they go from never seeking to work overtime, to always asking for overtime. I think the onus here is also somewhat on the Executive Branch.

"I do appreciate the intent of the Legislative Branch to try to address this problem, which is why I will be voting with reservations, but I don't think that, in terms of achieving a workable solution and actually reducing spiking in the present, that we may end up achieving it with this particular measure. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. The bill states that it's for a member who becomes a member after June 30, 2012. I think that we as a Legislature have that authority to decide certain employment terms. This employment issue of are we going to add overtime or not to retirement, as part of what the package will be. If this bill passes, anybody who comes to State government will have to look at the entire employment package. They'll have to consider how many State paid holidays there are. They're going to have to consider what vacation leave is. They're going to have to consider what their medical benefits are. They're going to have to look at how many years before they're vested. They're going to have to weigh what the pay is.

"I would argue if we had time to debate it, that in fact a lot of State employees make more money than the private sector, with this recession that's happened. We've heard from all these private sector employees, all their benefits have been cut back. Their pay has been reduced. To say that public employees make less money than private sector, I would really love to debate that, because that's not what I've heard.

"So I think what we're saying is, in the future if you come and you want to be an employee, these are the conditions, and put it out in the marketplace. It's democracy. It's the right for people to choose who they want to work for. I think if you look at overall what we offer employees and their opportunities for training and advancement, lots of wonderful opportunities to move around in State government, to have a fabulous career. I had one, for thirteen years. I loved working in the state government. And I love working in the Legislature. But it's a choice. And I think this is very reasonable, and I strongly support it. Thank you, Mr. Speaker."

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker and Members, in reviewing this bill, there is one particular section that I'm not in favor of, so therefore, I was going to be voting in favor, but I'm going to have to vote no. The reason is for the fact that you are taking away flexibility from supervisors and management in working with the employees. There are times when you need to provide differentials, bonuses, to provide merit raises and increases. Hazard pay to wastewater people. Working in the wastewater, that's quite hazardous there. Police hazard pay. Firefighters hazard pay. It is dependent upon the extent of the hazard, and they should have some consideration in there.

"Basically I'm opposed to the spiking. But this bill does not address the spiking. It addresses what you can get and what you cannot get. And I think it's too broad, I would like this bill to go back and to work on it again. I think we made some oversights in this bill, and we should not take away flexibility from management when they work with the employees. And in fact what you're doing is you're making it standardized all the way. You can't do that. And for that I must vote against this measure.

"Hopefully if we're not going to work on it next year, next year we have to relook at this issue again, and rectify what I think are some of the problems with this measure. Thank you, very much."

Representative Ichiyama rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with reservations. SB 1269 would eliminate overtime, supplementary payments, bonuses, lump sum salary supplements, allowances or differentials from being included in pension calculations for any employee hired after June 30, 2012. I understand the importance of addressing the State's unfunded pension liability and the problem that overtime abuse creates for our ERS system. However, I have serious concerns about how this bill may affect potential recruiting of future State and City employees. Our retirement benefits package is one of the few incentives we have to attract quality employees. By decreasing these benefits, we will be making it even harder to fill vacancies and meet the needs of our residents.

"I know we are all aware of the seriousness of the unfunded actuarial accrued liability in our ERS system and the need for corrective measures, which is why I am voting with reservations. At the same time, I believe this bill goes too far in redefining compensation and it would have been more prudent to consider the method proposed by the ERS Board to address the issue of pension spiking. Thank you very much, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"In support, Mr. Speaker, and I just would like to make a comment that as I understand it, the State's liability to retired State employees is about \$3 billion a year. \$3 billion a year, Mr. Speaker, is a lot of money. And I understand our budget this year is \$11 billion, and \$3 billion of that is going to go just to pay retired public employees. And I could say that out loud, Mr. Speaker, because this bill doesn't affect the employees that are coming until June 2012.

"As previous speakers have said, people have a choice where they work. So therefore, that should be in the package, and that should be a decision that they make. Thank you, Mr. Speaker."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Briefly in opposition. We talk about the issue of spiking. A lot of times, employees have no choice to do overtime. Management has to agree for an employee to work overtime, and so this bill does not address the issue of management control and why are the management and agencies allowing overtime abuse if there is spiking.

"The other thing that I wanted to point out is, especially when you deal with police, fire, public safety officers, a lot of times they are forced to do overtime. We have situations in the prison system where they would have to do double shifts, or in addition to the 8 hours they have to do a lot of shifts. So from a management standpoint, we can pretty much say, that we don't want to hire people, and then have this one individual do two shifts. So in that sense we're kind of saving money at the expense of the employees. It's kind of an unfair system that we're creating. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with some reservations. They were summed up by the good Representatives from Nuuanu and from Wailuku, and of course I kind of sat back and reflected a little bit. It's too bad that in the past, previous Administrations have blown so much money on student auction rate securities, or we probably wouldn't have to face this.

"But be that as it may, Mr. Speaker, there were a lot of options that this Body tried to push to reign this in, that unfortunately were left on the table this Session. And because of that, we are facing a situation that I think was summed up very well by my Vice Chair, which is, if we don't get a handle on this ERS thing in some form, the system going go broke. Nobody will get any pensions.

"And I think what this measure tries to do, is although it does have warts on it as I'll admit. What it tries to do is to preserve the benefits of our current retirees by looking forward as a way to try to make up the short gap. And that's why I do support it with reservations, because at the end of the day, it's trying to take an approach, unlike other states. States that aren't red in nature are doing that, which is looking at reigning in current benefits to current retirees.

"So again Mr. Speaker, I agree with the comments that were raised by the other speakers, but given the cards that we've been dealt so far, and given this \$3 billion and growing unfunded liability, I think this is a measure that we do need to look at further. Thank you, very much."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. And a correction to the record, Mr. Speaker. There was no money lost by the auction rate securities. Full stop."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1269, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF COMPENSATION FOR PURPOSES OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 37 ayes to 14 noes, with Representatives Aquino, Brower, Cullen, Hanohano, Kawakami, Keith-Agaran, C. Lee, Luke, Morikawa, Nakashima, Souki, Takai, Takumi and Yamane voting no.

Conf. Com. Rep. No. 108-12 and S.B. No. 2214, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2214, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise with reservations to raise a cautionary note regarding SB 2214, a bill that gives away the employers' responsibility to determine how much the State and counties should pay for employee health benefits. SB 2214 gives the purse strings to faceless, unelected arbitrators. Because of the institution of "most favored-nation" provision in collective bargaining contracts, some decisions should be under the purview of management rights.

"Under *current* law the State and counties as employers and the union negotiate through collective bargaining, the share that the employers should pay and the share employees should pay into the Employees Union Trust Fund (EUTF) – the fund that pays for the health benefits of our 70,000 retired and active government workers. The Legislature, knowing the fiscal condition of the State, can then fund the contract or not. The Legislature maintains control of the costs and can ensure that the \$11 billion unfunded liability does not increase.

"When negotiators cannot agree SB 2214 provides a mechanism to determine the premium ratio. This measure may also prevent the employer from unilaterally increasing or decreasing its share as done by the Governor in 2011 when he announced he would increase the employer's share to 60%. It is always preferable that these important decisions be negotiated through collective bargaining.

"Under SB 2214, when there is an impasse, the negotiators then revert to arbitration. But there is a downside to arbitration and this bill. SB 2214 gives away the purse strings to faceless, unelected arbitrators. Handing over decision-making could create a more beneficial ratio for one unit. In the face of "most favored-nation" clauses in CB agreements, it would be more fiscally-responsible for the employers to set a uniform ratio in order to safeguard the integrity of the trust fund.

"That may be why the Director of Budget and Finance testified against the bill, the City and County of Honolulu opposed the bill, and the Attorney General's office also raised serious concerns about this measure.

"As elected officials we have a duty to do what is right and responsible for our citizens and for State agencies and county workers, not to mention our retirees."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise with reservations on SB 2214, a bill that eliminates one of the changes the Legislature has to control how much the State pays for employee health benefits.

"This bill deletes the Legislature's ability to determine how much the State should pay for the employer's share of EUTF contributions and turns the decision over to an arbitration panel. This means the Legislature will be faced with simply deciding whether to fund or not fund the arbitrator's decision.

"The Legislature knows the fiscal condition of our State. That is why the current law gives us the responsibility to determine the EUTF contribution when negotiations break down. We should not shirk from this responsibility.

"Mr. Speaker, I am worried about the financial viability of our health care system—a system that is already \$11 billion in debt. SB 2214 will only make us more vulnerable to increased unfunded liabilities in the health fund. This is not good for the employees of our state government and for the taxpayers of Hawaii.

"That is why I am voting with reservations on this bill and I urge my colleagues in the House to do likewise."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2214, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 109-12 and S.B. No. 2576, SD 1, HD 3, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2576, SD 1, HD 3, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. Mr. Speaker. Today the House of Representatives will have the opportunity to pass Senate Bill 2576, and become the 6th state in the nation to have such progressive legislation on human trafficking.

"Mr. Speaker, I'm going to provide my Floor speech. Everything I say will be germane to this bill, but I think I'm going to change up the format. I'm going to kind of answer some of the concerns that were brought up to our attention by some of the Members, even the concerns by the Attorney General and the prosecutors, because they had the final word. They helped us to craft the language on this measure. I think if I do it that way, I only have to speak once, and that's it. There was some opposition the last time we heard this on the Floor.

"The first concern was Rule 40. Do we really need this mechanism if we already have Rule 40? Rule 40 is contained in the Hawaii Rules of the Penal Procedure. It's a catch-all mechanism, in case you're looking for post conviction relief. Many times we'll see this with ineffective counsel, lack of jurisdiction by the State on a subject matter or the person, or even a constitutional concern, a violation of the Constitution. Rule 40 is not crafted narrow enough for our victims of human trafficking, and that's why we have to move this measure, Mr. Speaker. So the first point, Rule 40, is not enough."

At 12:20 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:26 o'clock p.m., with Vice Speaker Manahan presiding.

Representative Mizuno continued, stating:

"Thank you, Mr. Speaker. I left off on Rule 40, and I explained why there was a need to pass this legislation, narrowly crafted for human trafficking victims.

"Mr. Speaker, I wanted to explain some of the concerns about the possible misuse or abuse of this proposed statute. We've heard questions from some of the Members that indicated that perhaps the pimps would be using this as a mechanism to vacate their conviction. I appreciate the concerns, and I'm here to say, no. Absolutely not. Clearly the language in the bill will not allow the pimps to use this mechanism to vacate a judgment or a conviction against them. This section does not apply to the following. Again, promoting prostitution, this is for the pimps, or a person who pays for sexual conduct. They will not be able to vacate their conviction.

"Mr. Speaker, the key for this bill, the key for this bill was that the prosecutors and the Attorney General's office provided the language, which would allow the prosecutors or the AGs, whichever body prosecuted that case in the first place, to review the motion and approve the motion. Again, this is pretty big, and it's probably going to be rare that we see this, maybe 1 out of 100 cases. But you're having the moving body, the prosecutor or the Attorney General's Office, that followed through with that conviction, to come back, to reconsider, to approve that motion, and then submit it to the judge.

"That's the game changer. That's why the prosecutors and the Attorney General's Office support this measure. In fact, Deputy Attorney General Lance Goto was the person that recommended this language, and the prosecutors were completely on board. This was again, the game changer for this bill. Prior to that, both the prosecutors and the Attorney General's Office had some concerns about this bill. After that they were fine.

"Mr. Speaker, some of our Members have asked, what is the definition? Who is a victim of human trafficking? And it's clearly stated, Mr. Speaker. We're following the guidance from the United States Code, and I'll quickly go over it. This is a person who is involved in commercial sex. They've been induced by either fraud, coercion, forced into this. It even applies to people who have not attained the age of 18, that were involved in such

acts. It's pretty black and white. We're not leaving this for incorrect review or for protecting pimps or people that pay for it. It's very clear who we're protecting here, Mr. Speaker.

"Next, Mr. Speaker, this is quite historic. I've mentioned that Hawaii would become the 6th state. We've had New York that passed it first, along with Illinois, Maryland, Nevada in 2011, Vermont 2012. We pass this, we'll be the 6th state.

"Finally, Mr. Speaker, I would be remiss if I did not thank the drafters of this measure, the people that actually helped to craft this. And I wanted to start off by thanking the Deputy Attorney General's office, Lance Goto and Joshua Wisch. They helped us with the language. Jon Karamatsu from the Prosecutor's Office, Kathy Xian from Pacific Alliance to Stop Slavery, James Dold - Polaris Project, Kris Coffield - IMUAlliance, the Senate Judiciary Chair and his Committee Clerk, my Committee Clerk, Dr. Bouffard, as well as Brandon Masuoka."

Representative Tsuji rose to yield his time, and the Chair "so ordered."

Representative Mizuno continued, stating:

"Mr. Speaker, I'm just about done. I believe I've pointed out to all the concerns that our Members had. I'm hoping to avert any 'no' or 'with reservation' votes. I'm hoping that I explained it quite well enough. Again, the rationale, the last thing I'm going to say about this. This is to help shattered lives. If we can take that conviction off, the people that are applying for jobs, applying for loans, trying to continue their education, they'll have a second shot at life. Their lives have been shattered because of this most horrific experience. This is what we want to do. This is how we care about our people. For those reasons, Mr. Speaker, I ask all Members to vote up on this measure. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in support with written comments. I'd like to remind the previous speaker that this was a Women's Caucus measure."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB2576, SD1 HD3 CD1, which authorizes a person convicted of committing the offense of prostitution to file a motion to vacate the conviction under certain circumstances. Many women engage in acts of prostitution due to their vulnerability as a result of their youth, family situation and/or substance abuse. Those individuals who were forced into engaging in prostitution should be encouraged to leave the profession, and their ability to clear their record would help them further their educational and employment goals, as well as wipe their record clean. We need to allow these women the ability to move forward with a new beginning. For this reason, I urge the Members' support."

Representative Awana rose in support of the measure and asked that the remarks of Representative Mizuno 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, stating:

"Mr. Speaker, I rise in support. Likewise. I think the Chair did a great job in kicking this bill out of Conference. My only concern is that basically gives the Prosecuting Attorney's Office or the Attorney General's Office, the prosecuting authority, to become the gate keeper on whether or not a review ever takes place before a tribunal. But other than that, I think this is a good measure, and I thank him and the other drafters of this measure for getting this out this Session. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you. Just reservations. I'm glad to see that the prosecutors have had their input, to make this better. We certainly don't want to have people have their lives ruined forever. Everyone should be allowed to, be encouraged to rehabilitate. But I just still have a few reservations 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. 2576, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 110-12 and S.B. No. 2378, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2378, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Awana voting no.

Conf. Com. Rep. No. 127-12 and S.B. No. 2239, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2239, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Final Reading by a vote of 51 ayes.

At 12:35 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2873, SD 1, HD 3, CD 2
S.B. No. 1269, SD 2, HD 2, CD 1
S.B. No. 2214, SD 2, HD 2, CD 1
S.B. No. 2576, SD 1, HD 3, CD 1
S.B. No. 2378, SD 1, HD 1, CD 1
S.B. No. 2239, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 130-12 and H.B. No. 2515, HD 3, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2515, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Hashem and Ichiyama voting no.

Conf. Com. Rep. No. 142-12 and H.B. No. 2251, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2251, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 148-12 and H.B. No. 2302, HD 2, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2302, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. Mr. Speaker, because of the high cost of housing in Hawaii, thousands of families are currently on the waiting list for public housing including thousands more who are living on the beach, and in emergency and transitional shelters. This measure attempts to expedite necessary improvements and repairs to existing public housing which will help many families in need of shelter. For this reason, I rise in support."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure because of its many benefits for the people of our State.

"Mr. Speaker, there is an extensive waiting list for use of public housing. By allowing the HPHA this temporary – I emphasize temporary – exemption from State and county civil service procurement this bill will expedite and make more efficient the system to prepare units for those who need them.

"But the people who will get to use these homes aren't the only beneficiaries. It's going to take manpower to build and repair these units. That equates to more jobs, Mr. Speaker, another benefit of this bill.

"This bill will allow temporary staff augmentation should government workers not be available or lack the expertise to do the work. If government employees are unable, the unions can do it Mr. Speaker. I see nothing wrong with that Mr. Speaker. They are God's people too."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2302, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Final Reading by a vote of 43 ayes to 8 noes, with Representatives Belatti, C. Lee, Luke, Morikawa, Rhoads, Saiki, Takumi and Wooley voting no.

Conf. Com. Rep. No. 160-12 and S.B. No. 2536, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2536, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. This measure creates a task force to look at the many challenges and concerns surrounding clean and sober homes and halfway houses. Although I strongly support initiatives that provides support to individuals needing guidance and help at a vulnerable time in their life, in my research, I have found that monitoring of these facilities is limited. In addition, residents in the community have expressed concern regarding these types of operations. However, my support for this measure to establish a task force is not only for the existing community, but also for those receiving programming services in these clean and sober and halfway houses. Thank you, Mr. Speaker."

Representative Ichiyama 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. 2536, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 165-12 and S.B. No. 2776, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2776, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, thank you. I rise in opposition to this measure. I guess I've been opposed to this bill since its inception. Although the Governor's Justice Reinvestment Act contains some good features, I think this is primarily a cost-saving measure for this Administration, and not true prison reform.

"Let me just mention the parts that I like. First and long overdue, attention will be paid to increased restitution paid to victims of crimes. Secondly, we'll be bringing back prisoners from the mainland, and I suppose their families will be grateful for that. Third, released prisoners will be offered more programs to help them reintegrate back into society. Fourth, it is true that releasing prisoners is a cost saving measure, since

housing them now costs \$190 million. Any savings would be appreciated. And considering that we spend only \$8,000 per public school student, we can prioritize the savings into our educational system.

"However, there are features in this bill that may be detrimental and even dangerous to public safety. This bill is based on recommendations of the Justice Reinvestment Working Group, working together with the Council of State Governments Justice Center. It aims to, and I quote, 'To improve the criminal justice system, relying on the department of public safety, Hawaii paroling authority, and adult probation services to effectively implement changes to policies and practices,' end quote.

"It will do this by reducing, and here I'm going to quote Part 1 of the bill, 'the current incarcerated population and generate savings of approximately five hundred beds and \$9,000,000 by the end of fiscal year 2013, eight hundred fifty beds and \$19,000,000 in fiscal year 2014, and one thousand fifty beds and \$26,000,000 in fiscal year 2015,' end quote. That means, in the first year of the program, 500 prisoners will be released. Year 2, 350 more prisoners; and 200 more in year 3. In my humble and uneducated estimation, this is *kapakahi*. I think we should start out small, and enlarge the program gradually. Why start the first year with 500 releases?

"I also question whether we will have the necessary programs and personnel in place for year 1. Will drug and alcohol treatment, counseling, vocational training or halfway houses, be ready? Will there be jobs for these people. The plan outlines releasing 1050 prisoners in the first 3 years of the program, and it will sunset in 2018. 6 years. 2018, I figure, is when this Administration may hope to exit the scene. So that's why I wonder whether this is prison reform, or a cost saving device for this Administration.

"The program, as described in earlier versions of this bill, called for the release of Class A felons, 18 months before the end of their terms. Class B and C would not be released as soon or as early. Why is this? I'm sure there must be a rational explanation. I would release Class C felons sooner than Class A felons. This would appear to increase the danger to public safety.

"Even with programs supporting released prisoners, the recidivism rate approaches 50%. I share Prosecutor Keith Kaneshiro's skepticism. We should go slow when releasing prisoners to increase public safety and have people and programs in place to better their chances of success. This is important for the sake of the released prisoners, their families, and the community. We should reexamine the features of this release program, and design a better, long-term program. And consider all these things, as well as public safety. Thank you, very much."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Marumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Aquino rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I feel compelled to share a little bit about this bill. In support. The heart and purpose of the Justice Reinvestment Initiative is to manage criminal justice populations more efficiently and cost effectively, which in turn generates savings that can be reinvested in evidence-based strategies that increase public safety while holding offenders accountable.

"The JRI working group met with the Council of State Governments Justice Center to analyze our current system, which created some of the policy recommendations in this particular bill. It is important to note that the CSG Justice Center has worked with at least a dozen other states to achieve needed changes in their respective justice systems. Should this measure pass, the State of Hawaii would continue to receive technical assistance to further plan and implement these policies.

"It is apparent, Mr. Speaker, that the way the justice system is right now is inefficient, and is not working the way it should. The current recidivism rate of 50% is unacceptable, along with the various areas that this bill seeks to address. These shortcomings have increased correctional spending unnecessarily at times, where we could be smarter with tax dollars, without

compromising public safety. This bill is forward thinking, and has the opportunity to address long overdue problems.

"Mr. Speaker, I would just like to address some of the concerns that have been brought up. First, the pretrial risk assessment process. The addition of the 3-day requirement for the Department of Public Safety to conduct a pretrial risk assessment does not mean offenders will be released in that time. What that tries to do is to ensure that the assessment is done in a timely manner. There are times where the Department takes weeks, sometimes over a month, to complete these assessments, which results in delays and bottlenecks in the front-end of the justice system. Ultimately, it is still up to the judges, it is still up to the courts, who decide whether an offender is released on bail bond, pretrial supervision, or on their own recognizance. Contrary to what the bail bond companies and others are saying, this bill does not, does not force or take away the courts' authority in this process.

"Another point that I wanted to make a strong point on, Mr. Speaker, is the minimum sentence for low risk offenders. Mr. Speaker, some individuals have called this bill an early release bill. To some degree it is. Early release is called parole. This is not something new, Mr. Speaker. In fact, it has been around for some time now. In Section 8 of the measure, it focuses on the need and use of a validated risk assessment, which in turn assists the paroling authority in deciding release and programming needs and the likelihood of reoffending. We put in a check and balance language, in the bill, to permit the Paroling Authority to look into an offender's background, criminal history, even though they may be classified as low-risk.

"In addition, the bill has eligibility requirements to ensure that true, low-risk rehabilitated offenders are considered for release. I'd also like to point out that this bill does not shorten any, does not shorten any current offenders' sentences, and that this section is prospective, Mr. Speaker, meaning inmates would not be affected by this policy change until July, 2015. And for the comments about 1100 inmates to be released in 3 years, Mr. Speaker, take this as food for thought. According to the Hawaii Paroling Authority, from fiscal year 2008 to 2010, in those 3 years, Mr. Speaker, which I believe is a chunk of that time was during the previous Administration, over 2000, 2000 inmates were paroled in those 3 years. So if this is the case, the Department of Public Safety will be releasing less than what has been in the past. And, I believe Mr. Speaker, in addition the max-out language that was brought up by the previous speakers is no longer in the bill.

"So with that, Mr. Speaker, along with some of the victim restitution reform measures in this bill, which I really support ..."

Representative Cullen rose to yield his time, and the Chair "so ordered."

Representative Aquino continued, stating:

"Thank you. It's a great win for victims, Mr. Speaker. This bill raises the rate 150% and ensures that victims receive some compensation for their ordeal and hurts. This measure along with another measure, House Bill 2226, shows the Legislature's commitment to victims now and in the future.

"So Mr. Speaker, we also put in a sunset date of 6 years. This gives the justice system and all parties involved, including the Administration and the Judiciary, enough time to further plan and implement these policies and make necessary changes if needed. So this would help currently with the recidivism rate hovering around 50%. The 6 year sunset provides adequate time to reduce that rate to account for a better justice system, and for safer communities.

"Mr. Speaker, at this time I would also like to acknowledge certain people who have worked very hard on this piece of legislation, potentially landmark legislation, Mr. Speaker. I would like to thank the Administration and their staff, especially our former Majority Leader, Blake Oshiro, who worked very hard and helped in every which way possible. Also Mr. Speaker, I'd like to acknowledge the justice reinvestment working group, my Senate counterpart, the Chair of the Senate Committee on Public Safety and Military Affairs. Also Mr.

Speaker, I'd like to thank and acknowledge the House Chairs on Judiciary and Finance for their hard work and support. Also our House Vice Chair on Public Safety and Military Affairs, the House Finance Committee for all of their assistance, the Department of Public Safety, as well as the CSG Justice Center, Marshall Clement and Andy Barbee.

"So Mr. Speaker, today I would like to encourage my colleagues to support this legislation, which again would better our justice system, which equates to a safer community at large. Thank you, very much."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker, I was going to go in support with serious reservations, however after that speech by the Public Safety Chair, I think my concerns have been satisfied, so I'd like to go in strong support and have his comments adopted as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just would like to remind the Members that the cost of one day of an inmate in jail is \$169. Thank you."

Representative M. Lee rose to speak in support of the measure, stating:

"In strong support and just one comment. This is both reform and cost saving. And what's wrong with cost saving? Thank you."

Representative Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support and ask that the Journal reflect the words of the Chair of Public Safety as my very own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with slight reservations. I first want to thank the Chair of Public Safety for the CD 1 that came out of the Committee. I think that it was very thoughtful and I think that he eloquently stated why this final version of the bill is something that we should all be proud of. But I do think that I remain consistent in my position, and I will do so now with respect to one of the later provisions in the bill, and for that part, I would like to add written comments into the Journal. Thank you."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise with slight reservations on Senate Bill 2776 SD2 HD2 CD1, the Administration's justice reinvestment bill. My reservations lie with the victims' restitution fund not being enough to compensate the victims and their families. The bill in its final form pays victims twenty-five percent of the total moneys earned on new deposits and credits to the inmate's account while incarcerated. Though this bill does increase victim restitution collection from ten percent to twenty-five percent, it is still not adequate payment to victims. Accordingly, I support this measure with reservations."

Representative Yamane rose to speak in support of the measure, stating:

"In strong support, and I would like the words from the Representative of Waipahu inserted as my own," and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, with very strong support, however a few caveats. As for the Chairman, I'm going to say he did a wonderful job, he and the Committee. And so did the Committees on Judiciary and Finance. My concern is that we have not built a new prison for many years. There is an old dilapidated prison on Maui that's been waiting for many, many years.

There are three to a small little cell. There are not enough rehabilitation programs preparing the prisoners for when they get out.

"I think until we can develop a more comprehensive system, we will continue to have a high recidivism rate. Because letting the prisoners out is good and I'm all for it. I've been a proponent of that for many years. But I'm disappointed that we have not taken to task ourselves in building a new prison, including more rehabilitation and counselors before the prisoners go out. Right now we have recidivism that's up to 55% to 60%. That's too high a margin. And unless you correct the problem, this is just going to continue. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2776, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 42 ayes to 9 noes, with Representatives Ching, Giugni, Hashem, Ichiyama, Marumoto, Morikawa, Pine, Takai and Ward voting no.

At 12:55 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2515, HD 3, SD 2, CD 1
H.B. No. 2251, SD 1, CD 1
H.B. No. 2302, HD 2, SD 1, CD 1
S.B. No. 2536, HD 2, CD 1
S.B. No. 2776, SD 2, HD 2, CD 1

At 12:55 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

At this time, the Chair recognized the Clerk who announced:

"I have been informed by a representative of the President of the Senate that the Conference Committee Report for H.B. No. 2012, HD 1, SD 1, CD 1, was adopted, and that said House Bill, Relating to the State Budget, passed Final Reading in the Senate at 12:18 p.m. on this day.

"In addition, I have been informed by the Assistant Chief Clerk of the House that at 12:24 p.m. on this day, House Bill No. 2012, HD 1, SD 1, CD 1, has been duly transmitted by the Legislature to the Governor, pursuant to Article VII, Section 9 of the Hawaii State Constitution."

At this time, the Chair stated:

"Members, let's go back to the Consent Calendar, let's pick up on page 3."

CONSENT CALENDAR

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1825-12) recommending that S.B. No. 2740, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2740, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Third Reading by a vote of 50 ayes, with Representative Marumoto being excused.

At 1:00 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2740, SD 1

At this time, the Chair stated:

"Members, again there will be no discussion as these are items agreed to by this Body for placement on Consent Calendar."

Conf. Com. Rep. No. 70-12 and S.B. No. 155, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 155, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 117-12 and H.B. No. 2248, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2248, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 118-12 and H.B. No. 2626, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2626, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I support HB 2626 HD2 SD2 CD1 which promotes safe conditions for children to walk or bicycle to school by permanently establishing the Safe Routes to School program within the Department of Transportation, and establishing and appropriating funds for a Safe Routes to School Program special fund.

"While encouraging our citizens to choose walking and bicycling over driving for their modes of transportation has the potential to save our environment and slow the obesity growth plaguing our children, this bill is also timely given the Department of Education (DOE)'s challenges with its over-priced school bus contracts. On the Neighbor Islands, the DOE has threatened to end school bus services completely, including my Central Maui community which has two public high schools with enrollments both close to two thousand students each, two of the largest Middle Schools in the State, and five elementary schools (with a sixth under construction).

"We need to be mindful that children between the ages of five and eighteen have the highest rates of pedestrian injuries requiring hospital treatment or death. In the half-century that has developed Central Maui as the heart of our island's population, the neighborhoods have been built under different subdivision infrastructure standards. There are older areas without any sidewalks or bike paths for the safe passage of children walking or riding to school.

"Hawaii had the fifth highest pedestrian fatality rate from traffic crashes in the United States between the years of 2001 and 2005 and that rate has not significantly improved. Therefore, it is imperative that we, as a community, be pro-active in preventing speeding and other traffic violations in designated routes to schools. Making this program permanent should make it clear to DOT that safe routes concerns should be a priority in planning and allocation of available resources."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. This measure will help to provide the necessary funding for those travelling to and from schools. The Obama Administration has launched a campaign to address childhood obesity. The safe routes to school program will address obesity in our State by addressing hazardous conditions which deter students from commuting in a safe and timely manner by creating venues where commuters can walk or bike safely. For these reasons I rise in strong support."

Representative Kawakami's written remarks are as follows:

"Mr. Speaker I am in strong support of HB 2626, Relating to Safe Routes to School. In a day and age where we have become ever so reliant on the automobile and the daunting task of trying to juggle so many of life's responsibilities, oftentimes our focus on the road has turned to distraction which sadly has led to fatalities and injuries on our roadways. This measure will help to incentivize safe, responsible driving and will also create a much needed funding mechanism to make our roadways and streets friendlier for bikers and pedestrians alike.

"As we continue to encourage alternative modes of transportation such as walking and biking, it is also imperative that we provide the necessary infrastructure and education to promote this healthy mode of transportation. I believe Mr. Speaker, that if we can get our youth to walk and bike more, and to be more active not only will it benefit their health, but it will strengthen our communities. You see Mr. Speaker, when we walk the streets of our towns and neighborhoods we capture the essence and the pulse of our community. We get to see and interact with our neighbors. We get to appreciate the details of our neighborhood that often get overlooked when we just drive by in our cars.

"Mr. Speaker, I truly believe that this measure does so much more than what is in the language of this bill. It strengthens our relationships with one another and it lets us appreciate the communities that we live in. Mr. Speaker, because of this I stand in strong support. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2626, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 132-12 and H.B. No. 1800, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1800, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of HB 1800 which provides supplemental appropriations for the Judicial Branch of State government.

"The Judiciary's request focused on maintaining its existing infrastructure while providing some limited resources to ensure the safety and security of juveniles held at the Hale Hoomalu Juvenile Detention Facility at Kapolei. The Judiciary has done its share in meeting the State budget challenges by taking similar steps as the Executive and Legislative branches, including pay cuts and furloughs. Considering that the Judiciary has no direct control over the volume of its workload – dependent on criminal and civil filings by third parties – the Judiciary has asserted that budget issues have no doubt resulted in justice being delayed in some cases and hearings taking longer to be heard and resolved.

"For example, the Judiciary indicates from FY 2009 and FY 2011, the median age for adjudicating Family Court felony cases increased by 32%. Additionally, the number of pending civil cases at the end of the fiscal year increased by 122% in the district courts and 32% in the circuit courts from FY 2008 through FY 2011. The median age of pending circuit court civil cases increased by more than 32% between FY 2009 and FY 2011. This supplemental budget tries to address certain critical issues.

"This bill authorizes moneys for a district family court judge and three support positions, due to the significant increase in family court caseloads, to facilitate the efficient delivery of judicial services to the public.

"In conjunction with other Justice Reinvestment Initiative measures, this bill also provides two probationary service positions.

"The bill also funds the expansion of court interpreter services so as to facilitate access to justice for those who have limited English proficiency.

"This measure authorizes four new juvenile detention worker positions at the Kapolei detention facility to ensure the safety and security of

juveniles during all three facility operating shifts daily, thereby significantly reducing the use of overtime at the facility. In addition, the bill provides on-call nursing services for both the juvenile shelter facility on Alder Street in Honolulu and for the Kapolei detention facility, which will ensure that nurses are available to treat the juveniles when the day staff is not present.

"The bill also addresses a Neighbor Island issue arising from budget cuts in the Department of Public Safety (DPS). While Oahu courts have been providing community service sentencing program functions while DPS provided the same services on the Neighbor Islands circuits. DPS phased out services for the Second Circuit (Maui, Lanai and Molokai) several years ago and at the start of the Legislative Session announced the end of services for the Fifth Circuit (Kauai and Niihau) as well. This measure provides eight adult community service sentencing positions on the islands of Maui, Hawaii, and Kauai to fill the services previously provided by DPS and eliminated by that department. If these community service sentencing positions were not provided then persons deserving of doing community service as punishment could only be incarcerated instead.

"The budget also provides for the continuation of maintenance and warranty contracts at the Ronald T.Y. Moon Judiciary Complex in Kapolei so as to afford continuing service and maintenance for the building elevator, air-conditioning, court recording, fire alarm and sprinkler operations.

"Finally, this measure provides in excess of \$12 million in general obligation bond funding for capital improvement projects related to the Judiciary, for various internal maintenance and upgrade projects to resolve issues with air handling systems on Maui and Oahu, as well as exterior building improvements at various sites across Oahu."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1800, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 138-12 and H.B. No. 2100, HD 2, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2100, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Tsuji's written remarks are as follows:

"For decades, UH-Hilo has been at the forefront of bee hive study and research. The work done by Dr. Lorna Tsutsumi from the College of Agriculture, Farming, Natural Resource Management is noteworthy and has garnered support from renowned chef Alan Wong. Honey bees are responsible for crop pollination and their health and well-being is especially important if we are to reduce our dependency on imported food. However, there are several major pests threatening honey bees in Hawaii. The small hive beetle arrived in the State in 2010 and has been detected on four islands. Its presence compounds the challenges for beekeepers, who are already dealing with the *Varroa* mite since 2007.

"The appropriations in HB 2100 ensure continuing research in this field. This type of work can only help the bee hive industry survive its current challenges and any future ones it may face."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 2100, relating to funding for statewide research on honey bees.

"The \$30,000 allocated by this bill would be well spent by the four counties and the UH Hilo College of Agriculture, Forestry and Natural Resource Management.

"As you know, Hawaii's honey bee industry is an example of global excellence. We are now the world's No.1 exporter of queen bees. This industry creates jobs and strengthens and diversifies our State economy.

"Honey bees also promote food security by pollinating numerous crops, including tomatoes, melons, cucumbers, coffee, avocados, macadamia nuts and citrus products. Unfortunately, our honey bee industry is seriously threatened by pests such as the small hive beetle. This invasive species was first spotted in Hawaii in 2010 and is now found on the Big Island, Maui and Molokai. This latest threat adds to the challenges of beekeepers, who have battled another destructive pest – the varroa mite – since 2007.

"UH researchers point out that controlling the small hive beetle is difficult. It's hard to control them with chemicals, and current trapping methods are inadequate. That's why the research funded by HB 2100 is so important. By focusing statewide efforts on the small hive beetle, we can hopefully bring this pest under control.

"As the Hawaii Farm Bureau Federation points out: "Honey bee problems are problems for all of us, since many local crops are pollinated by bees." And if we can't control the pests and diseases that harm honey bees, our State's agriculture industry will suffer from lower production and lower quality of crops. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2100, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 140-12 and H.B. No. 246, HD 1, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 246, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this bill, which provides necessary funding to support the efforts and work of the Honolulu Prosecutor's Office. Specifically, this bill will support the City's Career Criminal division, its involvement in Drug Court and Hawaii's Opportunity Probation with Enforcement Program, as well as its Victim Witness Assistance Program.

"This bill recognizes that the genesis of these programs were essentially legislative mandates that sought to make our communities safer and were initially funded with seed money from the federal or state governments, or both:

"To protect our communities from a disproportionate amount of serious crimes being committed by a minimal number of multiple and repeat felony offenders, the Legislature created the Career Criminal Prosecution program in 1979. To provide information, assistance, and support services to victims and witnesses of crimes, the Legislature established the Victim Witness Assistance program in 1986. To address recidivism and rehabilitation of criminal offenders the Legislature created the State's Drug Court Program in 1996, and started Hawaii's Opportunity Probation with Enforcement (HOPE) Program in 2004.

"Considering the volume of cases handled by the City and County of Honolulu, these vital and successful programs have consistently been supported by the Legislature, and should continue to have state resources allocated, as available."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 246, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 144-12 and H.B. No. 2806, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2806, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Hanohano's written remarks are as follows:

"Mahalo Ho'omalu 'ōlelo. Ke ha'aha'a nei au no ko'u kako'o loa e pili ana kēia pila, Aha Moku. Mahalo iā 'oukou no kō 'oukou koho pāloka. E ha'alele kākou i ka leo ho'okahi ma kēia kau mau. E holo mua kākou ma ka mana'o'i'i, ka mana'olana a me ke aloha no kō kākou waiwai like'ole no kō kākou Aupuni. Nā ka pomaika'i a me ka maluhia iā kō kākou. Mahalo piha.

"Thank you, Mr. Speaker. I am humbled to support this advisory resource bill. Thank you all for your vote of confidence. We leave this Legislative Session with a unified voice. We move forward with faith, hope and love for our State resources. Blessings and peace to all of us. Thank you deeply."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2806, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 154-12 and S.B. No. 2116, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2116, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 162-12 and S.B. No. 2779, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2779, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 166-12 and S.B. No. 2320, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2320, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support this bill which provides much needed assistance for the elderly and their caregivers in our community. Putting Kupuna Care in law recognizes and prioritizes the role of community-based supports for our frail and elderly.

"This measure establishes the legal framework for a continuum of care firmly based in local communities and recognizes the important role provided by family caregivers. Much of the care provided in Hawaii's close-knit communities are provided by family members. This bill will provide better support for them.

"There is no doubt that Hawaii's growing elderly population may need long-term care facilities. But we need to recognize the important role provided through traditional family support by funding and supporting affordable quality home and community-based services. The Kupuna Care Program has been addressing the growing needs of the elderly and increasing demand for such services.

"As the baby boomers enter their elder years, the demand for such services will only increase and the State must be positioned and prepared to accommodate such demand. The need for long-term care has become more widespread as a result, and the Kupuna Care Program serves as a mechanism for providing affordable long-term care by supporting home-based solutions as long as practical and effective. At a time when the economy is struggling, affordability remains a priority.

"Reserving funds to support senior centers such as Catholic Charities Hawaii, Moiliili Community Center and the Waikiki Community Center will continue to benefit Hawaii's senior citizens. In addition, funding the Alzheimer's Association and establishing a wanderer's registration service

ensures that Alzheimer's patients are not forgotten and increases our monitoring of them as well. These services are essential to our continuing need to care for the elderly as they become unable to care for themselves.

"We must protect our elderly citizens as they become more vulnerable to society. The Kupuna Care Program's services will also ensure that our elderly are cared for and protected, and that they will enjoy a quality of life that's caring and humane."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2320, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 167-12 and S.B. No. 490, SD 3, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 490, SD 3, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. This measure is needed if Hawaii wants to stay in the game of international travel. As House Chair of the Committee on International Affairs, I have been amazed by the stories of individuals being thwarted by the challenges of coming into the United States for the purpose of travel. For some, it takes a day of travelling and hours and hours of waiting in line to request a visa, and sometimes after the time and effort taken, it will not guarantee them a visa as the individual may be denied authorization.

"The Obama Administration's recent effort to address visa and travel challenges will create increased business for one of Hawaii's largest economic engine – Tourism. The appropriation for this measure will help in securing Hawaii as a major force at the national and international level. For these reasons, Mr. Speaker, I rise in support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 490, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 169-12 and S.B. No. 2695, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2695, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Tsuji's written remarks are as follows:

"This measure would implement a livestock feed feasibility pilot project through the Department of Agriculture. Our local protein producers continue to struggle with ever-rising costs of livestock feed, and so this Bill is a step towards increasing the industry's sustainability. It includes language to build a pilot-scale feed mill to assess the operational feasibility of a feed mill in Hawaii. There is also an appropriation to reimburse qualified producers of milk, pork, eggs, poultry, and beef, for their feed costs. This Bill will help sustain our existing producers and I urge my colleagues to support it."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. The majority of farmers in Hawai'i are struggling. As a legislator who represents a community of farmers, the information that I have gathered while speaking with them has been the great challenges with feedstock for livestock farming. The high cost of fuel has immensely increased the overall cost of feedstock – being responsible for about 70% of the production costs in comparison to their mainland counterparts where this cost is responsible for 50% of production costs.

"Mr. Speaker, the feasibility pilot project will help to address this issue by discussing alternatives and initiatives to address these high costs which

in turn make food sustainability and food security, both of which is urgently needed, impossible for Hawaii's farming community. For these reasons, I stand in strong support 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. 2695, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 170-12 and H.B. No. 1968, HD 1, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1968, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 174-12 and S.B. No. 2933, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2933, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support this bill which promotes and improves ocean safety and addresses a long-time user conflict in the nearshore waters surrounding Maui.

"In a state surrounded mainly by water and doubling as a tourist destination, ocean safety is a high priority for both residents and visitors. In order to prevent tragic incidents in our waters, we must strive to take measures to safeguard against any potential problems to make our waters safe for both residents and visitors.

"Appropriating funds for swim zone buoys in nearshore waters is a step towards ocean safety and protecting swimmers and divers engaging in ocean activities. For visitors to the islands, they are often ill-prepared for the risks and dangers in our waters. The buoys would mark the areas distinguishing between vessel traffic and recreational use to avoid accidents. The buoys are clearly required because of the additional danger of collisions between swimmers/divers and boats. As a result of previous collisions – including fatalities – we must take action now to prevent any further tragedies.

"We want to make our waters safe for every commercial or recreational activity and use without putting any more lives in danger. Swim zone buoys are a simple solution that will provide a greater invaluable benefit to the people of Hawaii and visitors as well."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2933, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 176-12 and S.B. No. 2947, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2947, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which contains two parts.

"The first part requires the Department of Taxation to submit reports on tax credits to the Legislature annually and to submit by December 31, 2012, a report to the Legislature on the resources and information needed to complete the reports, identification of the best means of providing information in an electronic format; and recommendations for additional information that may be required for inclusion in the reports as the Department upgrades its tax computer systems and associated enterprise resource planning implementation. This part also gives the Department

discretion (rather than a mandate) to explore and implement reasonable methods to cover the costs of distribution of these reports and appropriates money [\$104,505] to support the Department to complete these reports.

"The second part allows the Director of Taxation to appoint administrative appeals officers to administer its Administrative Appeals and Dispute Resolution programs so that it may resolve all tax, penalty, interest, fine, assessment and other disputes between the Department and taxpayers expeditiously.

"This measure will make Department of Taxation more transparent by making more information available timely to the Legislature and ensuring that as the Department develops its computer system, it does so in a way that provides important information to the Legislature so that it may perform the vital function of monitoring the State's fiscal health.

"The measure will also allow the Department to appoint legal professionals for the limited role of hearing administrative appeals of tax issues. This will result in quicker resolution of claims for those who challenge decisions of the Department."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2947, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 51 ayes.

At 1:01 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 155, SD 2, HD 1, CD 1
H.B. No. 2248, HD 2, SD 2, CD 1
H.B. No. 2626, HD 2, SD 2, CD 1
H.B. No. 1800, HD 2, SD 2, CD 1
H.B. No. 2100, HD 2, SD 1, CD 1
H.B. No. 246, HD 1, SD 2, CD 1
H.B. No. 2806, HD 2, SD 2, CD 1
S.B. No. 2116, SD 2, HD 1, CD 1
S.B. No. 2779, SD 2, HD 1, CD 1
S.B. No. 2320, SD 2, HD 2, CD 1
S.B. No. 490, SD 3, HD 1, CD 1
S.B. No. 2695, SD 2, HD 2, CD 1
H.B. No. 1968, HD 1, SD 2, CD 1
S.B. No. 2933, SD 2, HD 2, CD 1
S.B. No. 2947, SD 2, HD 2, CD 1

At 1:01 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:03 o'clock p.m.

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried:

H.B. No. 302, HD 1, (SD 2)
H.B. No. 2113, HD 1, (SD 1)
H.B. No. 2257, HD 1, (SD 1)
H.B. No. 2258, HD 2, (SD 1)
H.B. No. 2409, (SD 1)
H.B. No. 2601, HD 3, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 302, HD 1, SD 2; H.B. No. 2113, HD 1, SD 1; H.B. No. 2257, HD 1, SD 1; H.B. No. 2258, HD 2, SD 1; H.B. No. 2409, SD 1; and H.B. No. 2601, HD 3, SD 1, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the Floor for final disposition.

The Chair then announced:

"Members, there will be no discussion on these items as well as these are items agreed to by this Body for placement on the Consent Calendar."

H.B. No. 302, HD 1, SD 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 302, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Keith-Agaran, Har, Tsuji and Thielen). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 302, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES SPECIAL FUND," passed Final Reading by a vote of 51 ayes.

H.B. No. 2113, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2113, HD 1, on the following showing of Ayes and Noes:

Ayes, 6 (Aquino, Rhoads, Cullen, M. Lee, Yamane and Fontaine). Noes, none. Excused, none.

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2113, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Final Reading by a vote of 51 ayes.

H.B. No. 2257, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2257, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Aquino, Cullen, Cabanilla and Johanson). Noes, none. Excused, 1 (Yamane).

Representative Chong moved that H.B. No. 2257, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I support HB 2257 which better allows our State to take advantage of an often overlooked resource – the skills and experience of spouses and family of service members stationed in our islands.

"This measure permits licensure by endorsement or licensure by reciprocity in certain situations for a nonresident military spouse, establishes procedures for a non-resident military spouse to receive a license by endorsement or license by reciprocity, permits issuance of a temporary license if certain requirements are met, requires the licensing authority to expedite consideration of the application and issuance of a license by endorsement, license by reciprocity, or temporary license to a qualified nonresident military spouse.

"In order to support the quality of life for our military service members we must also support their spouses and families. On average, military families relocate every two to three years, and 14.5% of military families move across state lines every year. Once here, military spouses often find that becoming licensed in their new state of residence is not worth the trouble. Exams, background checks, and the application process itself can take up to six months. It is unfair to require military spouses to continue to

go through the licensing process in every new state they re-locate to, every two to three years. With these cumbersome requirements in place, many military spouses end up taking employment that is well below their level of expertise and credentials. This has the potential to dissuade potential service members from entering the military, and encourage the 59% of married military service members to withdraw from service. In an effort to support our military and their family members, this bill allows for a substitution of the licensing requirement of experience for a requirement of competency, and expedites the licensing process on the whole."

The motion was put to vote by the Chair and carried, and H.B. No. 2257, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Final Reading by a vote of 51 ayes.

H.B. No. 2258, HD 2, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2258, HD 2, on the following showing of Ayes and Noes:

Ayes, 6 (Aquino, Herkes, Cullen, Cabanilla, Nakashima and Johanson). Noes, none. Excused, none.

Representative Chong moved that H.B. No. 2258, HD 2, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Mr. Speaker, I support HB 2258, HD2, SD1 which recognizes military vocational and educational training in Hawaii licensing. This measure requires professional and vocational licensing boards to consider relevant military education, training, and service as part of the evaluation process toward the qualifications of a license.

"Our nation's military service members enjoy the opportunity to receive professional training through the military, but this incentive to enlist in the military is often times diminished by the fact that once they are discharged, they discover that licensing boards do not accept these credentials, training and education in providing civilian licenses. This bill seeks to remedy that and make sure that the time and effort that both our service members and our military devote to their training will benefit both the veterans and the community who will benefit from their skills as they return to live and work in the community.

"This is a common sense bill that ensures that tax payer money invested in training our veterans does not go to waste, and ensures that veterans have the full use of their training in making a living in Hawaii for the betterment of our State."

The motion was put to vote by the Chair and carried, and H.B. No. 2258, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Final Reading by a vote of 51 ayes.

H.B. No. 2409, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2409, on the following showing of Ayes and Noes:

Ayes, 5 (Aquino, Cullen, Cabanilla, Ito and Johanson). Noes, none. Excused, 1 (Herkes).

Representative Chong moved that H.B. No. 2409, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support this bill which extends protections for our military men and women and their families from being targets of predatory lending practices.

"I understand that members of the military and their families must be protected from unfair and predatory deceptive consumer practices. During these slow economic times, military members must often seek financial assistance in order to provide for their families and pay their bills. Financial agencies recognize the desperate demand for such financial assistance, which can lead to companies engaging in predatory or abusive lending practices to the disadvantage of military members.

"In order to alleviate further financial burdens on the men and women serving our country, we must implement measures that will enforce consumer protection laws to deter such deceptive business practices. We need to help our military members minimize their debt, rather than add to it because of poor monitoring of lending practices by companies trying to gain financially.

"I agree that it is appropriate to authorize the Director of Commerce and Consumer Affairs to enforce certain federal laws to protect military members and their families from abusive lending practices in order to ensure that no military members fall through the cracks and become victims of such practices."

The motion was put to vote by the Chair and carried, and H.B. No. 2409, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Final Reading by a vote of 51 ayes.

H.B. No. 2601, HD 3, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2601, HD 3, on the following showing of Ayes and Noes:

Ayes, 3 (Aquino, Keith-Agaran and Cullen). Noes, none. Excused, 1 (Fontaine).

Representative Chong moved that H.B. No. 2601, HD 3, SD 1, pass Final Reading, seconded by Representative Evans.

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which increases the efficiency of the Department of Public Safety by allowing people authorized by court to serve legal process in addition to sheriffs and police. This hopefully will ensure that backlogs in serving legal process can be addressed in a timely and efficient manner in the future. This will give greater flexibility to litigants and allow the Department of Public Safety, police and sheriffs to allocate their limited human resources to the areas of greater need."

The motion was put to vote by the Chair and carried, and H.B. No. 2601, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," passed Final Reading by a vote of 51 ayes.

At 1:06 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 302, HD 1, SD 2
H.B. No. 2113, HD 1, SD 1
H.B. No. 2257, HD 1, SD 1
H.B. No. 2258, HD 2, SD 1
H.B. No. 2409, SD 1
H.B. No. 2601, HD 3, SD 1

At this time, the Chair announced:

"Members, please remember to submit to the Clerk the list of House and Senate Bills on the Consent Calendar for which you will be inserting

written comments in support or in opposition. This must be done before the adjournment of today's Floor session.

"For the bills you want to insert written remarks for on the Consent Calendar, please submit your list of bills for comments before the end of session today. Thank you.

"Let's proceed on to the Ordinary Calendar. We're on page 8 of the Order of the Day, appropriation bills, Unfinished Business."

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1824-12) recommending that S.B. No. 2952, SD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2952, SD 2, pass Third Reading, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you Mr. Speaker. I'd like to rise for a ruling on a potential conflict of interest. My daughter is a second grader at Le Jardin," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2952, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," passed Third Reading by a vote of 50 ayes, with Representative Say being excused.

At 1:07 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2952, SD 2

Conf. Com. Rep. No. 85-12 and S.B. No. 240, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 240, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I rise again for a ruling on a potential conflict of interest. My husband is a physician. Thank you," and the Chair ruled, "no conflict."

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. Also a ruling please. My grandson is just graduating from the medical school this month. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 240, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 86-12 and S.B. No. 2115, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2115,

SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 90-12 and S.B. No. 2383, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2383, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Yamane rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict. I am an on-call social worker at the Queen's Emergency Room. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2383, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 101-12 and S.B. No. 1083, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1083, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

At 1:10 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.

At 1:12 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 240, SD 2, HD 2, CD 1
S.B. No. 2115, SD 2, HD 2, CD 1
S.B. No. 2383, SD 1, HD 1, CD 1
S.B. No. 1083, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 103-12 and S.B. No. 2323, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2323, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 104-12 and S.B. No. 2324, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2324, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 119-12 and H.B. No. 2495, HD 1, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2495, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 121-12 and H.B. No. 2476, HD 1, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2476, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Awana, Carroll, Choy, McKelvey and Nakashima voting no, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 125-12 and H.B. No. 2275, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2275, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 129-12 and S.B. No. 2466, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2466, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Final Reading by a vote of 50 ayes, with Representative Cabanilla being excused.

At 1:14 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2323, SD 1, HD 1, CD 1
S.B. No. 2324, SD 1, HD 1, CD 1
H.B. No. 2495, HD 1, SD 1, CD 1
H.B. No. 2476, HD 1, SD 2, CD 1
H.B. No. 2275, HD 2, SD 2, CD 1
S.B. No. 2466, SD 2, HD 2, CD 1

Conf. Com. Rep. No. 133-12 and H.B. No. 1838, SD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1838, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 134-12 and H.B. No. 2684, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2684, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. This measure is a step in the right direction to encourage ride sharing and carpooling by looking into a feasibility study for an extended zipper lane in the Leeward Coast. Traffic continues to plague commuters and HB2684 is a step in the right direction. For this reason, I rise in support."

Representative Har rose in support of 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 strong support of HB2684 HD2 SD2 CD1, an important bill relating to the zipper lane. The intent of this measure is to extend the zipper lane westward from Waipahu toward Kapolei, west of

the Kunia on-ramp. As a Representative of the Leeward side, my constituents and I experience first-hand the burden of spending hours driving to and from town every day. House Bill 2684 addresses the State's considerable traffic congestion problem in West Oahu. A zipper lane providing access to West Oahu will be effective in reducing traffic, providing an incentive to carpool, and addressing the projected growth in the area. This bill is overdue, and I thank the Representative from Waianae for introducing this measure.

"For these reasons, Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2684, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 135-12 and H.B. No. 283, HD 1, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 283, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"This bill protects Hawaii's coffee industry and coffee agricultural assets from invasive species by funding a program to control and eradicate the coffee berry borer (CBB), which would include the destruction of feral coffee trees. The CBB continues to plague many of Hawaii's coffee-growing areas, and its spread needs to be prevented and its presence must be eliminated. This will likely be a long process, but it is necessary to protect this unique and important local crop. I urge my colleagues to support it."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, I am in strong support."

Representative Jordan 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 H.B. No. 283, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Jordan voting no.

Conf. Com. Rep. No. 136-12 and H.B. No. 1942, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1942, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"This bill implements the Department of Agriculture's Electronic Importer Manifest Program. The Manifest Program provides for an importer to transfer data to the plant quarantine inspector regarding commodities of interest being imported by aircraft or ship arrival. In doing so, it helps make the State's import system more efficient with better flow through our ports and reduced congestion at harbors and airports. We need every advantage when responding to a threat - perceived or real - in Hawaii-bound cargo. This is a time-sensitive procedure and the Manifest Program is a key tool towards that end."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1942, HD 2, SD 2, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 137-12 and H.B. No. 1943, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1943, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"This bill provides funds for detector-dog inspector positions under the Department of Agriculture. The Hawaii Detector Dog Program (HDDP), which began in November 1989, was shutdown at the end of June 2009. However, the Coordinating Group on Alien Pest Species (CGAPS) Vision and Action Plan recently listed the re-establishment of HDOA's detector dog program as one of the ten most important actions that must be taken to protect Hawaii.

"Guam's build-up and Asia's increased importance in trade and military matters means that we are increasingly vulnerable to invasion by brown tree snake and other pest species. There is no 100% inspection of cargo and conveyances that are bound for Hawaii. We must take responsibility for protecting our shores and the HDDP is an effective way of doing so."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1943, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 139-12 and H.B. No. 1953, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1953, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Cullen rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support of HB1953, which provides funds to increase the on-call availability of emergency medical and ambulance services on the Leeward Coast of Oahu – an aid that has been put in jeopardy with the closing of Hawaii Medical Center-West.

"With the greater burden now placed on the City and County of Honolulu's medical services division to respond to the emergency calls, the increased workload threatens the ability of the division to provide acceptable and adequate levels of emergency medical services to Leeward communities. Appropriating the sum of \$1 million for the fiscal year of 2012-2013 would extend emergency medical services and ambulance services in Ewa Beach to 16 hours a day and in Nanakuli to 24 hours a day.

"This will be a great and welcomed asset to our community and our State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1953, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 141-12 and H.B. No. 1755, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1755, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. Mr. Speaker, I have serious concerns that this bill could lead to fraud in voter registration. Nowadays we transact many kinds of business online. We get car insurance quotes, pay credit card balances, access medical history. And many have come to rely on the convenience of doing things online. I'm not against doing things in a technologically advanced way.

"The proponents of this bill say it's only natural that our State should transition to online voter registration; it's inevitable. I think that perhaps if online voter registration gets more people to come out, register to vote, that too is a good thing. If it makes the process quicker, easier for voters, that's a positive thing. And I understand that this bill would make online voter registration optional, not mandatory.

"But my concern is that the bill does not provide for enough safeguards. Safeguards against hacking and fraudulent use of the online system. We have all heard the horror stories. In fact, we focused on cyber crime, didn't we, earlier this Session. Stories about computer hackers stealing money from online bank accounts. Or identity thieves getting their hands on personal information stored online. And online voter information stored online would be no less immune to data security breaches or misuse. The bill only indicates that the information provided by the applicant would be confirmed through existing information in government databases associated with government issued identification, including the applicant's signature.

"But that confirmation, that match, does not actually verify that the person who is applying online is really who they say they are. A dishonest person could go online. They could create a new voter registration in someone else's name, perhaps a friend or relative that's never before registered to vote or is out of State. That dishonest person could request and absentee ballot and vote by mail. There would be no way to verify that person. No way to verify who voted by absentee ballot. Is that that same person whose name is that the voter registration created? Even the name and the signature on the voter registration absentee ballot and the drivers license, even if they all match up, that doesn't prove everything. If one of those items was fraudulently obtained in the first place.

"So if a dishonest person voted in person at a polling place, there would still be no way to verify that they are the same person whose name the voter registration was created for. Currently there is no uniform requirement that voters at polling places actually show a photo ID to confirm their identity. In our democratic society, it's especially important that our voter registration records be accurate, up-to-date, but also tamperproof. And so for these reasons I'm voting with strong reservations. Because the current version of the bill does not assure us that the integrity of the voter registration process, ultimately our election process, will be protected.

"We've seen a lot of things happen online, and I think there are still situations where people are on lists, where they've either passed away or no longer live there. There is. And this could only exacerbate it. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose in support of the measure with reservations and asked that the remarks of Representative Ching be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Keith-Agaran rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure which updates voter registration laws, including authorizing the acceptance of electronic applications to register to vote. This measure applies to all primary, special, nonpartisan, and general elections, beginning with the primary election of 2016. The Governor returned a similar bill at the end of last Session because there was no funding for the initiative. Let me thank the Office of Elections for re-introducing this bill this year and I would note this measure includes an appropriation of \$500,000 for the purpose of planning and designing an online voter registration system. Any remaining funds may be used to implement the online voter registration system.

"As those who were entrusted with responsibility by the voters, we have a particular duty to see that those eligible can vote. This measure will bring the registration system in to the twenty-first century and make registration much more convenient to a large number of people.

"Voting is the basis of democratic governance. With a range between 35% and 40%, Hawaii ranks near the bottom of the nation in its percent of citizens eligible to vote who turn out to vote. Moreover, turnout among the young is particularly low. If the young do not register and get in the habit of voting, elections will only become less and less representative of the State's population in the future. Steps need to be taken to encourage voting. Since use of the internet is widespread, particularly among the young, this measure should help increase registration and open voting to those who have so far been least likely to vote.

"The use of government issued identification which can be checked by election officials to obtain a signature and validate identity means that contrary to critics, on-line registration will be as secure as in person registration."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1755, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Final Reading by a vote of 51 ayes.

At 1:23 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1838, SD 1, CD 1
H.B. No. 2684, HD 2, SD 2, CD 1
H.B. No. 283, HD 1, SD 2, CD 1
H.B. No. 1942, HD 2, SD 2, CD 1
H.B. No. 1943, HD 2, SD 2, CD 1
H.B. No. 1953, HD 1, SD 1, CD 1
H.B. No. 1755, HD 2, SD 2, CD 1

At 1:23 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:23 o'clock p.m.

At this time, the Chair announced:

"Members, at this time we will recess for lunch. We will return, please, at 2:15. At 2:15, please be back in the Chambers. Thank you, very much."

At 1:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:23 o'clock p.m., with Speaker Say presiding.

At 2:24 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:25 o'clock p.m.

At this time, the Chair announced:

"Members, we are on page 12 of the Order of the Day. We will take Conf. Com. Rep. No. 152-12 out of order."

Conf. Com. Rep. No. 152-12 and H.B. No. 2404, HD 1, SD 2, CD 1:

Representative Chong moved that notwithstanding the recommendations contained in Conference Committee Report No. 152-12, that H.B. No. 2404, HD 1, SD 2, CD 1, be recommitted to the Committee on Conference, seconded by Representative Evans.

The motion was put to vote by the Chair and carried, and H.B. No. 2404, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION," was recommitted to the Committee on Conference, with Representatives Awana, Brower, Chang, Ito and Takumi being excused.

Conf. Com. Rep. No. 143-12 and H.B. No. 2883, HD 2, SD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2883, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 145-12 and H.B. No. 2319, HD 2, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2319, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. Mr. Speaker, this is a bill that puts its money where its mouth is. This is one of the things I called for in my earlier speech when I was bemoaning the budget as rather than growing the pie, we were cutting it slimmer and trimmer. We need to diversify, and Mr. Speaker, this is one of those areas that we can, at least in the area of high tech, with this accelerator, try to put more. We're not going to be Silicon Valley overnight.

"But if this works in the baby steps that are outlined in this bill, to give mentors, to give venture capital or accelerator capital, to give all that is needed for either establishment or taking off for what otherwise will be used in the next bill which I will also speak enthusiastically about, aerospace, high tech, etc. We will have gained an industry by which our kids won't have to go to the mainland in order to get a job. We'll have the STEM people right here, and this is one of the things to link some smart people of the University of Hawaii with the people on Bishop Street. We can hire people. And we can do much of what otherwise we have not done."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2319, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 146-12 and H.B. No. 2873, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2873, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, continuing with my enthusiasm of support, this is a line in the sand for truly, truly diversifying the economy. This is an opportunity for Hawaii to not only get into the space business. It's the ability to privatize what otherwise is international space exploration, which heretofore no one in the nation has really a corner on. As I have said many times on the Floor, NASA is in love with the Big Island. NASA sees the moon as the future of this nation, space travel. In fact many parts of the world see the Big Island as the incubator, if you will, for survival outside of the earth's atmosphere.

"Mr. Speaker, this is going to be a good one. By putting DBEDT and Hilo in a partnership in having the international lunar research park, of which already Google Lunar X PRIZE, NASA and other groups have already expressed serious interest in, and some are, I would think according to Jim Crisafulli, ready to come here with enthusiasm, after we pass this piece of legislation.

"Heretofore, Mr. Speaker, we have been a little bit of a hard customer, so to speak. We kind of play hard to get. This finally is the commitment that we need, and this is the commitment that can take us into an extremely out-of-this-world economic diversification. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you. In support, Mr. Speaker. For the benefit of the Members, I've had some discussions with Buzz Aldrin on this issue, and he's in very, very strong support. For those of you that were here in 2000, and had the opportunity to meet him when he addressed this House."

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I just wanted to note that I would like to go to the moon."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Just real quickly, I just want to actually thank the members of the Big Island delegation, both Senate and House, because without their help and effort, this would not be possible. And while that is the incubator for aerospace and part of the research component to which the potential with Alaska, and manufacturing launch component. The other great thing about this, this helps to live with the green, sustainable, well-paying jobs we've heard and talked so much about. It created a driver for the State by using the benefits of an area.

"What's really exciting is, this is an industry where millions will be committed in keeping the area environmentally pristine and untouched. And to get that kind of win these days is really important. So for all those reasons, I stand in strong support. And again thank you to the Big Island members of the delegation, Senate and House for their support and work on this bill. Thank you."

Representative Nakashima rose to speak in support of the measure, stating:

"Mr. Speaker, thank you. In support. I'd like to extend my congratulations and thanks to the Economic Revitalization Chair, and the Chair of Higher Ed, for their hard work on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2873, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 153-12 and H.B. No. 304, HD 1, SD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 304, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. My daughter is a student at Ballet Hawaii," and the Chair ruled, "no conflict."

Representative Ching continued to speak in support of the measure, stating:

"Thank you. In strong support. A number of good things in here I'm very happy to see including Palama Settlement and a number of other worthy organizations across the State. Thank you."

Representative Belatti rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I also would like to stand up with a potential conflict. My daughter also attends Ballet Hawaii. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 304, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 155-12 and S.B. No. 2778, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2778, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH," passed Final Reading by a vote of 51 ayes.

At 2:32 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2883, HD 2, SD 2, CD 1
H.B. No. 2319, HD 2, SD 1, CD 1
H.B. No. 2873, HD 2, SD 2, CD 1
H.B. No. 304, HD 1, SD 1, CD 1
S.B. No. 2778, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 156-12 and S.B. No. 2424, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2424, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you. Mr. Speaker. I'm rising to speak against the measure. Mr. Speaker, the Transportation Chair sent an email out to all of us. I'm not sure in just the rush to get ready for this closing day, if Members took a look at that email. But what the head of Talent HR Solutions is stating is, this bill is actually going to put the small PEOs, Professional Employer Organizations, out of business. So this isn't just a job killer, it's a company killer and a job killer with it.

"Mr. Speaker, I would like to call for a brief recess so we could discuss this just for a minute before we move ahead with this measure."

At 2:33 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:38 o'clock p.m.

Representative Thielen continued, stating:

"Thank you, Mr. Speaker. Thank you for that recess. Mr. Speaker, I'm really concerned about this. The DCCA informed us of this Talent HR Solutions, that more than 15 complaints have come in from small PEOs for this excessive bond requirement. Now here's the key language. None of the smaller PEOs were informed about, I guess about the bill, so we could present this alternate view. If such a bill is passed in its present form and the Governor was to sign the bill, the net effect would be to create two or three large monopolies. And basically this company will go out of business, along with probably the other 15 smaller PEOs and all of those employees. So in one fell swoop, trying to do something that may be a good idea, but isn't in the way that it is structured, we're going to be shutting down 15 businesses and putting all the employees that work for those businesses out of work.

"So I really would ask Members to look at this and say, the idea may be good. We want to protect companies. But let's look at doing it in a better way and do that next year. Let's not do this. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. There was no testimony at the Labor Committee or anywhere else that I'm aware of that gave any evidence that 15 companies were going to go out of business if we pass this bill. On the contrary, what this bill is designed to do is protect companies who use PEOs. If you use a PEO as a small business or even a medium sized business, and one of those PEOs absconds with your payroll for a month or two weeks, that is a major blow to any business that's even close to the edge. What we're trying to do in this bill is to protect businesses many of whom use PEOs. The bill is graduated so that smaller PEOs have a smaller bonding requirement and a smaller re-registration requirement.

"In addition, the final point I would make is that this bill went through many, many iterations, both in the hearing process and at Conference. The first I saw of any opposition from the smaller PEOs that I recall, I mean it's been a long a Session, but the only one I recall was this morning. And if you're not going to participate in the process until a few hours before the final vote, it's very difficult to calculate that into anyone's legislative amendments.

"But having said that, there is a sliding scale for small companies. But there are two sources of potential danger here. One is putting somebody out of business directly. But the other one is, if one of these companies takes off with payroll, it's a huge blow for any company. Thank you."

Representative Herkes rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Herkes' written remarks are as follows:

"The Legislature recognizes that professional employer organizations (PEOs) provide a valuable service to commerce and the citizens of Hawaii. PEOs deliver this important service through increasing the opportunities of small business employers to develop cost-effective methods of satisfying their employment-related requirements. Importantly, PEOs provide employees with access to employment benefits which might otherwise not be available to them and helping to ensure greater compliance with employer requirements.

"The intent of this legislation is to create a registration program for PEOs operating in the state and to address employee benefit coverage and reporting requirements for both PEOs and to those small businesses they provide services. The intent of SB 2424 is to retain employer responsibility at the client level and to allocate certain administrative responsibilities to the PEO only during the term of the agreement. This allocation is achieved by recognizing that the PEO is, during the period it is providing services to each individual client, responsible for certain employer responsibilities including unemployment insurance, workers' compensation (and that the exclusive remedies of Chapter 386 shall apply to both the client and the professional employer organization) temporary disability insurance, and prepaid health care coverage.

"It is the intent of SB 2424 to only assign to the PEO administrative responsibilities and that all other duties and responsibilities shall remain those of the clients' business activity remain those of the client."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. I'm voting no on this particular measure. I think I've been fairly consistent voting no in Committee and on Third Reading on this Senate Bill. I was a little bit upset about it. Let me first say, I think it might be a good idea to have bonding requirement, because then, if somebody does abscond with money, the business might be able to retrieve some of their money. But on the other hand, this puts the entire industry, the PEOs, under one department. And usually businesses are under DCCA, and maybe inspected by the Labor Department. But this puts everything under Labor, so Labor becomes in effect the judge, the jury, the hangman, if need be.

"There are only a few PEOs in the State. A couple big ones, and I'll mention them by name, ALTRES and ProService. They may handle maybe half the employees in the State. They cover businesses with half the employees. The other half is many small, a dozen or two, very small businesses. The fees are so high that if there are 500 or more employees that you cover, and let's say 5 or 10 businesses, your fee will be \$10,000 for the biennium. Just for registration. So I think it might be a problem. It's also problematical for new businesses who want to get started. Very high registration fees.

"So I worry that some of the language in the bill might make the PEO the employer for too many functions, and then the PEO may have all the liability for that particular area. So I haven't read the bill word for word, but it's just that I'm totally opposed to everything being under one department and the fees being very high. Thank you."

Representative McKelvey rose in support of the measure and asked that his written remarks, and the remarks of Representative Rhoads be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative McKelvey's written remarks are as follows:

"The Legislature recognizes that professional employer organizations (PEOs) provide a valuable service to commerce and the citizens of Hawaii. PEOs deliver this important service through increasing the opportunities of small business employers to develop cost-effective methods of satisfying their employment-related requirements. Importantly, PEOs provide employees with access to employment benefits which might otherwise not be available to them and helping to ensure greater compliance with employer requirements.

"The intent of this legislation is to create a registration program for PEOs operating in the state and to address employee benefit coverage and reporting requirements for both PEOs and to those small businesses they provide services. The intent of SB 2424 is to retain employer responsibility at the client level and to allocate certain administrative responsibilities to the PEO only during the term of the agreement. This allocation is achieved by recognizing that the PEO is, during the period it is providing services to each individual client, responsible for certain employer responsibilities including unemployment insurance, workers' compensation (and that the exclusive remedies of Chapter 386 shall apply to both the client and the professional employer organization) temporary disability insurance, and prepaid health care coverage.

"It is the intent of SB 2424 to only assign to the PEO administrative responsibilities and that all other duties and responsibilities shall remain those of the clients' business activity remain those of the client."

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker, as I circulated the letter, and I still feel the same, I would want to vote no on this measure. It's a very harsh penalty that I think has been set upon these relatively small professional employment operators. If you're from 200 to 1,000, your monthly requirements, according to the

letter that I got, goes up to \$500,000. You have to also put \$500,000 in collateral. Which means that's money that's tied up in there. It's collateral. Then you go to a surety company to get a letter of credit, and you have to pay interest over there, 1 3/4 to 2% or so. Then after you get that and then you go to the bonding company with a letter of credit for the \$500,000, because you got your collateral in there, so they'll charge you an additional 2%.

"What I'm hearing from the small businesses, and if you can allow me, I know that it's in the late hour, the Chairman was correct. It's a late hour. It was in the 12th hour when they came over to see me. But there's got to be some truth to all of this here. They're saying that that \$500,000 is what they can make in profit. But if they're going to be tying that cash up, they'll go bankrupt. And I don't think they would be lying to me, because this letter has been spread to all of you. You all got the letter. I don't know if you took the time to read it. But what it means in effect is that, a number of small businesses will be going out. And I think we have enough of a reputation for being anti-business. We don't want to be any more.

"What I say is, let's put this bill down. Come back next year and try and clean it up. I understand why the regulations are a little tougher, because, from what I'm understanding, one of the smaller companies took off with the wages from a company that they were supposed to be taking care of. And there's a trust relationship here. So I can understand why they quickly come for strengthening the regulations. But if you're going to do that and hurt the rest of the companies, then strengthen but don't overkill. I think this bill is an overkill. So I request that Members, let's put this bill down, come back next year, work with the Chairman, and come up with a better bill. Thank you, very much."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose to speak in opposition to the measure, stating:

"In opposition. And asking that the words of the Speaker Emeritus be entered as my own, and additional written comments. I just want to say, PEOs, they provide temporary, short-term regular staff for the firms that experience spikes in their workload, have seasonal increases such as the retailers that work the holidays, or who are too small to handle extensive paperwork associated with having employees on the payroll. They need our help. Thanks."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise to express reservations about SB 2424, a bill that would place heavy financial and regulatory burdens on Professional Employer Organizations (PEOs).

"PEOs provide important services to our small and medium-sized businesses in the State. They help provide temporary, short term, or regular staff for firms that are experiencing spikes in their workload, have seasonal increases such as retailers during the holidays, or who are too small to handle the extensive paperwork associated with having employees on the payroll.

"This bill, would force all PEOs to pay hefty registration fees, rising as high as \$10,000 per company. The bill also places excessive bonding requirements on PEOs, which the smaller firms may well not be able to afford. The National Association of Professional Employer Organizations testified that the bonding levels in this bill are seriously out of line with what other states require.

"Mr. Speaker, at a time when Hawaii's economy is still fragile and we want more jobs for our residents, this bill may well result in the closure of some PEOs and make it harder for others to remain in business.

"This Legislature keeps talking about how they want to create jobs and help the economy, but your actions do the opposite.

"I will not oppose this bill because it helps implement provisions of Act 129 which we passed in 2010. But I believe in the long run, this bill will

be detrimental to employer organizations and the role they play in our State." [Note: Representative Ching voted no on this measure.]

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Thielen rose to respond, stating:

"Thank you. Mr. Speaker. You know that something must be seriously wrong with this bill, because Speaker Emeritus and I are agreeing on something. So given that fact, I would ask you all to take a look at it, because we're going to shut down at least 15 companies with this measure. So Speaker Emeritus, I would like to have your words entered into the Journal as if they were my own. Please, I ask you all, let's not do that to these employees. Let's not do this. Thank you."

Representative Johanson rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered." [Note: Representative Johanson's vote was later recorded as a no vote.]

Representative Johanson's written remarks are as follows:

"Mr. Speaker, I rise in opposition to SB 2424 relating to professional employer organizations. I oppose this measure because these mandated registrations and regulations will probably put professional employment organization out of business. At a time when many of our constituents are unemployed or underemployed, I believe we should not create obstacles for job opportunities, and I believe this measure will do just that."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. First, I would like the words of the Chairman of Transportation entered into the Journal as if they were my own. I rise in opposition. Just briefly, I think all of us process things differently, and in my case I kind of take a look at this and do a quick risk analysis. It seems to me that it's riskier to move this bill forward, and it's just a little safer if we didn't. The risk of losing 15 or so small businesses versus the risk of waiting one additional year to fix a problem, to me is an issue that's quite easy to juggle. And in this case, I err on the side of caution, and I vote this bill down. Thank you."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative Souki be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Rhoads rose to respond, stating:

"Mr. Speaker, still in support. I would just point out too, that the bonding requirement has been there since 2010, the \$250,000 bonding requirement. The other point I would make is that DLIR has oversight over most of the things that are covered in this bill anyway. So to argue that somehow DLIR should not be involved, and they're going to be involved because it covers prepaid health. It covers temporary disability insurance. It covers workers comp insurance. These are all things that are regulated by DLIR anyway. But I still, considering the fact that these companies have been subject to the \$250,000 bond already, if you read on page 16, section 7, you'll see that, in the words that are marked out, there is a \$250,000 bond requirement already in law. Thank you."

Representative Souki rose, stating:

"Mr. Speaker, in due respect to you, and to the Leadership and to the Chairman, I move that we recommit this measure, Senate Bill 2424."

At this time, Representative Souki moved to recommit S.B. No. 2424, SD 2, HD 2, CD 1, seconded by Representative Takai.

At 2:52 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:54 o'clock p.m.

At this time, the Chair announced:

"I recognize it's late in the day. The Senate has already adjourned *sine die*, but for the House, this is your democratic House. At this point, the motion before this Body is the motion to recommit Senate Bill 2424, Senate Draft 2, House Draft 2, Conference Draft 1. Is there any discussion on the motion to recommit?"

Representative Ward rose, stating:

"Mr. Speaker, I think you said it as you explained what we are doing. You said this is your democratic House. The point of recommitment is to see the democracy as it is imperfect, has a way of, it's got a self-correcting mechanism. If we've done something prematurely, by not having a fully vetted discussion on this, recommitment will allow us to have that and not rush into something that otherwise could be very risky. So in the democratic spirit, thank you very much."

Representative Chong rose to speak in opposition to the motion to recommit, stating:

"Mr. Speaker, I speak against the motion to recommit. I ask the Members to vote against this, because I think if we were to recommit and kill this bill, I think it would remove the protections of the bill for small business. Thank you."

Representative Marumoto rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I speak in favor of the motion to recommit. Mainly because we just got some information, rather late on this measure, which really caused many of us to have hesitancy and reluctance to vote for this measure. I feel very strongly that this will be damaging to the PEOs and the small businesses that they serve. Thank you."

Representative Thielen rose to speak in support of the motion to recommit, stating:

"Thank you. Mr. Speaker, in strong support of the motion to recommit. Mr. Speaker, think of the people that go to work and are appreciative of their job. Think of them being told by their employer, 'I'm sorry, we have to shut the company.'"

The Chair addressed Representative Thielen, stating:

"Representative Thielen. Representative Thielen, you are out of order. Representative Thielen, can you confine your remarks to the motion of the recommitment and the process. On the process."

Representative Thielen: "Well I'm saying ..."

Speaker Say: "On the process."

Representative Thielen: "Yes, I will. I'm saying the recommitment is so tremendously important, because we want to save jobs for those workers. And let's not put them out of work. Please. It needs to be recommitted to be relooked at, and come back in a way that won't be just a job killer, but a business killer too. Thank you."

Representative Ching rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. In strong support of the recommitment. I think that there are many people who sometimes just can't make it down here. They don't always know. But once they do find out, and we hear their voice, I think they may feel that we have good government. Thank you."

Representative Rhoads rose to speak in opposition to the motion to recommit, stating:

"In opposition. I just want to point out to you, Mr. Speaker, and the membership, that this bill has been considered by, it was a joint LAB/ERB referral, so there was one hearing there. There was another CPC/JUD,

another hearing there. And then a FIN referral as well. So a total of 5 Committees have looked at it in the House. In the Senate it was a joint CPN/JDL, and then it had a WAM referral as well. So we had a total of one, two, three, four, five, six, seven, eight Committees. And then about a week and a half of negotiation with the Senate, and the Department of Labor, and members of the PEO community have also been involved. I think it's pretty difficult to argue that this bill has not been thoroughly considered already. Thank you."

Representative Thielen rose to respond, stating:

"Mr. Speaker, in rebuttal. Mr. Speaker, this company said, none of the 15 ..."

Speaker Say: "Representative Thielen, confine your remarks."

Representative Thielen: "I'm responding. I'm rebutting to what the Labor Chair said."

Speaker Say: "Confine your remarks to the motion on the process to recommit. And that's what the Chair ..."

Representative Thielen: "I'm rebutting what he said. These companies weren't informed about it. No one reached out to say to them, we're considering legislation that might make it impossible for you to stay in business. The person here has testified."

Speaker Say: "Representative Thielen, we are not on the substance of the measure."

Representative Thielen: "No, but I'm responding to what you allowed him to say."

Speaker Say: "He talked about the process of the referral process, that it was vetted by 8 Committees."

Representative Thielen: "Fine, but those different Committees, Mr. Speaker, these people were not informed. He's acting as if the whole world knows what we're doing here. Well the whole world ..."

Speaker Say: "Representative Thielen, you are out of order."

Representative Thielen: "I'll try to become in order."

Speaker Say: "Confine your remarks to the motion to recommit. That's all it is."

Representative Thielen: "And may I do exactly what the Labor Chair did and discuss it as to who showed up and who didn't?"

Speaker Say: "At the process of the Committee hearings, yes."

Representative Thielen: "Okay, the process of the Committee hearings. The former speaker assumed that the public and the employers out there know all the time what we're doing in this Body. Many of them don't. The point is, we need to reach out to them to say, 'We're considering legislation that could jeopardize your business. Come in.' No one did that. These 15 companies never knew ..."

Speaker Say: "Representative Thielen ..."

Representative Thielen: "I'll stop there."

Speaker Say: "Representative Thielen, I disagree with you, because the ..."

Representative Souki rose, stating:

"Mr. Speaker, I call for the question."

The Chair then stated:

"Representative Souki, please. Let me tell the Members at this point, that the motion before this Body is to recommit. And none of you have the courage to call for a roll call, and the Chair is going to ask for a roll call vote. We're not going to do it by voice vote. It's going to be a roll call vote. So those who support the recommitment, will say 'aye' and those who oppose will say 'nay'."

"Before I begin, Madame Clerk, is that the proper way of this particular roll call? Or shall it be the motion to recommit, those who support the recommitment will have to say 'aye' and those who oppose the recommitment will have to say 'no'."

The Clerk responded, stating:

"That is correct, Mr. Speaker."

At this time the Chair called for a roll call vote, and the motion to recommit S.B. No. 2424, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was put to vote by the Chair and failed to carry on the following show of Ayes and Noes:

Ayes, 20: Awana, Belatti, Brower, Ching, Fontaine, Giugni, Hanohano, Johanson, Kawakami, C. Lee, Luke, Marumoto, Morikawa, Riviere, Saiki, Souki, Takai, Thielen, Ward and Wooley.

Noes, 30: Aquino, Cabanilla, Carroll, Chang, Chong, Choy, Coffman, Cullen, Evans, Har, Hashem, Herkes, Ichiyama, Ito, Jordan, Keith-Agaran, M. Lee, Manahan, McKelvey, Mizuno, Nakashima, Oshiro, Pine, Rhoads, Say, Takumi, Tokioka, Tsuji, Yamane and Yamashita.

Excused, 1: Nishimoto.

(Main Motion)

Representative Manahan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just wanted to let the Body know and let the record reflect that I voted no on the recommitment because I do believe that the bill went through its due process. It did go through all the Committees. And those concerns are coming to us very late in the process. But I have reservations in hopes that maybe the Administration could take a look and work with the concerned parties before they implement it. And maybe, if need be, then we can come back and reconsider it next year. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, I'd like to speak in opposition to this measure. I had mentioned earlier that the small businesses that PEOs serve, I guess they're also called employee leasing companies, are very helpful to small business. Like, some small businesses, they just don't want to be saddled with all the problems of paying the withholding and all the taxes, and doing the paperwork regarding the payroll. Perhaps you use one yourself, Mr. Speaker, unless you could afford somebody to do this specifically in your business. But there are so many labor laws, and you run a hazard when you hire people, fire people, so that it's good to have someone with the necessary expertise to help you out."

"Also, PEOs assist in obtaining insurance, maybe the best rates for all the insurance policies that you have to carry if you're a small business. So if a lot of these small businesses go out, then we're hurting the small businesses. And so this one, this particular bill, calls for registration fees, biennially. If you handle a business with 500 or more employees, you're paying \$10,000 for registration. From 251 to 499, you will pay \$5,000. 100 to 250 covered employees, \$3,000. And then if you cover only 0 to 100 employees, let's say you have a business, you do it for a business, your brother-in-law's or something, there's only 5 employees, you're paying \$2,500. So folks, we should vote this down. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker. Briefly in opposition, Mr. Speaker. We have a workforce of about 600,000 people, Mr. Speaker. I think covered under this bill, the PEOs are about 50,000 employees. That's maybe 10% of the workforce. If even half of these things get hit, that's a lot of people that this is under. We basically thank the Chair of Finance. We thank everybody that worked through the budget, and we came out looking good.

"Well, Mr. Speaker, it's because the private sector paid wages which people pay taxes on. It's the private sector that paid the GE Tax, etc., that we're here today with our noses above water. So if we want to harm the goose that lays the golden egg, we have to be aware of what we're doing. If this is almost 10% of the labor force, why do you want to mess around with them? Because one company absconded with the payroll. You don't take a shotgun to kill a fly, Mr. Speaker. That's my point.

"I'll go back to the gentleman who drives the electric car, who said, if this is premature, if we err on the side of caution, we will not pass this now. The point is, Mr. Speaker, what we're going to get out of this is riskier than what we're going to get if it goes through. 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. 2424, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Final Reading by a vote of 31 ayes to 19 noes, with Representatives Belatti, Ching, Fontaine, Giugni, Hanohano, Har, Johanson, Kawakami, Luke, Marumoto, Morikawa, Pine, Riviere, Saiki, Souki, Takai, Thielen, Ward and Wooley voting no, and with Representative Nishimoto being excused.

Conf. Com. Rep. No. 158-12 and S.B. No. 2939, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2939, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB 2939 CD1 which authorizes \$80 million in special purpose revenue bonds for St. Francis Healthcare System of Hawaii. This bill provides us [the community and its leaders] with an option when looking to address the loss of HMC, and its services.

"Mr. Speaker, when we started this Session, I made it my number one priority to help remedy the dire situation brought about by the bankruptcy and closure of Hawaii Medical Center East in Liliha. Losing this hospital was tragic for the residents of my district and the State of Hawaii, but I am pleased today to see it rising from the ashes.

"The St. Francis legacy began in 1883 when Mother Marianne Cope and six sisters of St. Francis arrived in Hawaii to work with Hansen's Disease patients at the request of King Kalakaua. In 1927, the sisters started their first hospital. In 1929, they began Hawaii's first organ transplant program. In 1988, St. Francis began operating the first official hospice program in Hawaii. And, in 1990, St. Francis opened the only major medical facility in West Oahu.

"As you can see from their history, St. Francis has been consistently filling healthcare needs in our community, and this bill will help them continue to serve the people of Hawaii, particularly the residents of Liliha.

"Special thanks are due for this monumental measure. First, I would like to thanks the Chair of Health for his tireless work for our hospitals this Session. I would also like to thank the Healthcare Association of Hawaii, Queen's Health Systems, Hawaii Medical Association, Hawaii Catholic Conference and Laborers' Union Local 368 for their testimony in support of this measure.

"Finally, thank you, Mr. Speaker for all your support for our hospitals and St. Francis this Session."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2939, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 161-12 and S.B. No. 2435, SD 1, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2435, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 163-12 and S.B. No. 2261, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2261, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Aquino rose to disclose a potential conflict of interest, stating:

"I request a ruling on a potential conflict. I work for a non-profit that serves as the fiscal agent for Weed and Seed, but we don't oversee the operations. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2261, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 164-12 and S.B. No. 112, SD 1, HD 1, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 112, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure. This is the measure that, as the Vice Chair of Finance said, she wants to go to the moon. Well, this is her opportunity, because this bill is literally to get us into the space port business. Mr. Speaker, some of us have waited four years for this to happen. It's an exciting time, because once a space port license is given, Mr. Speaker, this is going to connect very specific nodes of the United States and the rest of the world.

"Even though it's still a little bit of a science fiction, it is possible that with 35,000 feet in the air, at altitude, then with the rockets being shot, we can actually go from here to Tokyo in 45 minutes. That's in the long run. Right now, in terms of diversification of space, we could actually have tourists take these rides that get them up, and I think after 70,000 feet they glide down with the experience of weightlessness. This diversifies our visitor plan. It doesn't put anything at risk. It's environmentally sound. We could use the existing airport. This is simply to do the environmental study, crossing all the T's, dotting the I's, to make sure that this is kosher, so we can get into the diversification of which now there's only a handful of states by which this is possible. And the window of opportunity for us to do it is now, Mr. Speaker.

"So this is a great opportunity. It's a great bill. And it's going to change the face of tourism in the future. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Just for some clarifications on this. First of all, to the Vice Chair of Finance's comment, this bill will not get you to the moon. That was PISCES. What this bill will do, though, is provide space tourism, which is basically flight within the earth's orbit,

both within the State of Hawaii, and eventually working with the State of New Mexico through their Spaceport America project, point-to-point travel. And of course that builds upon Japan as well.

"And it's not science fiction. Actually, it's a lot further along than people think. The match upon which this is predicated at \$250,000 is from the federal government, which has authorized this thing to move forward, to assist states like New Mexico and Hawaii to obtain these spaceport licenses. Unlike New Mexico, we don't have to build a billion dollar new facility. We have two airports already that can host these aircrafts. And this will be a way to integrate them into existing civilian traffic, as well as UAVs, and potentially working with Japan and Narita, I very well think that very soon, you could take off in Japan, 20 minutes, be in Hawaii, have lunch, do a business deal, and 20 minutes later be back in Japan just in time for dinner.

"So it's a lot further along than people think, you can google Virgin Galactic if you want to see some of the space planes that are already flying. And the timing is right, given what is happening in New Mexico. Of course this puts us in a great position among all space-faring nations. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 112, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 168-12 and S.B. No. 2220, SD 1, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2220, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Nishimoto being excused.

At 3:13 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2424, SD 2, HD 2, CD 1
S.B. No. 2939, SD 1, HD 1, CD 1
S.B. No. 2435, SD 1, HD 1, CD 1
S.B. No. 2261, HD 1, CD 1
S.B. No. 112, SD 1, HD 1, CD 1
S.B. No. 2220, SD 1, HD 2, CD 1

Conf. Com. Rep. No. 171-12 and H.B. No. 2226, HD 2, SD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2226, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker. I am in support of this Women's Caucus measure and would like to insert written comments. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 2226, HD2, SD2, CD1 – Relating to an Automated Victim Notification System.

"This bill seeks to maintain an automated notification system in which the victim of a crime will be apprised of their attacker's custody status. It is a natural extension of the current Statewide Automated Victim Information and Notification System (SAVIN) that is administered by the Department of Public Safety. This measure will establish a service in which victims will be kept up to date on the status of their offender, from the point of arrest and incarceration through the time they are released and under supervision with the community.

"The SAVIN program, which receives federal funding through the Department of Public Safety, may be discontinued in 2012 due to lack of funds. This measure will provide for the continued operation of SAVIN by dedicating a special funding source, whose revenue will be generated by fees from inmate phone usage and from a 4% surcharge against inmate commissary purchases. So, HB2226 is a financially feasible means of protecting the public and ensuring victim's rights. It will not be necessary to "invent" additional sources of funding for this system.

"A portion of this bill addresses the overseeing of a notification system by a committee, to be made up of representatives from victim service agencies, victim witness assistance programs, and a victim or surviving family member. This Governance Committee will build rapport with the Department of Public Safety to ensure successful implementation of the automated notification system.

"Many Victim/Witness Counselors attest to the functionality of this notification system, stating that it offers tremendous peace of mind to victims of abuse. It allows such victims to regain some control over their lives by informing them of their attacker's custody status, thereby enabling them to prepare or protect themselves accordingly. An automated victim notification system poses an invaluable service to members of the community who have been victimized, or who know someone recuperating from a crime. It has afforded peace of mind to victims living in fear of their attacker.

"I urge your support of this bill, which will continue to support victims across the State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2226, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 173-12 and S.B. No. 2545, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2545, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Takumi rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takumi's written remarks are as follows:

"This measure is critical and its passage means that we are placing a higher priority on increasing access and improving the quality of our pre-school programs because it makes good educational and economic sense.

"Educationally, we know that the first five years of a child's life are the most critical to development. Children in quality early education programs typically perform better in school, display stronger reading skills and experience fewer disciplinary problems. An increasing number of states, six at last count, are establishing pre-kindergarten classes as part of their public education system.

"According to Good Beginnings Alliance, only 12 out of 20 students are well prepared as they enter kindergarten. For at-risk children, preschool programs can be the difference between failing or passing, regular or special education, and dropping out of or graduating from high school.

"The research is compelling: children who attend preschool or other early education programs have better cognitive, verbal, and social development and enter kindergarten better prepared.

"They also are less likely to exhibit later delinquency and antisocial behavior, tend to demonstrate higher levels of school achievement and better social adjustment, and are more likely to graduate from high school.

"A recent study on the Oklahoma universal pre-K program (available to all 4-year-olds) in 2003 showed that low-income students improved test

scores 26 percent, with Hispanic students having the greatest improvement with a gain of 54 percent.

"Economically, investing in human capital yields greater long-term benefits than any tax credit or subsidy that we typically hand out to developers and businesses.

"The Federal Reserve Bank of Minneapolis published a report in December 2004 that asserts there is an extraordinary public return on investing in early childhood development.

"One study it cited showed that the total benefit cost-ratio was \$17 for every dollar invested. In other words, funds that go into establishing these programs ultimately prove to be an investment as savings amass from a reduction in crime and welfare payments and an increase in economic productivity.

"Establishing early childhood programs builds upon the framework established by Act 51, the Reinventing Education Act of 2004 since it makes little sense to ignore the fact that children need to come to elementary school prepared to learn and ready to succeed."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Morikawa rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morikawa's written remarks are as follows:

"My reservations are with the repeal of junior kindergarten programs at the end of the 2013-2014 school year. Communication needs to be clear with the affected parents for the children who are eligible for junior kindergarten in 2014 to ensure a seamless transition from the junior kindergarten program to the Keiki First Steps program in the 2014-2015 year."

Representative Takai 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 Takai's written remarks are as follows:

"Thank you Mr. Speaker, I rise in support with reservations.

"This measure proposes to create the Executive Office on Early Learning. I don't have a problem with that. In fact, I support that because we need to address the issue of educating our young people. The concern that I have is really in section 3. And those of you unfamiliar with the bill, I'll just note that, that section proposes to eliminate the Junior Kindergarten, effective the 2014-2015 school year.

"Mr. Speaker, this is coming up because there was some misunderstanding, I believe on the part of the Department of Education. They had thought that we had eliminated Junior K last year. I had mentioned to them that I didn't think so. So I made a request to the Attorney General's Office, and in a response from the Attorney General dated December 14th, they clarified that in fact, Junior Kindergarten is alive and well in the Hawaii Revised Statutes.

"My concern is this. I do support elevating and requiring 5 year olds to start Kindergarten when they are 5. Those of you who have been here for quite awhile, know that I have been advocating this for most of my legislative career. I see no reason why our public schools should be no different from some of our best private schools in mandating that requirement. In fact, I think that part of our problem with competing not only on the State level, but also on the national level, is the fact that many of our children are one year younger than their counterparts either in private schools or schools on the mainland. So we needed to make that change. We needed to mandate that children be 5 years old when they start kindergarten.

"The problem was implementation of Kindergarten and Junior Kindergarten a few years ago. And as the Chair of Education has noted on the Floor quite a few times, there is one-third of the schools that follow the mandate. There are one-third of the schools that didn't follow the mandate. And one-third of the schools that kind of did a hybrid where they basically put Kindergarteners and Junior Kindergarteners in the same room.

"My concern is that we needed to, or the Department of Education needed to, label the students appropriately. They're either Junior Kindergarteners, or Kindergarteners. Now this is not a big issue for many of you, but it is a big issue from my perspective, because just last year, we codified into law the Interstate Compact on Education for Military Children. And in that Compact it said that any child who starts a particular grade level, in a particular school, in a particular state, and then moves to another state, is allowed to transition at that grade level.

"With some of the schools, the one-third of the schools not following the requirements as set by law, some of the kids were moving from Hawaii to other states, at a lower age. And that was a problem.

"The problem with this bill is that it entirely eliminates the Junior K program. Now some will argue that the bill also specifies that the Executive Office on Early Learning, by the 2014-15 school year have an implementation plan and projected financials in order to address the seamless transition of these Junior K kids. But I asked in Committee, what does that mean? What happens when they submit their implementation plan to the Governor, and the Governor submits it to the Legislature? What happens if the Legislature doesn't act? The answer was, these kids, these Junior Kindergarteners will have nowhere to go. And I don't believe that's our intent. Our intent is to create a seamless transition for these kids who are not 5 years old, come the 2014-15 school year. And this bill doesn't do it.

"I don't know if you've heard it, but I've heard it from a number of parents already in our communities, wondering what was going to happen to their kids, because their kids were going to be hopefully, going into the Junior Kindergarten program in 2014-2015. But now it's clear based on this bill, that they'll have nowhere to go. Thank you, Mr. Speaker."

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Although this measure appropriates funds for early learning which is a meritorious goal, it fails to provide education for certain children before they are eligible for kindergarten. This leaves a wide, growing gap in the education of our most impressionable youngsters. We must address this gap next Session."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2545, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 175-12 and S.B. No. 2344, SD 2, HD 1, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2344, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 177-12 and S.B. No. 2678, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2678, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ichiyama rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a ruling on a potential conflict please. I'm a board member of the Japanese American Citizens League," and the Chair ruled, "no conflict."

Representative Har rose in support of 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 strong support on Conference Committee Report 177-12, Senate Bill 2678, Senate Draft 2, House Draft 2, Conference Draft 1. The purpose of this measure is to provide State support toward preservation of the site of the World War II internment and prisoner of war camp in Honouliuli and establish a Honouliuli park site project advisory group.

"During World War II, over one thousand Japanese Americans in Hawaii were detained solely because of their Japanese ancestry. While most detainees were sent to mainland internment camps, at least three-hundred remained interned in Honouliuli during the war without being officially charged for acts of espionage.

"Preservation of the Honouliuli Camp and plans for an educational resource center at the site will serve to inform current and future generations of an important time in Hawaii's history. As a Representative for the 40th District, I am honored to have the internment and prisoner of war camp site located in West Oahu at Honouliuli. With all of the development occurring in West Oahu these days, it is important to have a Honouliuli museum to preserve our culture and history.

"The Japanese Cultural Center of Hawaii, which will work with the Honouliuli park site project advisory group, has spent the past ten years collecting oral histories of former internees and their families. The oral histories the Japanese Cultural Center of Hawaii has prepared along with the proposed educational resource center at the Honouliuli site will provide visitors and *kama'aina* with a comprehensive look at Japanese Americans living in Hawaii during World War II, and ensure that this critical period in Hawaii's history is never forgotten.

"For these reasons, Mr. Speaker, I stand in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2678, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOULIULI," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 178-12 and S.B. No. 2236, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2236, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Very quickly, I rise with some reservations on this bill. It's authorizing \$100 million in special purpose revenue bonds to a specific firm. But it perhaps is not supporting some other well thought out broadband deployment in Hawaii.

"The bill started out as a measure to clarify the membership of the information technology steering committee. Then it was changed to a sizable SPRB for Clearcom. While I fully support efforts to improve and expand broadband, access to residences and businesses of our State, I am concerned that other companies who already provide these services are not receiving the same support, while many testified that Clearcom may well duplicate existing services in the urban core.

"If the intent of this bill is to encourage more competition and choices in broadband access, then the Legislature could have proposed legislation creating open architecture standard for cabling that allows all firms, Verizon, Oceanic, Hawaiian Tel, AT&T, etc., to access the cable and

provide a full array of digital services. Therefore it is somewhat disappointing that we are again not establishing the level playing field to allow open market-based competition in providing what is becoming an essential public service – high speed broadband capability for residential and commercial customers. So for those reasons, I must vote with reservations on this measure. 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. 2236, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 179-12 and S.B. No. 2958, SD 2, HD 2, CD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2958, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

Conf. Com. Rep. No. 180-12 and S.B. No. 2804, SD 2, HD 2, CD 1:

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2804, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support."

Representative Jordan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I stand in support of this measure because it addresses one of the State's pressing issues: homelessness.

"The establishment of an Interagency Council is a step in the right direction to begin addressing our homeless crisis. The bill also in a way is a safety measure. Setting up a safe facility is critical. A number of our homeless include children. They need to be protected, not just from the elements, but from predators. Homeless children are victims of circumstance and need protection.

"Moreover, Mr. Speaker, this bill will help homeless try to get back on track with educational programs. It is not enough to accommodate homeless with shelter if we can't help them improve their situation that made them homeless.

"Mr. Speaker, this bill is a good start to addressing homelessness in our State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2804, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

At 3:19 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2226, HD 2, SD 2, CD 1
S.B. No. 2545, SD 2, HD 2, CD 1
S.B. No. 2344, SD 2, HD 1, CD 1
S.B. No. 2678, SD 2, HD 2, CD 1
S.B. No. 2236, HD 2, CD 1
S.B. No. 2958, SD 2, HD 2, CD 1

S.B. No. 2804, SD 2, HD 2, CD 1

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representative Nishimoto was excused.)

H.B. No. 2681, HD 1, (SD 1)

H.B. No. 2681, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2681, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Final Reading by a vote of 50 ayes, with Representative Nishimoto being excused.

At 3:21 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2681, HD 1, SD 1

REPORTS OF STANDING COMMITTEES

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1826-12) recommending that S.C.R. No. 67, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 67, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE HAWAII AGRICULTURE RESEARCH CENTER FOR ITS BENEFITS TO THE AGRICULTURE INDUSTRY AND URGING THE HAWAII AGRICULTURE RESEARCH CENTER TO ESTABLISH THE PROPOSED KUNIA AGRICULTURE PROCESSING AND SALES CENTER," was adopted, with Representative Nishimoto being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1827-12) recommending that S.C.R. No. 89, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 89, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE MEASUREMENT STANDARDS BRANCH OF THE DEPARTMENT OF AGRICULTURE," was adopted, with Representative Nishimoto being excused.

At this time, the Chair announced:

"Members, we will go back to page 9 and take up S.B. No. 2927, SD 2, HD 1, CD 2."

END OF CALENDAR

S.B. No. 2927, SD 2, HD 1, CD 2:

At 3:22 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:24 o'clock p.m.

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2927, SD 2, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLANNING," was recommitted to the Committee on Conference, with Representative Nishimoto being excused.

At 3:25 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:27 o'clock p.m.

SUPPLEMENTAL CALENDAR #1

RECONSIDERATION OF ACTION TAKEN

At this time, the Chair announced:

"Members, we are on Supplemental Calendar #1. Please note that SCR No. 156, SD 1, has been re-referred solely to the Committee on Transportation per the Committee Referral sheet No. 76. So at this time, we will be taking Senate Concurrent Resolution Number 156 up for adoption. The Committee on Finance has waived its referral to this particular measure, and it is therefore appropriate for the House to consider action for adoption once more."

On motion by Representative Chong, seconded by Representative Evans and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1809-12, recommending referral to the Committee on Finance. (Representative Nishimoto was excused.)

UNFINISHED BUSINESS

S.C.R. No. 156, SD 1:

Representative Chong moved that S.C.R. No. 156, SD 1, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, if I may speak in favor of this. This Reso urges the creation of an international aviation training center in Hilo, and my point of speaking to this is that the notion of synergy is when you get something that relates to something else, you get double. It's like the whole is greater than the sum of its parts. So if we've got PISCES doing international space exploration, and we've got the international aviation training center, they will have synergy. They will help each other. It's a great core of economic development for the Big Island of which I know sometimes has been really hard hit economically, so this is a great reso. Thank you."

The motion was put to vote by the Chair and carried, and S.C.R. No. 156, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was adopted, with Representative Nishimoto being excused.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 199 and 200) were announced by the Clerk and the following action taken:

H.R. No. 199, entitled: HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO PERFORM AND CARRY OUT ANY OFFICIAL LEGISLATIVE BUSINESS DURING THE INTERIM BETWEEN THE 2012 AND 2013 REGULAR SESSIONS," was jointly offered by Representatives Chong and Ward.

On motion by Representative Chong, seconded by Representative Ward and carried, H.R. No. 199, was adopted, with Representative Nishimoto being excused.

H.R. No. 200, entitled: HOUSE RESOLUTION INFORMING THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE," was jointly offered by Representatives Say and Manahan.

On motion by Representative Chong, seconded by Representative Ward and carried, H.R. No. 200, was adopted, with Representative Nishimoto being excused.

At 3:30 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:31 o'clock p.m.

LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Ching introduced her legislative staff: Office Manager, Ms. Jessica Leigh Bursack; Mr. Lindsey Barrow, Ms. Tiffany Au, Ms. Elise Anderson and Ms. Deborah Bossley.

ANNOUNCEMENTS

Representative Ching: Mr. Speaker, may I make just two more announcements? I know that technically, it started May 1st, but as you know, March 3rd, was Girls' Day, but May 5th is Boys' Day, because I'm old fashioned. I know in Japan it's Children's Day, but here in Hawaii, it's Boys' Day. It's the day to stress the importance of respecting the character of boys, and promoting health and happiness. It's also the day to remember the children, and for them to express the gratitude for the tender love and care they receive from their parents.

"There's a little something on each of the male legislators' desk, as there was on March 3rd for the females. Fair is fair. It's just a gentle reminder that there's so much good in Hawaii, and these charming things that make us who we are, is why we're so special and unique. We should always remember that.

"Also, there's a book and music festival this weekend. Don't forget. From 10:00 to 5:00 right across the street on the grounds of Honolulu Hale, on both Saturday and Sunday. Free admission. Thank you, Mr. Speaker."

Representative Tokioka: "Thank you, Mr. Speaker. The announcement I have, Mr. Speaker, is that on Tuesday when we were in House Floor Session, I may have erred, and I'd like to correct the error if I can.

"As we were going through the processes, there was a lot of recesses. And there was a particular bill, dealing with cable television on the agenda, and I'm not sure if I stood up and declared my potential conflict, Mr. Speaker. So at this time, I know we can't change that, but in the spirit of transparency and openness, I'd like to let everybody know that I apologize if I had not stood up on Tuesday. Thank you, Mr. Speaker."

Representative Aquino: "Thank you, Mr. Speaker. I do have a sad announcement about the passing of a sports icon yesterday, Andy Ganigan. He was a Waipahu boy. He represented Waipahu and the State very well, during his career in the '70s and '80s. He's a world champion boxer, and again he represented Hawaii with great heart and great attitude.

"In addition, Mr. Speaker, he was a National Guard Member, in his service to our State and to our country. He had passed due to some complications due to some brain injuries he sustained in an unprovoked attack two years ago. They called him the Sugar Man to pay homage to Waipahu and the many communities who had sugar plantations. So at the appropriate time, Mr. Speaker, I'd like to ask for a moment of silence."

Representative Giugni: "Thank you, Mr. Speaker. I've been nominated, since I'm the newest, and called the freshman, here. So on behalf of the freshman class, I'd like to thank each and every one of you, for your

support, your patience, your guidance, your mentorship. Thank you, very much, for all of you. It's been an incredible experience. Mahalo."

Representative Mizuno: "Thank you, Mr. Speaker. We're moments away from ending the Session, and I'd be remiss if I didn't thank my fine staff. They've been fiercely loyal; to me, May, Michael, Christine and Josephine. I thank all of our staffs: HMSO, Minority Staff Office, LRB, Clerk's, Sergeant-at-Arms, DAGS.

"And I'd also like share a kind, heartfelt mahalo to some of our lawmakers that may be going to different places, two in particular. A very good friend of mine, that we've disagreed, and we've agreed on bills. And I get the process, Mr. Speaker. It doesn't have to be personal. I just wish them well and I hope that our paths will cross again. I wanted them to know that I love them, and that's the Representative from Ewa Beach, and my brother from another mother from Kalihi, lower Kalihi. I'm going to miss them. And a couple other members, that might be going to the other Chamber. I'm going to miss them too. I just wanted to thank them, and let them know that it's been a pleasure working with them. Thank you, Mr. Speaker."

Representative Souki: "Yes, Mr. Speaker, I want to thank you for being the great Speaker that you are, for being very democratic throughout this whole Session. You have a lot of patience, especially with some people, we won't mention names. But during the interim, may God keep you in his graces, and bless you. See you all next year, again. Thank you."

Representative Oshiro: "Thank you very much, Mr. Speaker. Members, I know that one of our good friends, and my right-hand woman, Vice Chair Lee, went through an extraordinary year, and remained at the task at hand. I just wanted her to know that as we leave the Chamber this afternoon that we are all part of her family, and part of her *ohana*. And that she should reach out to us, and feel near to us as we depart this Chamber.

"So what we have here, Vice Chair Lee, Marilyn, is a Certificate of Commendation, honoring, one of our colleagues, the one and only Representative Sam Lee. It's something that we wanted you to take home and maybe share with your kids later on this summer. But it contains the personalized signatures of all the Members, all your colleagues here, both Republicans and Democrats. We all wanted you to know, while we can't be with you every day, we want to be with you in this way. So Marilyn, please."

Representative M. Lee: "Marcus, and Speaker, and Representatives. I just wanted to thank you so much for the support that I've received from the Members of the House, during this time. I think, if I hadn't had you all, it would have been much more difficult for myself. Thank you so very much. We will cherish this."

Representative Cabanilla: "Thank you, Mr. Speaker, I just want to publicly announce my well wishes to my cohort, my colleague from Ewa Beach, that she's now leaving our Chamber to move on to bigger and better things to serve the communities of the Leeward side. I just want to say, congratulations in advance. I know you'll do it. And you did a wonderful job in this Chamber. We're going to miss you, and don't forget the interests of this Body as you move on to the City Council, because we will be working with you. Congratulations, and thank you, Representative Pine."

Speaker Say: "Thank you, very much. Any further announcements at this time? The Chair has four announcements to make at this time, with happiness. We have four individuals that are maybe leaving, or two of them are leaving. So I would like to ask Representative Cindy Evans to present a gavel to the Vice Speaker, Representative Joey Manahan. Would you like to say a few words? 'Don't take the TAT away from me,' right?"

Representative Manahan: "That's coming. No, Mr. Speaker. Thank you very much, for this opportunity. And thank you very much, Members, and Speaker for this wonderful symbol of my service here. You know, in these last days, I've been thinking about what this experience has meant, and what these Chambers mean to me. And while at different times, I've played various roles within these Chambers, they have all been significant in my overall journey. But truly, it is the people with whom you share the space

and time that gives this place its meaning. To all of us in here today, you have made my experience here profoundly fulfilling and have shown me that what I have never thought was possible, is possible.

"As a staffer, as a student, I never thought I'd be a State Representative, much less, the Vice Speaker, presiding at the rostrum. Never in my wildest dreams. Nothing prepares you, really for this. I remember you saying that to me, Mr. Speaker, and how you welcomed us as a freshman class in Room 329. You said, 'Nothing's going to prepare you for this,' but I'm grateful to you, all of you, for this privilege.

"I will always be bound by the memories we have created and shared of each other, and the relationships we have forged in this building and in these Chambers. I have learned much from all of you, and I take a little piece of each and every one of you, with me in my heart. You know, I knew this day would come, but you never really think this is going to arrive until it does.

"So in thinking about my journey, it still hasn't hit me that I'm departing, although it's starting to right now. And only yesterday, I started to realize, when we were having our fellowship with Mayor Billy Kenoi, he mentioned that we are connected by our values. And so, I'd just like to impart a few pearls of wisdom that I learned in here, in working with you, Mr. Speaker, and all of you. The first one being: Your word is your bond. And I think all of us know that. Our life and death depends on that. Stay close to your family and your home. Drink the Kool-Aid, but don't get consumed by it. And be wary of the hype.

"Take advantage of every opportunity – I learned that from you Mr. Speaker, but don't cross the line. And the line is the line in the sand that we draw. I think individually we all have that line, and each one of us knows where that is, and for as long as you stay within your limits, and your known limits, then your decisions, the ones you will have to live with, I think you'll be okay.

"I learned this next one from Speaker Emeritus, who, when I think I was still a freshman when we were going through the SuperFerry trials, I remember that there's nothing that can't be undone. You know, the Legislature holds the trump card. I think he said that, and there's nothing that can't be undone.

"And finally, don't forget why we set off on this journey in the first place. Remember what brought us here.

"So with that, I just want to give a special thanks to the 29th District, all my constituents, for placing their trust and confidence in me. I've served you honorably, and to the best of my ability.

"To Representative Dennis Arakaki, and Senator Donna Mercado Kim for their encouragement in giving me my start. To my freshman class, specially my *jefe*, Sharon, and Jimmy, for always looking out for me. Sincerely, I appreciate that. To Kyle and to Jerry, as well as the late Bob Nakasone, for being my home away from home. Of course, I can't go without saying, thank you to my very good friends, Ryan, Henry, and Ty, for all their support and faith. To Ryan especially, who I know is a friend to the end. Speaker Say, for sharing all your *mana'o* and your vision. I am truly grateful to have served under you. To all the staff at HMSO, LRB, the House Sergeant-at-Arms, our Chief Clerk CJ and the Chief Clerk's Office, the Speaker's Office. You know, you guys really run the show for us on the frontline, the frontlinesmen and women.

"To my staff and everyone who brought me to today, I am grateful. To Keiki, to Karen, to Ian, to Radiant, my mom for always being there for me. And of course, last but not least, my greatest supporter and my strongest ally, my wife, Ma'an.

"Finally, I'd like to leave you with these words from Edgar Allen Poe. It is an untitled poem, and for some reason, way back, I committed it to memory. Today I realize the relevance of these words, and I share it with you, as my final thought in these Chambers, and it goes like this.

I heed not that my earthly lot
Hath little of Earth in it
That years of love have been forgot
In the hatred of a minute:
I mourn not that the desolate
Are happier, sweet, than I,
But that you sorrow for my fate
Who am a passer by.

"Thank you, very much."

Speaker Say: "And now from across the aisle, a beautiful woman who will be leaving this Chamber, Representative Kym Pine. Gene."

Representative Ward: "Mr. Speaker, a few remarks. I thought this was going to be easy. You know, this is difficult, because it takes so much energy to get here, and everybody put in so much of their life to be here. So parting is such sweet sorrow. Breaking up is hard to do. Leaving is hard to do. Transitioning is hard to do. But when you've got running through you, the spirit of Alexander Hamilton, Ferdinand Marcos, those people who were leaders and overcame all emotional or other objections, they rose to the occasion. And young lady, you serve the people of Hawaii well. You've honored us. And be like somebody who may be coming over from the City Council. Once you get termed out, you come back to us.

"But Mr. Speaker, I want you to know also, prior to this Session, this was a female-dominated Caucus, with the advent of the three new males, we have a balance. Having said that, one of her closest friends would not allow this event to take place without a few words from Corrine Ching, who is her closest seatmate, who is going to say something before I present the gavel. Corrine."

Representative Ching: "Thank you, Mr. Speaker. I do appreciate this time. One of the best things about, I think, being an elected official, is the people you get to serve with. That they help you grow. And as the Minority Leader did mention, there was a time when there was mostly just women. And one day, I did look across the table in our Caucus Room at the many women, and I thought, my goodness, I think I serve with lionesses.

"Today, my friend, Kym Pine, kind of like Nala the lion, she moves on to new pride lands. I have been inspired by my friend. Some people think we're related. See my sister here, because she has made me so proud in her courage, her integrity. We know she's strong. We know she's beautiful. But she's intelligent, articulate, and she chooses the path less followed. She has stood for so many great things, defending a murder victim, our nation's flag, surfing reserves. And she is herself an accomplished athlete, which I'm so proud of her. She never, never gives up.

"And should there ever be someone in need, whether it be the homeless in Ewa Beach, or it be a new staff member, a newbie, in the words of some in the surfing community, you know, Kym would go. Kym, you know, you've been such an inspiration. I'll miss you, my sister."

Representative Ward: "On behalf of the Minority and Majority, this is your gavel, with our thanks and appreciation."

Representative Pine: "My last rebuttal, Mr. Speaker. I've got a gavel now."

Speaker Say: "How fast power gets to your head."

Representative Pine: "Well, Mr. Speaker, it's official. Despite all the rumors, I have made it confirmed. I am leaving this Chamber, hopefully to serve the people in City Hall. Your two *haolepinos* are finally leaving together. I'm so excited about taking this journey with you.

"I first met Joey, when we were both staffers. We didn't know what the heck was going on, and who was who. And we just said, 'Hey you're Filipino. I'm *Haole* and Filipino. Oh my God. We're *haolepinos*.' So we had our own Caucus going, Mr. Speaker, but we didn't tell anybody.

"You know, how do you say good bye? I have been here since 1997, and I never thought I'd actually be sitting right here. Every day I think my constituents are crazy to think that I can lead them, but I'm so honored and I'm so grateful. You know, my grandfather came here from the Philippines. He was that rebel Marcos that said, 'I'm going to America, to make something of myself.' He traveled across torturous seas, and said, 'I just want each generation to do better than the next.'

"I was so honored to see my grandmother here today, because we almost lost her, just a few weeks ago. But she's a stubborn Marcos, Mr. Speaker. And she wasn't going to miss this day. One of my mentors, Abigail Shaw, when I used to complain to her, and say 'Ah, politics is too hard. You work hard, they hate you. You don't work hard, they hate you. You try hard, they hate you. You do good, they hate you. You do bad, they hate you.' And she said, 'Oh this is not hard, Kym. Your grandmother worked on a plantation and lived in poverty. Nothing will ever be harder than that.' So I thank this Body for the incredible learning experience.

"I thank my staff who's here today, Kauai, and Linda, and Kim, and Kaylee. They will be here, when no one else is here. I assign them nothing, and they do everything. That is a dream staff. And my husband, Brian. When we first got married, we didn't really see each other much, because he was off in war deployment. But I couldn't do this job without you. I love you. I've learned from each person.

"I first came here pissed off because my community was neglected. We had no roads. There was traffic. Fix it, Rep. Pine. So I was a little feisty in the beginning, and I apologize. Marcus Oshiro, peace dude. But there's one person that taught me the most important learning experience and message, and that is my former Chief of Staff, John Gollner. You know, the problem about doing adlib speeches is you don't practice the emotion part. You don't realize you're going to cry till you're saying it. But John has been with me since my first Legislative Session. He came into my office as this buff, tan Marine. He was very cocky. He's still cocky. But you know, then he got deployed to Iraq, and he didn't come back the same. He fought for all of us so bravely, Mr. Speaker. And he comes here still today. My brother.

"Those of you who don't know, because of the war he lost his vision, and most of his hearing. And he was my Chief of Staff. He was a couple hours late to work, and he finally got in. And I'm like, 'John, what the heck's going on? We've got Crossover.' And he says, 'I'm sorry Rep. I lost all my vision today, and it took me a while to get here.' And I said, 'Why are you here if you can't see?' And he said, 'I'm never going to give up. I'm never going to let anything get me down. And at the very least, in my lifetime, I'm going to always show up, no matter what's against me.' That makes me very proud that despite all of the disabilities that he has incurred from the war, that he's going to try his best to replace me here. Only fate can decide who gets to be here, but it's the fact that he's going to try, that inspires me tremendously.

"Representative Tsuji. How are you? You're supposed to say something else. How are you?"

Representative Tsuji: "Me fine. You fine. We all fine."

Representative Pine: "I'm really going to miss that. And I'm going to miss Tom Brower. I'm going to invite you for our invocations over at City Hall. I'm going to miss John Mizuno. I have never met anyone that cared so much about everything. But you know, if there's someone that's not listening to you, they will find an open heart in his staff and himself, and sometimes that's what is needed.

"My sister from Kapolei, Sharon Har. I finally realized the reason we always have tension, is because she's Korean and I'm Filipino and Irish. We should have really started our relationship in the beloved Bob Nakasone's office on a regular basis. We would have really enjoyed each other. To my Filipino brothers who've always taken care of me, Reps. Manahan, and Aquino, and Cullen. Thank you very much. And of course, Rep. Nishimoto for always making sure... he's not here. Hopefully someone will dress as well as him one day.

"But I do want to thank this Body, because I came here, because my community was neglected. We were in distress for not having appropriate roads. The worst traffic in the State. The most overcrowded schools in the State. There was trash just everywhere, and graffiti everywhere. The community got together with me, and said, 'Hey, we're done with just enough. Now we want the best.'

"So, I thank this Body who gave us all those new roads, the new schools. I thank you for the zipper lane. Thank you. I thank you this year, for saving our hospitals. We were in dire need of an ambulance and new hospital. I've had my toughest year, personally as a leader this year, Mr. Speaker. And it has not been easy for my family who has been attacked so much. But I decided to learn from my great Chief of Staff in the belief of never surrendering, and always believing that good always prevails over evil, in every instance. And so I decided to take a bad and help other people, and I sincerely thank this Body for passing almost all the cyber crime bills this year. You have no idea of the number people that you will save.

"I thank the House staff and CJ for putting up with me. The Sergeant-at-Arms, all of our research staffs, and especially the Minority. You are my brothers and sisters, my aunty. I am continually amazed that you come here every day as if nothing ever happened the day before. You fight for your cause. That's what government should be about.

"And so as I leave you, I wish you things like this. Before you start to campaign, I wish you a beautiful sunset. I wish for you to take the time to feel the sand between your toes. For those that have kids, I wish you the ability to actually watch that baseball game of your kid. But most importantly, I wish you something I've learned that has helped me wake up every morning so excited to be here.

"Forget your personal histories between each other. Wake up each day as if nothing happened the day before, and that you've met your colleague for the first time. Then each issue will be judged on its merit and not by your personal history. Mahalo, for all the learning experiences. Mahalo."

Speaker Say: "There are three more individuals that this Body would like to recognize. Two of them, right now, are from the Big Island. I call these two individuals the 'Limbo Representatives.' Chair Herkes, I have Speaker Souki presenting you with a gavel. And Representative Har, a gavel to Representative Chang, please.

"Why I say you are in limbo is, well Chair Chang, you haven't taken out any papers for the House or Senate. And Chair Herkes, you've taken out papers for the House and Senate. So if any of you ever get re-elected to the State House, please return the gavel, okay. Bob."

Representative Herkes: "Mr. Speaker, 12 years ago, you gave me one of these. So you want me to give this one back now? Mr. Speaker, as you said, I have no idea where I'm going to be next year. If the three judge panel sides with the plaintiffs and throws everything out, I might be back here running for my existing seat. So I took out papers for this seat. If they lose, and the Reapportionment Commission lines stand, then I will run for the new Senate seat on the Big Island that does not have an incumbent.

"I brought my public relations duck with me today, Quack. He's been campaigning with me for 28 years, and had a lot to do with me getting here. So I just thought, if I do leave, the least I could do is to bring Quack along. Quack's been in the Senate. He's been in the Council. You know, I have a strange political career, Mr. Speaker, and I've been introduced Councilman Senator Representative Republican Democrat Herkes, which kind of sums it all up.

"So I don't know what's going to be added to that. I've been a freshman four times. The last time was in '02. I advised those of you that referred me as a freshman to go to hell, because I'd already been in office 12 years, and so I didn't appreciate that.

"Mr. Speaker, I want to tell you, the last 7 years as Chair of CPC has been an incredible challenge. And the support that I've gotten from all of you, the support that I've gotten from HMSO, LRB, all of you over there.

Georgette always trying to think of something nice to say about me. The Clerk's Office, Sergeant-at-Arms, and especially my staff, particularly in the last two years. The work that we did on mortgage foreclosures, I think, was remarkable. And all of you, all of you can rejoice and be proud of that.

"If I move across the street, over there, I certainly will remember all of you, and all of the support that you've given me in all of the years that I've been here. And if I'm back here, God bless you. I'll give this back. Aloha."

Representative Chang: "You're right Mr. Speaker. I'm in limbo. June 5th. So, I have several different options. One that I don't want to do, is run against an incumbent, especially a friend that I've served with. And another is moving on to the Senate, which I really enjoy being here. I enjoy the friendship, and the Leadership, and the staff, and everybody who's been so supportive for me.

"I don't want to take too much time, because I may be back here, or I may be in the Senate. But I just wanted to convey something that I have; a saying that has guided me throughout my life. I've been through many different challenges, but the one saying that I've always kept in mind, that I've heard and I don't know where I got it, or who said it, but it goes like this:

To be the best that you can be, you need to surround yourself with people who expect more of you, than you do.

"And for all of you here, I think that's what you've done for me. Especially for you, Mr. Speaker. I've served with you for the past 24 years. I've known you when I was, well we both were very young, especially you. You were the Water, Land Chairman and the first time I looked at him, and I said, 'God, this young kid is running this Committee.'

"So I was very impressed with you, and you've always been a friend. Whether you were in leadership, or on the outs, you were still a very, very good friend. Speaker Souki, thank you also for your leadership. For all of my friends here, thank you all. I've learned a lot. And I will be around, so don't worry about me. I'll be around. Thank you, very much."

Speaker Say: "And finally, a young man who has given so much to this particular Chamber throughout his career. This is a young man who is now working in the Governor's Office. We'd like to call Blake Oshiro to come on to the Floor of the House to receive your gavel, which you did not get, when you had resigned. Would you like to say a few words, Mr. Blake Oshiro?"

Mr. Blake Oshiro: "Wow, this is quite a surprise, and I am extremely honored to have been called back here. I just got a text saying that I've got to come now. So I thought there was some bill that was about to die, so I ran down. And now I have the pleasure of hearing all of you guys speak again, and really longing for those days when I used to be here.

"People ask me all the time, 'Do I miss it?' And my first answer is, no. But I do miss the people. I miss all of you, truly. I really, really do. When I think back on being here 11 years ago, and how much personally I've grown, and how much you folks have all given me in terms of opportunities to explore my own leadership potential. I never thought that the path I started on, 11 years ago would take me to the 5th Floor. So I am extremely, extremely honored for all of you, for giving me that opportunity.

"There were a couple of friends, Sylvia and Scott, that first asked me to run, and I laughed in their face. Then I eventually decided to run. Then Speaker took me under his wing and since then, I've grown into some leadership roles. And with all of that, I am extremely, extremely honored. I will miss all of you. And I miss the debates. Sometimes. Watching them from afar is much better than sitting here, sometimes. But I am glad to hear that at least one of my phrases will constantly be echoed throughout these halls at least for the time being, and that's, 'Please remember to read the bill.' Thank you, very much."

Representative Ward gave his closing remarks on behalf of the Minority as follows:

"Thank you, Mr. Speaker. If my memory, but I distinctly remember looking at the Majority Leader, and saying, 'If you would read the bill ... If the Representative would have read the bill ...' But you said it so nicely, and you will be remembered for that.

"Just like we will remember this Session, Mr. Speaker, because as leaders, we have to be able to see the future. We have to be able to see the future. But because of the economy and the downturn, our mirrors are a little foggy. But we have a vision, that each of us, when we were elected, was sent here for. So I want to encourage everybody, shine, polish that vision. You're here for a purpose. There's a greater purpose for the State of Hawaii. You are all here, and we have to remember what we accomplished this Session. Just two lessons learned, Mr. Speaker.

"One, when the economy is strong, we are strong. Look at the difference of the enthusiasm on the Floor that we left this year. We are going to be leaving in a few minutes, this year, versus the way we left last year, not knowing where the money was going to come from. All the people were going to be out of the inspection position. The people who were the needy, and the down-and-out were going to be hurting. Mr. Speaker, we have to keep the economy strong.

"Secondly, when our environment is strong, we are strong. And I want to thank my colleagues, the ones who have reclaimed the mantle of the Teddy Roosevelt Party. I'm really proud of you guys and what you've done. And for you, Mr. Speaker, and all the Majority and what you guys have done in keeping the ship of state afloat. Keeping us strong. Keeping us optimistic. And Mr. Speaker, all the arrows that I've seen in your back, thank you for being tough. Thank you for the thick skin that you've developed over these many years.

"But for all that we've done, we still have a long ways to go. It's been a great pleasure and honor, and we look forward to even more challenges and success in the future. God bless you. God bless you all."

Representative Chong gave his closing remarks on behalf of the Majority as follows:

"Thank you, Mr. Speaker. First, over this past Session, your Majority Caucus has done a lot of good things, over the last two years, and a lot to be proud of. I know you'll be speaking to that in a little while, but I just wanted to, first, thank you for the opportunity to serve as the Leader, and to all my Majority members, for their support and patience.

"I'd like to thank the Minority for working with us this year. I'd also like to thank all those support staff offices, the Chief Clerk and your office, the Sergeants and your office, HMSO and all the staff. Georgette, for the Communications Office. I'd also like to thank my counterpart, Brickwood Galuteria, for working, and establishing that bridge between the House and the Senate. Also my staff, Janis, Ben, and all the others who supported me, and worked hard to support the Majority.

"Finally, to the freshman class this year, of the Majority. You did really well. I think you will make not just your constituents proud, but this Body proud. And again, thank you very much."

Speaker Say then gave his closing remarks as follows:

"In my closing remarks, let's talk about the accomplishments. Let's talk about the accomplishments. These accomplishments are the result of our early, and continuous cooperation with the Senate, the Administration, and the House. At the beginning of Session, the Legislature proceeded to move bills to address imminent problems. Three bills that, you can all recall, were reported out of carryover Conference Committees, were passed by both houses, and signed into law in February by the Governor.

"H.B. No. 608, which became Act 1, which provided State assistance to the Queen's Medical Center for an Organ Transplant Center, in the wake of the closure of the Hawaii Medical Center.

"S.B. 239, which became Act 2, extended the funding for the John A. Burns School of Medicine with tobacco settlement funds, an action necessary for the viability of the operations of the school.

"H.B. 809, which became Act 3, authorized the University of Hawaii to issue \$100 million more in revenue bonds for the State of Hawaii, and that was intended to fund construction projects for the economic revitalization.

"Through January and February, the Legislature fast tracked H.B. 2096, a bill to prevent a substantial increase during calendar year 2012, of the unemployment insurance contribution rates for businesses. If not for the bill, businesses would have had to absorb a multimillion dollar increase in their unemployment insurance contributions, thereby diverting capital from other, more productive purposes. H.B. 2096 was passed by the Legislature, and on March 9th, signed by the Governor as Act 6.

"Perhaps the most notable of the early Session accomplishments, the Legislature, with all of your support, expedited the passage of S.B. 2783. Representative Ward, you know what that bill is all about. S.B. 2783? This was the OHA Public Land Trust Agreement. Passage of such legislation had eluded the Legislature for many years, and for me, being here, number three was a charm in getting it done. This Session was different because of the prevailing spirit of cooperation. At the urging of Governor Abercrombie and OHA, the Legislature passed S.B. 2783 and it was signed into law as Act 15 on April 4th.

"This House has taken a lot of initiatives where we have been doing it very quietly. I want to thank Representative Ken Ito for a job well done, in educating the Members in what is in store in regards to the Japan *opala* that is now traveling across the Pacific to the West Coast, and then back to Hawaii. I want to thank Representative Tom Brower for his research in regards to the tectonic plates of the Northwest, whereby, someday, when those two plates collide, there will be a *tsunami*. And third, Representative Yamane, thank you very much for the work that you are doing in regards to addressing a major issue that will probably occur this month, which is the closure of Tesoro.

"We are proactive, here in this House. It's just that we don't communicate what we are doing sometimes, and it's maybe because of our style, maybe my style. The old style of the Oriental. You don't have to brag. Just do it. The spirit of cooperation has continued until the end of the Session.

"The Legislature can point to many worthy bills that have passed in the areas of economic revitalization and jobs, and growth. Angus, thank you. And Isaac, and the Committee members. Renewable energy, Chair Coffman. Public employee pension reform, Chair Rhoads. Health and Human Services, Chair Yamane and Chair Mizuno. Agriculture, Chair Tsuji. Congratulations for your inspectors and your dogs in preventing invasive species. Chair Takumi, thank you very much for your efforts in regards to the Charter School reform, early learning funding, and other areas of no less importance to the people of the State of Hawaii.

"But why are we in the House the ones that are very successful? We could not have accomplished any of this without our staffs. I thank them for their efforts. Foremost, thank you to the permanent and session staff members of our respective offices, your office managers and your session employees. They had to put up with us, as well as the daily work grind. Thank you, to House Chief Clerk CJ Leong, House Sergeant-at-Arms Kevin Kuroda, and their staffs, for a job well done in operating the legislative process and the operations of the Chambers and the Conference Rooms, etc.

"Thank you for the House Majority Staff Office, Director Joan, if you're listening to us. Joan Yamaguchi of the House Majority Staff Office who did a lot of the work. And the House Minority Research Office Director Beth Fukumoto, and their staffs. Also, thanks should go out to Mr. Rich Dvorch, our House Chief Attorney, and Mr. Jim Funaki, our House Special Counsel.

"Next, I would like to thank Chair Oshiro and Vice Chair Lee. Thank you to Nan, and the staff of the Finance Committee. Thank you, also to those who we all go and visit, the Legislative Reference Bureau, which is Charlotte Carter-Yamauchi, and the Legislative Reference Bureau staff. And also we have to thank an individual, and a group of employees that withstood the time of day, as far as the recording and televising of our Conference and Committee meetings, and that goes out to Glenn Booth, and the Capitol TV.

"Finally Members, I thank you all for mostly being collegial, frequently enlightening, and definitely productive during the Regular Session of 2012. So in closing, I am honored and humbled to have served as a Speaker for you, because you are the people of high-quality character, dedication and accomplishments. You folks did it. And we're all a part of it. So in closing, aloha and best wishes to all of you on your re-election, or your election.

"And at this time, may we all stand for a moment of silence in remembering a sports figure who has contributed so much. Mr. Andrew Ganigan."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of former world lightweight boxing champion and Hawaii Sports Hall of Famer, Andrew (Andy) "Hawaiian Punch" Ganigan.

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

S.C.R. No.

Re-referred to:

57, Committee on Culture & the Arts
SD2

ADJOURNMENT

Representative Chong moved that the House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, adjourn Sine Die, seconded by Representative Ward.

The motion was put to vote by the Chair and carried, and at 4:25 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, adjourned Sine Die. (Representatives Coffman, Nishimoto and Saiki were excused.)

HOUSE COMMUNICATIONS

House Communication dated May 3, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 302, HD 1, SD 2
H.B. No. 2113, HD 1, SD 1
H.B. No. 2257, HD 1, SD 1
H.B. No. 2258, HD 2, SD 1
H.B. No. 2409, SD 1
H.B. No. 2601, HD 3, SD 1
H.B. No. 2681, HD 1, SD 1

House Communication dated May 3, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bills on Final Reading:

H.B. No. 246, HD 1, SD 2, CD 1
 H.B. No. 283, HD 1, SD 2, CD 1
 H.B. No. 304, HD 1, SD 1, CD 1
 H.B. No. 1726, HD 1, SD 2, CD 1
 H.B. No. 1755, HD 2, SD 2, CD 1
 H.B. No. 1800, HD 2, SD 2, CD 1
 H.B. No. 1838, SD 1, CD 1
 H.B. No. 1942, HD 2, SD 2, CD 1
 H.B. No. 1943, HD 2, SD 2, CD 1
 H.B. No. 1953, HD 1, SD 1, CD 1
 H.B. No. 1968, HD 1, SD 2, CD 1
 H.B. No. 2012, HD 1, SD 1, CD 1
 H.B. No. 2100, HD 2, SD 1, CD 1
 H.B. No. 2226, HD 2, SD 2, CD 1
 H.B. No. 2248, HD 2, SD 2, CD 1
 H.B. No. 2251, SD 1, CD 1
 H.B. No. 2275, HD 2, SD 2, CD 1
 H.B. No. 2302, HD 2, SD 1, CD 1
 H.B. No. 2319, HD 2, SD 1, CD 1
 H.B. No. 2415, HD 2, SD 1, CD 1
 H.B. No. 2448, HD 2, SD 2, CD 1
 H.B. No. 2476, HD 1, SD 2, CD 1
 H.B. No. 2495, HD 1, SD 1, CD 1
 H.B. No. 2515, HD 3, SD 2, CD 1
 H.B. No. 2540, HD 2, SD 1, CD 1
 H.B. No. 2599, HD 1, SD 1, CD 1
 H.B. No. 2626, HD 2, SD 2, CD 1
 H.B. No. 2664, HD 1, SD 1, CD 1
 H.B. No. 2684, HD 2, SD 2, CD 1
 H.B. No. 2806, HD 2, SD 2, CD 1
 H.B. No. 2873, HD 2, SD 2, CD 1
 H.B. No. 2883, HD 2, SD 2, CD 1
 S.B. No. 112, SD 1, HD 1, CD 1
 S.B. No. 155, SD 2, HD 1, CD 1
 S.B. No. 240, SD 2, HD 2, CD 1
 S.B. No. 490, SD 3, HD 1, CD 1
 S.B. No. 1083, SD 1, HD 1, CD 1
 S.B. No. 1269, SD 2, HD 2, CD 1
 S.B. No. 2115, SD 2, HD 2, CD 1
 S.B. No. 2116, SD 2, HD 1, CD 1
 S.B. No. 2214, SD 2, HD 2, CD 1
 S.B. No. 2220, SD 1, HD 2, CD 1
 S.B. No. 2236, HD 2, CD 1
 S.B. No. 2239, SD 1, HD 1, CD 1
 S.B. No. 2261, HD 1, CD 1
 S.B. No. 2320, SD 2, HD 2, CD 1
 S.B. No. 2323, SD 1, HD 1, CD 1
 S.B. No. 2324, SD 1, HD 1, CD 1
 S.B. No. 2341, SD 2, HD 2, CD 1
 S.B. No. 2344, SD 2, HD 1, CD 1
 S.B. No. 2378, SD 1, HD 1, CD 1
 S.B. No. 2383, SD 1, HD 1, CD 1
 S.B. No. 2424, SD 2, HD 2, CD 1
 S.B. No. 2435, SD 1, HD 1, CD 1
 S.B. No. 2466, SD 2, HD 2, CD 1
 S.B. No. 2536, HD 2, CD 1
 S.B. No. 2545, SD 2, HD 2, CD 1
 S.B. No. 2576, SD 1, HD 3, CD 1
 S.B. No. 2678, SD 2, HD 2, CD 1
 S.B. No. 2695, SD 2, HD 2, CD 1
 S.B. No. 2739, SD 2, HD 1, CD 1
 S.B. No. 2776, SD 2, HD 2, CD 1
 S.B. No. 2778, SD 1, HD 1, CD 1
 S.B. No. 2779, SD 2, HD 1, CD 1
 S.B. No. 2780, SD 1, HD 2, CD 1
 S.B. No. 2804, SD 2, HD 2, CD 1
 S.B. No. 2827, SD 1, HD 1, CD 1
 S.B. No. 2873, SD 1, HD 3, CD 2
 S.B. No. 2933, SD 2, HD 2, CD 1
 S.B. No. 2939, SD 1, HD 1, CD 1
 S.B. No. 2947, SD 2, HD 2, CD 1
 S.B. No. 2958, SD 2, HD 2, CD 1

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 835 through 847) were received by the Clerk:

Sen. Com. No. 835, transmitting H.B. No. 2127, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," which passed Third Reading in the Senate on May 3, 2012.

Sen. Com. No. 836, transmitting H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," which was adopted by the Senate on May 3, 2012.

Sen. Com. No. 837, transmitting H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," which was adopted by the Senate on May 3, 2012.

Sen. Com. No. 838, transmitting H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," which was adopted by the Senate on May 3, 2012.

Sen. Com. No. 839, dated May 3, 2012, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 246, HD 1, SD 2, CD 1
 H.B. No. 283, HD 1, SD 2, CD 1
 H.B. No. 304, HD 1, SD 1, CD 1
 H.B. No. 1726, HD 1, SD 2, CD 1
 H.B. No. 1755, HD 2, SD 2, CD 1
 H.B. No. 1800, HD 2, SD 2, CD 1
 H.B. No. 1838, SD 1, CD 1
 H.B. No. 1942, HD 2, SD 2, CD 1
 H.B. No. 1943, HD 2, SD 2, CD 1
 H.B. No. 1953, HD 1, SD 1, CD 1
 H.B. No. 1968, HD 1, SD 2, CD 1
 H.B. No. 2012, HD 1, SD 1, CD 1
 H.B. No. 2100, HD 2, SD 1, CD 1
 H.B. No. 2226, HD 2, SD 2, CD 1
 H.B. No. 2248, HD 2, SD 2, CD 1
 H.B. No. 2251, SD 1, CD 1
 H.B. No. 2275, HD 2, SD 2, CD 1
 H.B. No. 2302, HD 2, SD 1, CD 1
 H.B. No. 2319, HD 2, SD 1, CD 1
 H.B. No. 2404, HD 1, SD 2, CD 1
 H.B. No. 2415, HD 2, SD 1, CD 1
 H.B. No. 2448, HD 2, SD 2, CD 1
 H.B. No. 2476, HD 1, SD 2, CD 1
 H.B. No. 2495, HD 1, SD 1, CD 1
 H.B. No. 2515, HD 3, SD 2, CD 1
 H.B. No. 2540, HD 2, SD 1, CD 1
 H.B. No. 2599, HD 1, SD 1, CD 1
 H.B. No. 2626, HD 2, SD 2, CD 1
 H.B. No. 2664, HD 1, SD 1, CD 1
 H.B. No. 2684, HD 2, SD 2, CD 1
 H.B. No. 2806, HD 2, SD 2, CD 1
 H.B. No. 2873, HD 2, SD 2, CD 1
 H.B. No. 2883, HD 2, SD 2, CD 1
 S.B. No. 112, SD 1, HD 1, CD 1
 S.B. No. 155, SD 2, HD 1, CD 1
 S.B. No. 240, SD 2, HD 2, CD 1

S.B. No. 490, SD 3, HD 1, CD 1
 S.B. No. 1083, SD 1, HD 1, CD 1
 S.B. No. 1269, SD 2, HD 2, CD 1
 S.B. No. 2115, SD 2, HD 2, CD 1
 S.B. No. 2116, SD 2, HD 1, CD 1
 S.B. No. 2214, SD 2, HD 2, CD 1
 S.B. No. 2220, SD 1, HD 2, CD 1
 S.B. No. 2236, HD 2, CD 1
 S.B. No. 2239, SD 1, HD 1, CD 1
 S.B. No. 2261, HD 1, CD 1
 S.B. No. 2320, SD 2, HD 2, CD 1
 S.B. No. 2323, SD 1, HD 1, CD 1
 S.B. No. 2324, SD 1, HD 1, CD 1
 S.B. No. 2344, SD 2, HD 1, CD 1
 S.B. No. 2378, SD 1, HD 1, CD 1
 S.B. No. 2383, SD 1, HD 1, CD 1
 S.B. No. 2424, SD 2, HD 2, CD 1
 S.B. No. 2435, SD 1, HD 1, CD 1
 S.B. No. 2466, SD 2, HD 2, CD 1
 S.B. No. 2536, HD 2, CD 1
 S.B. No. 2545, SD 2, HD 2, CD 1
 S.B. No. 2576, SD 1, HD 3, CD 1
 S.B. No. 2678, SD 2, HD 2, CD 1
 S.B. No. 2695, SD 2, HD 2, CD 1
 S.B. No. 2739, SD 2, HD 1, CD 1
 S.B. No. 2776, SD 2, HD 2, CD 1
 S.B. No. 2778, SD 1, HD 1, CD 1
 S.B. No. 2779, SD 2, HD 1, CD 1
 S.B. No. 2780, SD 1, HD 2, CD 1
 S.B. No. 2804, SD 2, HD 2, CD 1
 S.B. No. 2827, SD 1, HD 1, CD 1
 S.B. No. 2873, SD 1, HD 3, CD 2
 S.B. No. 2933, SD 2, HD 2, CD 1
 S.B. No. 2939, SD 1, HD 1, CD 1
 S.B. No. 2947, SD 2, HD 2, CD 1
 S.B. No. 2958, SD 2, HD 2, CD 1

Sen. Com. No. 840, dated May 3, 2012, informing the House that the Senate has on April 25, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 745, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING."

Sen. Com. No. 841, dated May 3, 2012, informing the House that the Senate has on April 26, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2506, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION."

Sen. Com. No. 842, dated May 3, 2012, informing the House that the Senate has on May 1, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2785, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS."

Sen. Com. No. 843, dated May 3, 2012, informing the House that the Senate has this day overridden the Governor's veto by a two-thirds vote of all the members to which the Senate is entitled to the following bill:

S.B. No. 2101, SD 1, HD 2

Sen. Com. No. 844, dated May 3, 2012, informing the House that the Senate has on May 3, 2012, reconsidered its action taken on April 12,

2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2946, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Sen. Com. No. 845, transmitting S.R. No. 108, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," which was adopted by the Senate on May 3, 2012.

Sen. Com. No. 846, dated May 3, 2012, informing the House that the Senate has made the following change to Senate Conferee assignment for the following concurrent resolution:

S.C.R. No. 40, Senate Conferees discharged.
 SD 1, HD 1

Sen. Com. No. 847, dated May 3, 2012, informing the House that the Senate has on May 3, 2012, reconsidered its action taken on April 25, 2012, in disagreeing to the amendments proposed by the House to the following Senate Concurrent Resolution and has moved to agree to the amendments, and that said resolution has this day been Adopted:

S.C.R. No. 40, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RENAMING OF AND THE EXTENSION OF THE PROMPT PAYMENT TASK FORCE TO DEVELOP RECOMMENDATIONS TO ADDRESS ISSUES THAT AFFECT PROCUREMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, INCLUDING HUMAN SERVICE NONPROFIT ORGANIZATIONS THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES, COMMUNITIES, AND OTHER SMALL BUSINESSES."

EMPLOYEES OF THE HOUSE

The following is a list of all House employees for the 2012 session:

Representative Aquino: Maureen Andrade, Janelle Funtanilla, Stacie Gandauli, Ruffalyne Sunajo

Representative Awana: Wendy Ferreira, Guy Aiu, Irene Amber-Leigh Awana, Kent Jiang, Kathryn Ann Reis

Representative Belatti: Jon Kawamura, Kate Bryant-Greenwood, Bernard Fo, TinaAnn Heatherly

Representative Brower: Cynthia Nyross, Daniel Kalili

Representative Cabanilla: Christopher Manabat, Patrocinio Bolo, Stacy Kaneshiro, Christina Simms, Wayne Worthington Jr.

Representative Carroll: Soana Tupua-Fanoga, Nancy Barry, Royalene Fernandez, Ramie Wright

Representative Chang: Sharon Miranda, Bernardine Jay, Francine Kaneshige

Representative Ching: Jessica Bursack, Elise Anderson, Tiffany Au, Lindsey Barrow Jr., Austin Benoit, Deborah Bossley

Representative Chong: Janis Higaki, Benjamin Park, Caitlin Espinda, Anna Koethe, Jenny Lee, Connor McKenzie, Janina Tully

Representative Choy: Carole Hagihara, Daphne Henion, Pamela Seeney

Representative Coffman: Merissa Sakuda, Ian Araki, Nicole Lowen

Representative Cullen: Shanell Cullen, Sy Cullen, Rachele Lamosao, Jolyn Adele Prieto

Representative Evans: Tommie Suganuma, Teriitavae Perez, Brendan Rasheed, Philip Regina, Joel Yamashiro

Representative Fontaine: Carrie Kealoha, Tania Cortez-Carnero, Jeffrey Lyons

Representative Giugni: Tannya Kanei-Ibara, Kenneth Best, Willette Lum, Benjamin Nishimoto, Carl Takamura

Representative Hanohano: Julia Peleiholani, Kaliko Chun, Kahikina Kaawaloa

Representative Har: Spencer Yim, Alexis Chapman, Ronson Dela Pina, Samantha Howell

Representative Hashem: Kathy Kato, Julie Haruki, Casey Nishimura

Representative Herkes: Eloise Kuniyoshi, Rebecca Gardner, Bosko Petricevic, Samuel Suen, Marlene Texeira, Brian Yamane

Representative Ichiyama: Melanie Kuroiwa-Steiner, Curi Lee, Chace Shigemasa

Representative Ito: Melissa Miranda-Johnson, Kalani Kaanaana, Stephanie Macadangdang, George Okuda

Representative Johanson: Erin Kealoha Fale, Gregory Johnson, Carole Kaapu, Jonathan Kunimura

Representative Jordan: Nicole 'Lehua' Kinilau, Shayna Lonoaea Alexander, Cuyler Otsuka, Frances Rollins

Representative Kawakami: Virginia Kapali, Marissa Agena, Paulette Phillips, Kristi Rapozo

Representative Keith-Agaran: Ann Takaki, Susan Wong, Colleen Jones, Robert La Mont, Kimberly Max, James Miura, James Nagle, Pamela Ono, George White

Representative Lee Chris: Jen Wilbur, Melita Lani, Lina Le, Geoffrey Pullen

Representative Lee Marilyn: Lloyd 'Keanu' Young, Lee Ying Kwok, Kelly Suzuka

Representative Luke: Linnea Schuster, Nora Graham, Avery Yoo

Representative Manahan: Allison Aku, Mary Ann Manahan, Radiant Cordero, Karen Iwamoto, Ian Nishi

Representative Marumoto: John Gibo, Jennifer Dotson, Roosevelt Freeman, Spencer Lau Jr., Maureen Muraoka

Representative McKelvey: Wendee Wilson, Niroshan Kariapper, Mark Rosa

Representative Mizuno: Joje May Mizuno, Josephine Besario, Michael Bouffard, Christine Fehn

Representative Morikawa: Mark Mararagan, Shaun Hirai, Grant Kagawa

Representative Nakashima: Lori Hasegawa, Jana Carpio, Susie Graeb, Van Morita

Representative Nishimoto: Candace Van Buren, Chelsea Okamoto, Kevan Wong

Representative Oshiro: Karen Horita, Erin Ebisuya, William Gillispie, Midori Hirai, Karisa Look, Maria Marcelina Millon, Brandon Miyagi, Micah-Seth Munekata, Michael Ong, Lucia Phan, Meagan Shimizu, Maryanne Takahashi, Matthew Tsujimura, Napualani Young

Representative Pine: Kauai Alapa, Linda Dela Cruz, Mariano Doctolero, Kimberly Guynes, Lilia Lambinico

Representative Rhoads: Sonny Le, April Kamilah Bautista, Anthony Chang, Ryan Hew

Representative Riviere: Trina Ishii, Jesse Gelis, Ann Otteman

Representative Saiki: Jonathan Tungpalan, Diane Lee Pilla, Cileen Yamashita

Representative Say: Calvin Azama, Jennifer Agcaoili, Clarice Hashimoto, Cassandra Song

Representative Souki: Flo Hamasaki, Peggy Collier, Vernon Souki, Charles St. Sure

Representative Takai: RaniaLisa 'Lisa' Vargas Omo, Cheryl Derby, Jennifer Higa Craig, April Pope

Representative Takumi: Nancy Nishimura, John Foster, Margot Seeto

Representative Thielen: Melody Heidel, Christopher Delaunay, Charlotte Farmer

Representative Tokioka: Amy Luke, Eddianne Lim, Jasmine Manabat

Representative Tsuji: Lora Lapenia, Malina Iida, Denna Macanas

Representative Ward: Sarah Fukumoto, Jame Schaedel, Mark Brians Jr., Mario-John Ting, Chelsea Tyson, Kevin Wilson

Representative Wooley: Jacqueline Miyashiro, Katherine Bodendorfer, Ryan Kapuniai, Kory Rosette, William Sager, Beverly Wong

Representative Yamane: Danielle Bass, Jeremy Aoyagi, Kenneth Dunham, Jordon Higa

Representative Yamashita: Lois Tambalo, John Aimo, Edwin Hayashi, Aulii Tenn

Finance: Nandana Kalupahana, Erik Abe, Perri 'Puna' Chai, Susan Fernandez, Jody Hamasaki, Randall Hiyoto, Stacey Tagala

House Majority Staff Research: Joan Yamaguchi, Rebecca Anderson, Nelisa Asato, Doreen Belen, Siobhan Caruso Ng, Alicia Duffin, Richard Dvovich, James Funaki, Jamie Go, Susan Iwata, Alison Kim, Shin Woo 'Roger' Kim, Steven Lum, Brandon Masuoka, Roy Nihei, Kendra Oishi, Ryan Sakuda, Elsielyn Singson, Dean Sugano, Jason Young, Ava Marie Cavaco, Jamila Jarmon, Ranie Mulligan, Dietra Myers Tremblay, Margaret Yamashita

Communications: Georgette Deemer, Thelma Dreyer, Jason Parasco

House Minority Research: Beth Fukumoto, Rina Chung, Candace Crouch-Kelsey, Nadine Nishioka, Michele Van Hessen, Scott Drinkall, Alan Eyerly, Paul Kanoho, Adam Reeder, Marc Takei, Steven Wong

Chief Clerk's Office: CJ Leong, Brian Takeshita, Waynette Araki, Josette Friedl, Royce Fukumoto, Matthew Hanabusa, Gail Iseri, Adele Ito, Ruperto Juarez, Arman 'Kai' Lau, Eric Lee, Denise Liu, Craig Nakahara, Thai Nguyen, Emma Perry, Neal Shigemura, Roger Tyau, Tiffany Aki, Angel Fujihara, Chi Hwa Ho, Ryan Kagimoto, Bobby Le, Jennifer Leng, Joshua Lum, Ross Miyasato Jr., Teoni Obrey, Lehua Saturnio, Jill Takamatsu, Wendy Tamashiro, Ruby Tomokiyi, Rachel Williamson, Scott Yamane, Diane Yukumoto

Chief Clerk's Office/Printshop: Tammy Tengan, Summer Kaleo, Fritz Belmore, Carol Cabebe, Karen Ebisuya, Aysia Ginoza, Bradley Haida, Roy Higa, Lorrin Kaalekahi Jr., Jean Kinoshita, Nicholas Kurosawa, Elaine Miyamoto, Mildred Phillips, Estelita Pumares, Eleanor Riney, Ambronette Rivera, Alice Sato, Amy Say, Linda Shishido, Aileen Tanaka, Mark Villamor, Curtis Yoshida, Wesley Yoshitake

Sergeant-At-Arms: Kevin Kuroda, Lon Paresa, Paulette Abe, Jesse Alvarado, John Baker, Rodney Haena, Janelle Murakawa, Glenn Okamura, Matthew Daog, Darryl Fukuji, Glenn Ganigan, Bronson Low, Henry Muronaga, Neal Nagata, Grant Okamoto, Geoffrey Oshiro, Jon Shitabata, Alfonso Singson, Jeffrey Spencer, Richard Tamashiro, Nelson Toda, Raymond Yamane

**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE 2012 LEGISLATURE SINE DINE**

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 246 and 1201 through 1446) were received by the Clerk and were placed on file:

Gov. Msg. No. 246, dated April 20, 2012, transmitting The Gas Company's Annual Renewable Energy Report for calendar year ending December 31, 2011, submitted to the Public Utilities Commission.

Gov. Msg. No. 1201, informing the House that on May 10, 2012, the following bill was signed into law:

H.B. No. 425, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES." (ACT 099)

Gov. Msg. No. 1202, informing the House that on May 10, 2012, the following bill was signed into law:

H.B. No. 1754, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS." (ACT 100)

Gov. Msg. No. 1203, informing the House that on May 10, 2012, the following bill was signed into law:

S.B. No. 112, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM." (ACT 101)

Gov. Msg. No. 1204, informing the House that on May 22, 2012, the following bill was signed into law:

H.B. No. 2013, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS." (ACT 102)

Gov. Msg. No. 1205, informing the House that on June 01, 2012, the following bill was signed into law:

S.B. No. 2220, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOILER AND ELEVATOR SAFETY LAW." (ACT 103)

Gov. Msg. No. 1206, informing the House that on June 05, 2012, the following bill was signed into law:

H.B. No. 2251, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS." (ACT 104)

Gov. Msg. No. 1207, informing the House that on June 08, 2012, the following bill was signed into law:

S.B. No. 2804, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS." (ACT 105)

Gov. Msg. No. 1208, informing the House that on June 08, 2012, the following bill was signed into law:

H.B. No. 2012, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET." (ACT 106)

Gov. Msg. No. 1209, informing the House that on June 08, 2012, the following bill was signed into law:

H.B. No. 1800, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY." (ACT 107)

Gov. Msg. No. 1210, informing the House that on June 08, 2012, the following bill was signed into law:

H.B. No. 1838, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS." (ACT 108)

Gov. Msg. No. 1211, informing the House that on June 08, 2012, the following bill was signed into law:

H.B. No. 2495, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING COST ITEMS." (ACT 109)

Gov. Msg. No. 1212, informing the House that on June 08, 2012, the following bill was signed into law:

S.B. No. 2324, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS." (ACT 110)

Gov. Msg. No. 1213, informing the House that on June 08, 2012, the following bill was signed into law:

S.B. No. 2323, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS." (ACT 111)

Gov. Msg. No. 1214, informing the House that on June 08, 2012, the following bill was signed into law:

S.B. No. 1083, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 112)

Gov. Msg. No. 1215, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2375, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS." (ACT 113)

Gov. Msg. No. 1216, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2646, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING PERMITS." (ACT 114)

Gov. Msg. No. 1217, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 1764, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS." (ACT 115)

Gov. Msg. No. 1218, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 2476, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." (ACT 116)

Gov. Msg. No. 1219, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 2848, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 117)

Gov. Msg. No. 1220, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2508, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS." (ACT 118)

Gov. Msg. No. 1221, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2228, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE." (ACT 119)

Gov. Msg. No. 1222, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2797, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID." (ACT 120)

Gov. Msg. No. 1223, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2632, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE TIME SHARE INTERESTS." (ACT 121)

Gov. Msg. No. 1224, informing the House that on June 15, 2012, the following bill was signed into law:

S.B. No. 2695, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED." (ACT 122)

Gov. Msg. No. 1225, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 2429, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE." (ACT 123)

Gov. Msg. No. 1226, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 2244, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS." (ACT 124)

Gov. Msg. No. 1227, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 1524, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT." (ACT 125)

Gov. Msg. No. 1228, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 2296, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE." (ACT 126)

Gov. Msg. No. 1229, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 1942, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE." (ACT 127)

Gov. Msg. No. 1230, informing the House that on June 15, 2012, the following bill was signed into law:

H.B. No. 1943, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES." (ACT 128)

Gov. Msg. No. 1231, informing the House that on June 18, 2012, the following bill was signed into law:

H.B. No. 2100, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES." (ACT 129)

Gov. Msg. No. 1232, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 2115, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS." (ACT 130)

Gov. Msg. No. 1233, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 2116, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS." (ACT 131)

Gov. Msg. No. 1234, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 1382, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 132)

Gov. Msg. No. 1235, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 2540, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 133)

Gov. Msg. No. 1236, informing the House that on June 19, 2012, the following bill was signed into law:

H.B. No. 2513, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 134)

Gov. Msg. No. 1237, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES." (ACT 135)

Gov. Msg. No. 1238, informing the House that on June 19, 2012, the following bill was signed into law:

H.B. No. 2232, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 136)

Gov. Msg. No. 1239, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 243, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION." (ACT 137)

Gov. Msg. No. 1240, informing the House that on June 19, 2012, the following bill was signed into law:

S.B. No. 2740, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM." (ACT 138)

Gov. Msg. No. 1241, informing the House that on June 20, 2012, the following bill was signed into law:

S.B. No. 2776, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 139)

Gov. Msg. No. 1242, informing the House that on June 20, 2012, the following bill was signed into law:

H.B. No. 2515, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME." (ACT 140)

Gov. Msg. No. 1243, informing the House that on June 20, 2012, the following bill was signed into law:

H.B. No. 2599, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REENTRY INTAKE SERVICE CENTERS." (ACT 141)

Gov. Msg. No. 1244, informing the House that on June 20, 2012, the following bill was signed into law:

H.B. No. 2601, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS." (ACT 142)

Gov. Msg. No. 1245, informing the House that on June 20, 2012, the following bill was signed into law:

S.B. No. 2056, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE." (ACT 143)

Gov. Msg. No. 1246, informing the House that on June 21, 2012, the following bill was signed into law:

S.B. No. 3001, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE." (ACT 144)

Gov. Msg. No. 1247, informing the House that on June 21, 2012, the following bill was signed into law:

S.B. No. 2277, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES." (ACT 145)

Gov. Msg. No. 1248, informing the House that on June 21, 2012, the following bill was signed into law:

H.B. No. 2589, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS." (ACT 146)

Gov. Msg. No. 1249, informing the House that on June 21, 2012, the following bill was signed into law:

H.B. No. 2595, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS." (ACT 147)

Gov. Msg. No. 1250, informing the House that on June 21, 2012, the following bill was signed into law:

H.B. No. 2681, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS." (ACT 148)

Gov. Msg. No. 1251, informing the House that on June 21, 2012, the following bill was signed into law:

H.B. No. 2593, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RULES FOR THREATS TO NATURAL RESOURCES OR THE HEALTH OF THE ENVIRONMENT." (ACT 149)

Gov. Msg. No. 1252, informing the House that on June 21, 2012, the following bill was signed into law:

H.B. No. 1972, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION." (ACT 150)

Gov. Msg. No. 1253, dated June 25, 2012, pursuant to the notice requirement of Section 16 of Article III of the Constitution of the State of Hawaii, transmitting 19 proclamations giving notice of the Governor's plans to return the following bills with his objections:

H.B. No. 46, HD2, SD2 A BILL FOR AN ACT RELATING TO PUBLIC HOUSING.

H.B. No. 246, HD1, SD2, CD1 A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

H.B. No. 280, HD1, SD2, CD1 A BILL FOR AN ACT RELATING TO AGRICULTURE.

H.B. No. 283, HD1, SD2, CD1 A BILL FOR AN ACT RELATING TO STATE FUNDS.

H.B. No. 1617, HD2, SD2, CD1

A BILL FOR AN ACT RELATING TO PUBLIC LANDS.

H.B. No. 1671, HD2, SD2

A BILL FOR AN ACT RELATING TO PROCUREMENT.

H.B. No. 1879, HD2, SD1, CD1

A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER.

H.B. No. 1984, SD1, CD1

A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE.

H.B. No. 2275, HD2, SD2, CD1

A BILL FOR AN ACT RELATING TO HOSPITALS.

H.B. No. 2436, HD1, SD1

A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL.

S.B. No. 2158, HD1, CD1

A BILL FOR AN ACT RELATING TO BAIL.

S.B. No. 2214, SD2, HD2, CD1

A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING.

S.B. No. 2341, SD2, HD2, CD1

A BILL FOR AN ACT RELATING TO LAND USE.

S.B. No. 2424, SD2, HD2, CD1

A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS.

S.B. No. 2536, HD2, CD1

A BILL FOR AN ACT RELATING TO CLEAN AND SOBER HOMES AND HALFWAY HOUSES.

S.B. No. 2640, SD1, HD1, CD1

A BILL FOR AN ACT RELATING TO WASTEWATER.

S.B. No. 2742, SD1, HD2, CD1

A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

S.B. No. 2946, SD2, HD2

A BILL FOR AN ACT RELATING TO TRANSPORTATION.

S.B. No. 3017, SD2

A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.

Gov. Msg. No. 1254, informing the House that on June 25, 2012, the following bill was signed into law:

H.B. No. 1726, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 151)

Gov. Msg. No. 1255, informing the House that on June 25, 2012, the following bill was signed into law:

S.B. No. 1269, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF COMPENSATION FOR PURPOSES OF THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 152)

Gov. Msg. No. 1256, informing the House that on June 25, 2012, the following bill was signed into law:

H.B. No. 2487, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 153)

Gov. Msg. No. 1257, informing the House that on June 25, 2012, the following bill was signed into law:

H.B. No. 2127, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY." (ACT 154)

Gov. Msg. No. 1258, informing the House that on June 25, 2012, the following bill was signed into law:

S.B. No. 745, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING." (ACT 155)

Gov. Msg. No. 1259, informing the House that on June 26, 2012, the following bill was signed into law:

S.B. No. 2466, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES." (ACT 156)

Gov. Msg. No. 1260, informing the House that on June 26, 2012, the following bill was signed into law:

S.B. No. 2810, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES." (ACT 157)

Gov. Msg. No. 1261, informing the House that on June 26, 2012, the following bill was signed into law:

S.B. No. 2833, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL DISABILITIES." (ACT 158)

Gov. Msg. No. 1262, informing the House that on June 26, 2012, the following bill was signed into law:

H.B. No. 2302, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS." (ACT 159)

Gov. Msg. No. 1263, informing the House that on June 26, 2012, the following bill was signed into law:

H.B. No. 755, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING." (ACT 160)

Gov. Msg. No. 1264, informing the House that on June 26, 2012, the following bill was signed into law:

H.B. No. 2540, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION." (ACT 161)

Gov. Msg. No. 1265, informing the House that on June 26, 2012, the following bill was signed into law:

S.B. No. 2821, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES." (ACT 162)

Gov. Msg. No. 1266, informing the House that on June 26, 2012, the following bill was signed into law:

S.B. No. 2800, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING." (ACT 163)

Gov. Msg. No. 1267, informing the House that on June 26, 2012, the following bill was signed into law:

H.B. No. 1398, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY." (ACT 164)

Gov. Msg. No. 1268, informing the House that on June 27, 2012, the following bill was signed into law:

S.B. No. 2785, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS." (ACT 165)

Gov. Msg. No. 1269, informing the House that on June 27, 2012, the following bill was signed into law:

S.B. No. 2787, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY." (ACT 166)

Gov. Msg. No. 1270, informing the House that on June 27, 2012, the following bill was signed into law:

H.B. No. 2150, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS." (ACT 167)

Gov. Msg. No. 1271, informing the House that on June 27, 2012, the following bill was signed into law:

S.B. No. 2746, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES." (ACT 168)

Gov. Msg. No. 1272, informing the House that on June 27, 2012, the following bill was signed into law:

H.B. No. 2873, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS." (ACT 169)

Gov. Msg. No. 1273, informing the House that on June 27, 2012, the following bill was signed into law:

H.B. No. 2319, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT." (ACT 170)

Gov. Msg. No. 1274, informing the House that on June 27, 2012, the following bill was signed into law:

S.B. No. 490, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY." (ACT 171)

Gov. Msg. No. 1275, informing the House that on June 27, 2012, the following bill was signed into law:

S.B. No. 2281, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS." (ACT 172)

Gov. Msg. No. 1276, informing the House that on June 27, 2012, the following bill was signed into law:

H.B. No. 2265, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE." (ACT 173)

Gov. Msg. No. 1277, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2529, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS." (ACT 174)

Gov. Msg. No. 1278, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2790, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS." (ACT 175)

Gov. Msg. No. 1279, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2858, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT." (ACT 176)

Gov. Msg. No. 1280, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2859, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT." (ACT 177)

Gov. Msg. No. 1281, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2545, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 178)

Gov. Msg. No. 1282, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2605, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE." (ACT 179)

Gov. Msg. No. 1283, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2868, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CLEARANCE FEES." (ACT 180)

Gov. Msg. No. 1284, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2326, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 181)

Gov. Msg. No. 1285, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 1875, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES." (ACT 182)

Gov. Msg. No. 1286, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2375, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT." (ACT 183)

Gov. Msg. No. 1287, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 1705, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 184)

Gov. Msg. No. 1288, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 1695, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 185)

Gov. Msg. No. 1289, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 240, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT." (ACT 186)

Gov. Msg. No. 1290, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 596, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH CORPS." (ACT 187)

Gov. Msg. No. 1291, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2740, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 188)

Gov. Msg. No. 1292, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2947, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 189)

Gov. Msg. No. 1293, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2226, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM." (ACT 190)

Gov. Msg. No. 1294, informing the House that on June 28, 2012, the following bill was signed into law:

S.B. No. 2419, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION." (ACT 191)

Gov. Msg. No. 1295, informing the House that on June 28, 2012, the following bill was signed into law:

H.B. No. 2295, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CYBERBULLYING." (ACT 192)

Gov. Msg. No. 1296, informing the House that on June 29, 2012, the following bill was signed into law:

S.B. No. 2001, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST." (ACT 193)

Gov. Msg. No. 1297, informing the House that on June 29, 2012, the following bill was signed into law:

H.B. No. 2871, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI OCEAN RECREATION MANAGEMENT AREA." (ACT 194)

Gov. Msg. No. 1298, informing the House that on June 29, 2012, the following bill was signed into law:

S.B. No. 2933, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN SAFETY." (ACT 195)

Gov. Msg. No. 1299, informing the House that on June 29, 2012, the following bill was signed into law:

H.B. No. 1879, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER." (ACT 196)

Gov. Msg. No. 1300, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2273, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS." (ACT 197)

Gov. Msg. No. 1301, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 155, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS." (ACT 198)

Gov. Msg. No. 1302, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 2435, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS." (ACT 199)

Gov. Msg. No. 1303, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2415, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID." (ACT 200)

Gov. Msg. No. 1304, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2374, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS." (ACT 201)

Gov. Msg. No. 1305, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 2737, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS." (ACT 202)

Gov. Msg. No. 1306, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2004, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 203)

Gov. Msg. No. 1307, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2751, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION." (ACT 204)

Gov. Msg. No. 1308, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS." (ACT 205)

Gov. Msg. No. 1309, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 238, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS." (ACT 206)

Gov. Msg. No. 1310, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT." (ACT 207)

Gov. Msg. No. 1311, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2175, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS." (ACT 208)

Gov. Msg. No. 1312, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2623, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY." (ACT 209)

Gov. Msg. No. 1313, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2454, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER." (ACT 210)

Gov. Msg. No. 1314, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2448, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID." (ACT 211)

Gov. Msg. No. 1315, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 2221, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE." (ACT 212)

Gov. Msg. No. 1316, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 2222, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS." (ACT 213)

Gov. Msg. No. 1317, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 2486, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE." (ACT 214)

Gov. Msg. No. 1318, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 304, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES." (ACT 215)

Gov. Msg. No. 1319, informing the House that on July 03, 2012, the following bill was signed into law:

S.B. No. 2576, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION." (ACT 216)

Gov. Msg. No. 1320, informing the House that on July 03, 2012, the following bill was signed into law:

H.B. No. 2275, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS." (ACT 217)

Gov. Msg. No. 1321, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 3010, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 218)

Gov. Msg. No. 1322, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 2238, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 219)

Gov. Msg. No. 1323, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 2328, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 220)

Gov. Msg. No. 1324, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 2290, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH." (ACT 221)

Gov. Msg. No. 1325, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 2780, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES." (ACT 222)

Gov. Msg. No. 1326, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 1892, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REAPPORTIONMENT COMMISSION." (ACT 223)

Gov. Msg. No. 1327, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 2266, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY." (ACT 224)

Gov. Msg. No. 1328, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 1755, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION." (ACT 225)

Gov. Msg. No. 1329, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 461, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT." (ACT 226)

Gov. Msg. No. 1330, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 2939, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII." (ACT 227)

Gov. Msg. No. 1331, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 2383, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC." (ACT 228)

Gov. Msg. No. 1332, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 2748, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY." (ACT 229)

Gov. Msg. No. 1333, informing the House that on July 05, 2012, the following bill was signed into law:

S.B. No. 2952, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY." (ACT 230)

Gov. Msg. No. 1334, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 2347, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS FOR REVENUE-PRODUCING UNDERTAKINGS." (ACT 231)

Gov. Msg. No. 1335, informing the House that on July 05, 2012, the following bill was signed into law:

H.B. No. 2644, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION." (ACT 232)

Gov. Msg. No. 1336, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 1968, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES." (ACT 233)

Gov. Msg. No. 1337, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2099, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION." (ACT 234)

Gov. Msg. No. 1338, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2678, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOULIULI." (ACT 235)

Gov. Msg. No. 1339, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2318, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION." (ACT 236)

Gov. Msg. No. 1340, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2779, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS." (ACT 237)

Gov. Msg. No. 1341, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2320, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING." (ACT 238)

Gov. Msg. No. 1342, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2335, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS." (ACT 239)

Gov. Msg. No. 1343, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2239, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT." (ACT 240)

Gov. Msg. No. 1344, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2739, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD." (ACT 241)

Gov. Msg. No. 1345, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2236, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY." (ACT 242)

Gov. Msg. No. 1346, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2314, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX." (ACT 243)

Gov. Msg. No. 1347, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 1295, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS." (ACT 244)

Gov. Msg. No. 1348, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2502, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS." (ACT 245)

Gov. Msg. No. 1349, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 1543, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING LAW." (ACT 246)

Gov. Msg. No. 1350, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2257, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING." (ACT 247)

Gov. Msg. No. 1351, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2258, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING." (ACT 248)

Gov. Msg. No. 1352, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2409, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION." (ACT 249)

Gov. Msg. No. 1353, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2767, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 250)

Gov. Msg. No. 1354, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2766, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTITIES REGULATED BY THE INSURANCE COMMISSIONER." (ACT 251)

Gov. Msg. No. 1355, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2763, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION." (ACT 252)

Gov. Msg. No. 1356, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2765, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES." (ACT 253)

Gov. Msg. No. 1357, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 1276, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 254)

Gov. Msg. No. 1358, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2103, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 255)

Gov. Msg. No. 1359, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 3062, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 256)

Gov. Msg. No. 1360, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 3002, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS." (ACT 257)

Gov. Msg. No. 1361, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2769, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 258)

Gov. Msg. No. 1362, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2526, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS." (ACT 259)

Gov. Msg. No. 1363, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2412, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS." (ACT 260)

Gov. Msg. No. 1364, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2574, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS." (ACT 261)

Gov. Msg. No. 1365, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2584, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE." (ACT 262)

Gov. Msg. No. 1366, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2264, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY." (ACT 263)

Gov. Msg. No. 1367, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2261, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM." (ACT 264)

Gov. Msg. No. 1368, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2564, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES." (ACT 265)

Gov. Msg. No. 1369, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2776, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE." (ACT 266)

Gov. Msg. No. 1370, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2569, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL UNIONS." (ACT 267)

Gov. Msg. No. 1371, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 1953, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE." (ACT 268)

Gov. Msg. No. 1372, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2778, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY CHILDHOOD HEALTH." (ACT 269)

Gov. Msg. No. 1373, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 1500, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS." (ACT 270)

Gov. Msg. No. 1374, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 3006, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES." (ACT 271)

Gov. Msg. No. 1375, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2813, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD SPECIAL FUND." (ACT 272)

Gov. Msg. No. 1376, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2816, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING." (ACT 273)

Gov. Msg. No. 1377, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2958, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 274)

Gov. Msg. No. 1378, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2825, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII IMMUNIZATION REGISTRY." (ACT 275)

Gov. Msg. No. 1379, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2827, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND." (ACT 276)

Gov. Msg. No. 1380, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2553, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES." (ACT 277)

Gov. Msg. No. 1381, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2656, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL." (ACT 278)

Gov. Msg. No. 1382, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2664, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COORDINATION." (ACT 279)

Gov. Msg. No. 1383, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2344, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH AUTHORITY." (ACT 280)

Gov. Msg. No. 1384, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 609, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 281)

Gov. Msg. No. 1385, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2398, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE." (ACT 282)

Gov. Msg. No. 1386, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2883, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY." (ACT 283)

Gov. Msg. No. 1387, informing the House that on July 06, 2012, the following bill was signed into law:

S.B. No. 2378, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGACY LANDS." (ACT 284)

Gov. Msg. No. 1388, transmitting his statement of objections to H.B. No. 46, HD 2, SD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 46

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate [sic] Bill No. 46, entitled "A Bill for an Act Relating to Public Housing."

The stated purpose of this bill is to prohibit smoking of tobacco or any other plant material in all public housing projects, state and federal, owned and administered by the Hawaii Public Housing Authority. The bill would ban smoking within the residential units, designated common areas, and within twenty feet of any building, and smoking would only be allowed in designated smoking areas that are not within twenty feet of any building. The bill would take effect upon my approval.

I agree with the underlying objective of the bill. Smoking is a public health issue and we should encourage our citizens to stop, but I agree with the Hawaii Public Housing Authority that implementing an incremental ban throughout the housing projects within the next twelve months is a practical path to a successful plan. It is a fact that a number of the residents are chronic smokers and it would be difficult to expect them to stop immediately. Further, establishing designated smoking areas runs counter to what is desired for making public housing smoke-free.

The Authority has already held meetings and discussions with various tenant associations at the housing projects to provide sufficient notice to the residents of the coming smoking ban, and has established a schedule of when specific housing projects will be required to implement the smoking ban. Additionally, the Authority is already drafting proposed

administrative rules to implement the smoking ban consistent with the provisions of the bill. Accordingly, I believe the Authority should be allowed the opportunity to continue to implement the objective of the bill using its own administrative discretion.

For the foregoing reasons, I am returning Senate [sic] Bill No. 46 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1389, transmitting his statement of objections to H.B. No. 283, HD 1, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 283

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 283, entitled "A Bill for an Act Relating to State Funds."

The purposes of this bill are to: (1) authorize the transfer during fiscal year 2012-2013 of \$196,000 from the Agricultural Loan Revolving Fund to the Pest Inspection, Quarantine, and Eradication Fund; and (2) appropriate \$196,000 for fiscal year 2012-2013 from the Pest Inspection, Quarantine, and Eradication Fund to be expended by the Department of Agriculture for a program to control and eradicate the coffee berry borer, including the destruction of feral coffee trees.

The transfer and use of moneys from the Agricultural Loan Revolving Fund for coffee berry borer control and eradication is not necessary. The Department of Agriculture has barrel tax funds available for control and eradication of this pest. Use of its barrel tax funds will enable the Department of Agriculture to address the coffee berry borer infestation while also preserving the use of moneys in the Agricultural Loan Revolving Fund to effectively promote agricultural development in the State.

For the foregoing reasons, I am returning House Bill No. 283 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1390, transmitting his statement of objections to H.B. No. 1617, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1617

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1617, entitled "A Bill for an Act Relating to Public Lands."

The purposes of this bill are to: (1) authorize the Board of Land and Natural Resources to extend, for a period not longer than fifty-five years, commercial, hotel, resort, and industrial leases, when the lessee makes qualifying substantial improvements to the leased land; and (2) provide fair compensation when leased public land for agricultural and pastoral uses is withdrawn, condemned, or taken for public purposes. The compensation shall be in the form of rent reduction, value of permanent improvements, crop value, livestock value, or costs attributable to the diminished use of the land.

Part I of the bill on commercial, hotel, resort, and industrial lease extensions is so broad as to cover virtually every such Department of Land and Natural Resources lease transaction in the state. The bill will allow a lessee to keep exclusive use of public lands for up to 120 years, which is beyond the lifespan of the business owner and unfair to other businesses who desire an opportunity to bid on and use public lands. There is nothing to prevent present lessees from re-bidding subject lands in any subsequent offering. I have no objection to part II of the bill on agricultural and pastoral leases and will work with stakeholders next session to pass these provisions again.

For the foregoing reasons, I am returning House Bill No. 1617 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1391, transmitting his statement of objections to H.B. No. 1671, HD 2, SD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1671

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1671, entitled "A Bill for an Act Relating to Procurement."

The purposes of this bill are to: (1) require the State Procurement Office to keep statistics on various aspects of protests for the purpose of improving procurement procedures; (2) replace references to the "chief procurement officer" with "procurement officer"; (3) make final and not subject to appeal, the written determination of a procurement officer to lift the automatic stay imposed by the receipt of a protest; (4) require the procurement officer to compile a record of the protest; (5) establish and require different procedures for the administrative review of protests of solicitations and awards, and the administrative review of decisions to assess fines, suspend, and debar; and (6) impose time limits to expedite the protest review process, including time limits in which (a) the procurement officer must resolve a protest, issue a decision, and transmit the protest record to the hearings officer, (b) the hearings officer must commence an administrative review and issue a decision, and (c) the circuit court must issue a decision.

The legislative intent that this bill will expedite the protest review process may be difficult to achieve because of the operational burdens the bill imposes on the procuring agencies. This bill requires procuring agencies to compile a record of the protest, and states the record shall include as applicable, oral testimony, exhibits, and proposed findings of fact. These elements suggest a contested case type of proceeding must occur at the procuring agency level. I believe that requiring procuring agencies to conduct such a contested case proceeding may prove difficult for those agencies that do not otherwise conduct contested case hearings and lack experienced staff for such purpose. All agencies, regardless of their resources, will need to assign and train personnel to conduct these

proceedings and compile a record of the proceedings. Currently, the protest review process at the agency level is much more informal. The formal review of the agency decision is conducted by the hearings officers at the Department of Commerce and Consumer Affairs, who already are trained and experienced in conducting contested case type administrative hearings. This bill may create delays by shifting the adjudicatory process from the hearings officers to the agencies and requiring the agencies to grapple with the details of conducting a contested case type of hearing.

Further, because this bill would take effect on July 1, 2012, it would be difficult for the State Procurement Office to timely draft and conduct procurement training for all state agencies so that they could comply with the new protest review procedures required by this bill.

For the foregoing reasons, I am returning House Bill No. 1671 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1392, transmitting his statement of objections to H.B. No. 1984, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1984

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1984, entitled "A Bill for an Act Relating to Hawaiian Language."

The two purposes of this bill are to: (1) establish February as "'Ōlelo Hawai'i Month"; and (2) celebrate and encourage the use of the Hawaiian language by, among other things, requiring that effective January 1, 2013, all Hawaiian words that are included in documents and letterhead prepared by or for state and county agencies and officials, and all emblems and symbols representative of the State, its departments, agencies, and political subdivisions, are properly spelled, punctuated, and diacritically marked.

This bill has laudable and aspirational goals. However, the bill is so broad that it does not take into account the number of instances that Hawaiian words, particularly place names, are included in the myriad of documents state and county agencies type, print, or handwrite every day. Nor does the bill adequately address the resources required to assure that all Hawaiian words are spelled, punctuated, and diacritically marked correctly.

Additionally, the consequences of not properly spelling, punctuating, or diacritically marking a Hawaiian word used in a document a state or county agency prepares are unclear. Words used in a document prepared by a government agency should be accurate, appropriate, and spelled and diacritically marked correctly. However, despite proofreading and spell-checks, documents state and county agencies prepare may include words that are misspelled or incorrectly marked diacritically. State and county agencies routinely prepare documents that are, or could be legally significant. Given this reality, it would be imprudent to implement this measure without knowing the effect of a misspelled word in a contract, deed, order, or judgment a state or county agency or court prepares, because of the possibility that such documents might be rendered invalid or unenforceable.

Alternatively, February will be designated "'Ōlelo Hawai'i Month" by proclamation. Furthermore, a working group will be established to evaluate these issues, and determine how to implement these goals without creating unnecessary challenges.

For the foregoing reasons, I am returning House Bill No. 1984 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1393, transmitting his statement of objections to H.B. No. 2436, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2436

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2436, entitled "A Bill for an Act Relating to the Information Privacy and Security Council."

The purpose of this bill is to allow the Chief Information Officer or the officer's designee to serve as the Chair of the Information Privacy and Security Council.

This bill's companion measure, Senate Bill No. 2698, was also passed by the Legislature. Because I approved Senate Bill No. 2698 on April 24, 2012, as Act 71, there is no need to also approve House Bill No. 2436.

For the foregoing reason, I am returning House Bill No. 2436 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1394, transmitting his statement of objections to S.B. No. 2158, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2158

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2158, entitled "A Bill for an Act Relating to Bail."

The purpose of this bill is to require law enforcement agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds when the court is closed, including nights, weekends, and holidays, to facilitate the prompt release of a detainee.

The Department of Public Safety does not have the staff, funds, and facilities to provide these additional services. It should be noted that the Department currently does not accept cash bail at any time, at any of its correctional centers. The Department is unable to provide adequate and appropriate staffing, twenty-four hours a day, seven days of the week, including all holidays, to accept and process cash bail and bonds.

For the foregoing reasons, I am returning Senate Bill No. 2158 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1395, transmitting his statement of objections to S.B. No. 2214, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2214

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2214, entitled "A Bill for an Act Relating to Collective Bargaining."

The purpose of this bill is to amend chapter 89 of the Hawaii Revised Statutes (HRS) to transfer from the Legislature to an arbitration panel the authority to decide amounts of contributions paid by the public employers to the Hawaii Employer-Union Health Benefits Trust Fund ("EUTF") in case of disputes or impasses between the unions and the public employers. This would make the arbitration award as to EUTF contributions final and binding on the parties.

This bill is objectionable because it is inappropriate. In 1984 when the Legislature amended section 89-9, HRS, to mandate collective bargaining over "the amounts of contributions by the State and respective counties to the Hawaii public employees' health fund," the Legislature specifically excluded amounts of contributions from arbitration as a means to resolve impasses or disputes. Instead, the Legislature retained the authority to make such decision if the parties have not reached an agreement. The alternative proposed by this bill, of specifically including amounts of contributions as a subject of arbitration, is counter-productive to collective bargaining and sound financial planning.

EUTF contributions comprise a large and growing portion of the State's budget, and an arbitration panel whose members are not accountable to the public should not make decisions regarding them. The fact that there is no history of actual public employer EUTF contribution arbitration awards in Hawaii also increases the uncertainty regarding a negative outcome for the financial stability of the State.

Further, if an arbitration award exceeds the amount that the public employers can afford to pay, an arbitration decision will be final and binding on the union and the public employer, and the public employer would be required to take whatever action is necessary to carry out and effectuate the arbitration award. The City of Scranton, Pennsylvania, recently experienced a similar scenario with disastrous results.

In Hawaii, an arbitration award would not be binding on the Legislature with regard to funding of cost items. Thus, legislative approval would still be required of any arbitration award. If the Legislature rejected the cost items, such matters would be returned to the parties for further negotiation. However, requiring the parties to renegotiate in a rapidly declining or unsettled fiscal situation in the wake of the arbitration proceedings serves only to highlight competing interests.

The involvement of multiple arbitration panels from different bargaining units subject to interest arbitration will increase the likelihood of variability in the EUTF contribution amounts, which would make the planning and administration of health premiums more difficult. Arbitration in these circumstances works against good faith collective bargaining.

For the foregoing reasons, I am returning Senate Bill No. 2214 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1396, transmitting his statement of objections to S.B. No. 2424, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2424

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2424, entitled "A Bill for an Act Relating to Professional Employer Organizations."

The purpose of this bill is to facilitate the implementation of the professional employer organization law established by Act 129, Session Laws of Hawaii 2010. In 2007, the Legislature passed Act 225, relating to professional employer organizations (PEOs), now codified as chapter 373K, Hawaii Revised Statutes. The primary purpose of Act 225 was to provide a general excise tax exemption for PEOs. Act 225 also addressed rights and benefits of the employees and certain responsibilities as between the PEO and its client companies. In 2010, the Legislature passed Act 129, which is codified in chapter 373L, Hawaii Revised Statutes, requiring PEOs to register with the State.

Senate Bill No. 2424 repeals chapter 373K and amends chapter 373L, Hawaii Revised Statutes. The bill preserves the general excise tax exemption; amends certain definitions; and clarifies certain requirements for registration, including bonding.

PEOs need to be further regulated, beyond registration, and may require a licensing procedure. The interests of all – the consumer of PEO services; the worker who works under a PEO arrangement; the regulatory agencies; and the PEOs, large and small - need further consideration.

For the foregoing reasons, I am returning Senate Bill No. 2424 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1397, transmitting his statement of objections to S.B. No. 2536, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2536

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2536, entitled "A Bill for an Act Relating to Clean and Sober Homes and Halfway Houses."

The purpose of this bill is to establish a clean and sober home and halfway house task force, to be chaired by the Director of Health, and for

the task force to establish a pilot clean and sober home and halfway house on Oahu.

Section 14 of Article III of the Hawaii Constitution requires: "Each law shall embrace but one subject, which shall be expressed in its title." The title of this bill, "Relating to Clean and Sober Homes and Halfway Houses," contains two different subjects in violation of the Hawaii Constitution. The current laws defining "clean and sober homes" and "halfway houses" exist in section 46-4(f), Hawaii Revised Statutes. "Clean and sober homes" and "halfway houses," although similar, serve different types of residents and are structured differently. Therefore, the title of this bill expresses two different subjects, in conflict with Section 14 of Article III of the Hawaii Constitution.

In addition, one of the purposes for and responsibilities of the task force is "establishing a pilot clean and sober home and halfway house for a county with a population over 900,000." "Establish" means "to bring into existence," and a task force does not have the legal authority or means to establish either a clean and sober home or a halfway house. The task force would not be able to comply with this mandate.

The goals of the proposed task force are laudable, and efforts are underway by the Administration to further these goals. The Department of Health has already met with members of the Legislature, and representatives of the Judiciary, the Department of Public Safety, and the Department of the Attorney General, to set up a working group specifically to explore ways to develop a plan to ensure that clean and sober homes and halfway houses are properly monitored and accountable for meeting occupancy, zoning, and permitting requirements, and that the residents become respectful and responsible members of the communities in which they live.

Furthermore, the Justice Reinvestment Initiative Working Group is examining the issue of clean and sober homes and halfway houses and there are funds available for community programs such as those to support substance abuse treatment and the maintenance of sobriety.

For the foregoing reasons, I am returning Senate Bill No. 2536 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1398, transmitting his statement of objections to S.B. No. 2640, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2640

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2640, entitled "A Bill for an Act Relating to Wastewater."

The purpose of this bill is to allow the use of individual wastewater systems as an on-site means of wastewater disposal in lieu of a county sewer system if the wastewater system pre-dates the county sewer system, and if the county determines that allowing the individual wastewater system is fair and equitable.

It is more beneficial to public health and the environment to have wastewater collected thorough the county sewer system and treated by the county wastewater treatment plants.

For the foregoing reason, I am returning Senate Bill No. 2640 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1399, transmitting his statement of objections to S.B. No. 2946, SD 2, HD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2946

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2946, entitled "A Bill for an Act Relating to Transportation."

The purposes of this bill are (1) to extend until June 30, 2016, the rental motor vehicle surcharge tax \$7.50 per day that was increased in 2011; (2) to extend until June 30, 2016, the suspension of the rental motor vehicle customer facility charge under section 261-7(h), Hawaii Revised Statutes; (3) to amend section 251-5, Hawaii Revised Statutes, to require that \$3 of the rental motor vehicle surcharge tax continue to be deposited in the State Highway Fund, but to change the \$4.50 of the rental motor vehicle surcharge tax currently deposited in the general fund to be deposited instead in the Rental Motor Vehicle Customer Facility Charge Special Fund; and (4) to authorize the issuance of up to \$500,000,000 of rental motor vehicle customer facility revenue bonds.

The bill fails to provide for the deposit of the \$7.50 per day rental motor vehicle surcharge tax into the general fund. In addition, the bill, if enacted, will disproportionately affect residents and military families who rent cars at non-airport facilities and who must pay the motor vehicle surcharge tax.

For the foregoing reasons, I am returning Senate Bill No. 2946 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1400, transmitting his statement of objections to S.B. No. 3017, SD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 3017

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3017, entitled "A Bill for an Act Relating to the Transient Accommodations Tax."

The purpose of this bill is to clarify that the \$10 tax charged each day for a transient accommodation furnished on a complimentary or gratuitous basis applies to transient accommodations provided as a prize, but does not apply to transient accommodations provided for promotional or marketing purposes.

This bill expands amendments made by Act 103, Session Laws of Hawaii 2011, that, among other things, implemented the \$10 tax on a transient accommodation provided on a complimentary or gratuitous basis. Specifically, this bill amends section 237D-2(c), Hawaii Revised Statutes, to clarify that the phrase "complimentary or gratuitous basis" includes prize giveaways, contest winnings, charitable gifts, and complimentary or gratuitous rooms furnished as part of a travel package, but does not include transient accommodations furnished as part of a tourism industry promotional or marketing activity.

This bill is not required because the Department of Taxation has already published comprehensive guidance in Tax Information Release No. 2011-05 that provides nineteen examples regarding the implementation of this particular tax on accommodations furnished on a complimentary or gratuitous basis. Furthermore, because this bill does not cover all the issues addressed by Tax Information Release No. 2011-05, enactment of this bill may create confusion for taxpayers who have relied upon that Tax Information Release.

For the foregoing reasons, I am returning Senate Bill No. 3017 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1401, transmitting a corrected statement of objections, previously transmitted on July 10, 2012, to H.B. No. 46, HD 2, SD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 46

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 46, entitled "A Bill for an Act Relating to Public Housing."

The stated purpose of this bill is to prohibit smoking of tobacco or any other plant material in all public housing projects, state and federal, owned and administered by the Hawaii Public Housing Authority. The bill would ban smoking within the residential units, designated common areas, and within twenty feet of any building, and smoking would only be allowed in designated smoking areas that are not within twenty feet of any building. The bill would take effect upon my approval.

I agree with the underlying objective of the bill. Smoking is a public health issue and we should encourage our citizens to stop, but I agree with the Hawaii Public Housing Authority that implementing an incremental ban throughout the housing projects within the next twelve months is a practical path to a successful plan. It is a fact that a number of the residents are chronic smokers and it would be difficult to expect them to stop immediately. Further, establishing designated smoking areas runs counter to what is desired for making public housing smoke-free.

The Authority has already held meetings and discussions with various tenant associations at the housing projects to provide sufficient notice to the residents of the coming smoking ban, and has established a schedule of when specific housing projects will be required to implement the smoking ban. Additionally, the Authority is already drafting proposed administrative rules to implement the smoking ban consistent with the provisions of the bill. Accordingly, I believe the Authority should be allowed the opportunity to continue to implement the objective of the bill using its own administrative discretion.

For the foregoing reasons, I am returning House Bill No. 46 without my approval.

Respectfully,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1402, informing the House that on July 06, 2012, the following bill was signed into law:

H.B. No. 2568, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS." (ACT 285)

Gov. Msg. No. 1403, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2745, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT." (ACT 286)

Gov. Msg. No. 1404, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2402, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION." (ACT 287)

Gov. Msg. No. 1405, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2806, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS." (ACT 288)

Gov. Msg. No. 1406, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2682, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS." (ACT 289)

Gov. Msg. No. 1407, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 3008, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT." (ACT 290)

Gov. Msg. No. 1408, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2686, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY." (ACT 291)

Gov. Msg. No. 1409, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1791, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE." (ACT 292)

Gov. Msg. No. 1410, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1788, HD 2 [sic], SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME." (ACT 293)

Gov. Msg. No. 1411, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1181, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT." (ACT 294)

Gov. Msg. No. 1412, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 297, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES FEE." (ACT 295)

Gov. Msg. No. 1413, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1967, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION." (ACT 296)

Gov. Msg. No. 1414, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2630, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE." (ACT 297)

Gov. Msg. No. 1415, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 824, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS." (ACT 298)

Gov. Msg. No. 1416, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1765, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES." (ACT 299)

Gov. Msg. No. 1417, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2179, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR." (ACT 300)

Gov. Msg. No. 1418, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 679, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS." (ACT 301)

Gov. Msg. No. 1419, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1925, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR." (ACT 302)

Gov. Msg. No. 1420, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 302, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES SPECIAL FUND." (ACT 303)

Gov. Msg. No. 1421, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2491, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." (ACT 304)

Gov. Msg. No. 1422, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2248, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY." (ACT 305)

Gov. Msg. No. 1423, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2242, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS." (ACT 306)

Gov. Msg. No. 1424, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1974, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS." (ACT 307)

Gov. Msg. No. 1425, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 1054, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 308)

Gov. Msg. No. 1426, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2534, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES." (ACT 309)

Gov. Msg. No. 1427, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2506, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL IDENTIFICATION." (ACT 310)

Gov. Msg. No. 1428, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2871, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE." (ACT 311)

Gov. Msg. No. 1429, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2873, SD 1, HD 3, CD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS." (ACT 312)

Gov. Msg. No. 1430, informing the House that on July 09, 2012, the following bill was signed into law:

S.B. No. 2876, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL HARBORS." (ACT 313)

Gov. Msg. No. 1431, informing the House that on July 09, 2012, the following bill was signed into law:

H.B. No. 2608, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING." (ACT 314)

Gov. Msg. No. 1432, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 1957, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION." (ACT 315)

Gov. Msg. No. 1433, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 1666, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE." (ACT 316)

Gov. Msg. No. 1434, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 2626, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL." (ACT 317)

Gov. Msg. No. 1435, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 2030, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE." (ACT 318)

Gov. Msg. No. 1436, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 2113, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION." (ACT 319)

Gov. Msg. No. 1437, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 2684, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE." (ACT 320)

Gov. Msg. No. 1438, informing the House that on July 10, 2012, the following bill was signed into law:

S.B. No. 2655, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE." (ACT 321)

Gov. Msg. No. 1439, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 246, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU." (ACT 322)

Gov. Msg. No. 1440, informing the House that on July 10, 2012, the following bill was signed into law:

S.B. No. 2742, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY." (ACT 323)

Gov. Msg. No. 1441, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 2169, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY." (ACT 324)

Gov. Msg. No. 1442, informing the House that on July 10, 2012, the following bill was signed into law:

H.B. No. 1777, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS." (ACT 325)

Gov. Msg. No. 1443, dated July 11, 2012, informing the House that on July 10, 2012, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without his signature, stating:

"Dear President Tsutsui, Speaker Say, and Members of the Legislature:

Re: House Bill No. 2078, H.D. 2, S.D. 2, C.D. 1

On July 10, 2012, House Bill No. 2078, H.D. 2, S.D. 2, C.D. 1, entitled "A Bill for an Act Relating to Taxation," became law as Act 326 without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to require any operator of a transient accommodation to designate a local contact residing on the same island as the transient accommodation, and to require that all advertisements and solicitations on websites for transient accommodations display registration identification numbers.

Concerns have been expressed to me that certain nongovernmental entities identified in this bill, such as condominium associations, will be subject to penalties under section 231-35, Hawaii Revised Statutes (HRS), for not providing relevant information that is not maintained in the nongovernmental entities' records. I have confirmed with the Department

of the Attorney General that neither this new law nor its legislative history supports this fear. This new law clearly provides that certain nongovernmental entities are only required to provide "all relevant information, maintained in its records, related to all operators who may be leasing their property as transient accommodations" (emphasis added). Page 4, lines 12-15. Conference Committee Report No. 64-12 also clearly reflects that it was the legislative intent to clarify that such nongovernmental entities "must provide the Department of Taxation with relevant information related to all owners of transient accommodations maintained in its records to avoid penalties" (emphasis added). Moreover, under the law, a nongovernmental entity is subject to the penalties under section 231-35, HRS, only if it "wilfully fails to supply information required" (emphasis added). Page 4, lines 18-19.

It appears that there are also concerns that the penalties that may be imposed may be excessive. If these nongovernmental entities "wilfully" fail to supply the information required under the new law, they are subject to a fine of not more than \$25,000 provided that a corporation shall be fined not more than \$100,000. This reflects the seriousness of the problems this bill attempts to address. Nonetheless, I will re-examine the penalties and consider proposing legislation to reduce the maximum fine next year.

Therefore, notwithstanding my concerns, I have allowed House Bill No. 2078, H.D. 2, S.D. 2, C.D. 1, to become law as Act 326, on July 10, 2012, without my signature.

Sincerely,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii"

Gov. Msg. No. 1444, dated July 11, 2012, informing the House that on July 10, 2012, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without his signature, stating:

"Dear President Tsutsui, Speaker Say, and Members of the Legislature:

Re: House Bill No. 2320, H.D. 2, S.D. 2, C.D. 1

On July 10, 2012, House Bill No. 2320, H.D. 2, S.D. 2, C.D. 1, entitled "A Bill for an Act Relating to Highway Safety," became law as Act 327 without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purposes of this bill are to: (1) allow a person whose driver's license was revoked after December 31, 2010, to apply for a driver's license renewal; (2) allow a repeat intoxicated driver, who is arrested after December 31, 2010, and is otherwise eligible to operate a motor vehicle with an ignition interlock system, to obtain a motor vehicle registration and number plate, by requiring the Administrative Director of the Courts to remove any stopper imposed on the motor vehicle registration files; (3) to allow persons who have been convicted of habitually operating a vehicle under the influence of an intoxicant, pursuant to section 291E-61.5, Hawaii Revised Statutes, to continue driving with an ignition interlock device installed in their vehicles; (4) to allow persons, whose licenses were administratively revoked for their lifetimes, to petition the district court to initially drive with an ignition interlock device, and after a minimum of five years of operating a vehicle with an ignition interlock device, to petition the district court for an unrestricted license; and (5) to make housekeeping amendments to chapter 291E, Hawaii Revised Statutes.

Studies have shown that many drivers who have had their licenses revoked continue to operate their vehicles illegally and create a risk to other vehicles, pedestrians, and bicyclists on the road. I support efforts to include as many identified and impaired drivers as possible in an effective ignition interlock program, which this law attempts to do. However, this law does raise serious concerns. The provision of the law allowing people who have received lifetime license revocations to be relicensed may jeopardize public safety and give favorable treatment to the most serious offenders. The law also allows these same offenders to potentially be treated as first time offenders upon a subsequent conviction for operating a vehicle under the influence of an intoxicant. It will be necessary to amend

this law in the next legislative session to provide for stricter monitoring and supervision of these serious offenders.

Despite these concerns, and in the hope that allowing more identified and impaired drivers into the ignition interlock program will make our roads safer, I allowed H.B. 2320, H.D. 2, S.D. 2, C.D. 1 to become law as Act 327 without my signature.

Sincerely,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii"

Gov. Msg. No. 1445, dated July 11, 2012, informing the House that on July 10, 2012, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without his signature, stating:

"Dear President Tsutsui, Speaker Say, and Members of the Legislature:

Re: House Bill No. 280, H.D. 1, S.D. 2, C.D. 1

On July 10, 2012, House Bill No. 280, H.D. 1, S.D. 2, C.D. 1, entitled "A Bill for an Act Relating to Agriculture" became law as Act 328 without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to establish as a class C felony the offense of false labeling of the geographic origin of Hawaii-grown coffee, mandate that Hawaii-grown coffee bean packages be marked with or contain documentation of the coffee's geographic origin, and repeal the requirement that Hawaii-grown green coffee beans be inspected and certified by the Hawaii Department of Agriculture for grade and origin.

The state has to protect the reputation of Hawaii-grown agricultural products, particularly products that are an iconic symbol of the islands. The process and resources that are currently in place need to be strengthened and made more comprehensive. This bill is a first step for the state Department of Agriculture to look at what is necessary to protect our state products. I will be asking the state Department of Agriculture to work with stakeholders to develop additional steps to accomplish this end.

Therefore, notwithstanding my concerns, I have allowed House Bill No. 280, H.D. 1, S.D. 2, C.D. 1, to become law as Act 328, on July 10, 2012, without my signature.

Sincerely,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii"

Gov. Msg. No. 1446, dated July 11, 2012, informing the House that on July 10, 2012, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without his signature, stating:

"Dear President Tsutsui, Speaker Say, and Members of the Legislature:

Re: Senate Bill No. 2341, S.D. 2, H.D. 2, C.D. 1

On July 10, 2012, Senate Bill No. 2341, S.D. 2, H.D. 2, C.D. 1, entitled "A Bill for an Act Relating to Land Use" became law as Act 329 without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of this bill is to allow overnight accommodations of twenty-one days or less for any one stay as a part of agricultural tourism within any county that includes at least three islands and has adopted ordinances regulating agricultural tourism activities and those tourism activities coexist with a bona fide agricultural activity. This bill will allow agricultural land owners an opportunity to supplement their income from agricultural operations with additional income from tourist accommodations.

Although I support efforts to increase Hawaii's self-sufficiency by encouraging agricultural production in Hawaii, there are legitimate concerns that the term "bona fide agricultural activity" is unnecessarily broad and could allow the unintended and excessive urbanization of agricultural lands. I will be asking the Legislature and the counties to review this new law and propose appropriate restrictions either in statute or ordinance to prevent this law from being abused.

Therefore, notwithstanding my concerns, I have allowed Senate Bill No. 2341, S.D. 2, H.D. 2, C.D. 1, to become law as Act 329, on July 10, 2012, without my signature.

Sincerely,
/s/ Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii"

**DEPARTMENTAL & MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER
THE ADJOURNMENT OF THE 2012 LEGISLATURE SINE DINE**

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 83 through 90 and 92 through 104) were received by the Clerk and were placed on file:

Dept. Com. No. 83, dated May 2, 2012, from Hermina Morita, Chair, Public Utilities Commission, transmitting the report pursuant to HRS 269-16(d), on Docket No. 2009-0163, Maui Electric Company, Limited – Application for Approval and Rate Increases and Revised Rate Schedules.

Dept. Com. No. 84, dated May 2, 2012, from Bruce S. Anderson, President and Chief Executive Officer, Hawaii Health Systems Corporation, transmitting a report on the certification of losses from participation in the Quest, Quest Expanded Access programs and providing services to Uninsured patients for the quarter ending March 31, 2012, pursuant to Act 178, SLH 2005, Section 160.

Dept. Com. No. 85, dated May 7, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the following audit reports, all as of June 30, 2011:

- Department of Accounting and General Services (Egami & Ichikawa CPAs Inc.)
 - State Parking Revolving Fund *Financial and Compliance Audit*
 - State Motor Pool Revolving Fund *Financial and Compliance Audit*
- Department of Health *Financial and Compliance Report and Internal Control and Business Issues Report* (Accuity LLP)
 - Drinking Water Treatment Revolving Loan Fund *Financial Statements and Internal Control*
 - Water Pollution Control Revolving Fund *Financial Statements*
 - Water Pollution Control Revolving Fund and Drinking Water Treatment Revolving Loan Fund *Internal Control and Business Issues Report*
- Department of Human Services *Financial Statements and Single Audit Report* (N&K CPA's, Inc.)

Dept. Com. No. 86, dated May 9, 2012, from Barbara A. Krieg, Director, Department of Human Resources Development, transmitting a Report of Security Breach, pursuant to Chapter 487N, HRS.

Dept. Com. No. 87, dated May 21, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the following audit reports, all as of June 30, 2011:

- Hawaii Community Development Authority *Financial Audit* (Ohata Chun Yuen, LLP)
- Hawaii Housing Finance and Development Corporation *Financial and Compliance Audit* (Accuity LLP)
- Hawaii Public Housing Authority *Financial Statements and Single Audit Report* (KMH LLP)
- Hawaii Tourism Authority *Financial Statements* (KPMG LLP)
- Stadium Authority *Financial Statements and Management Letter* (Kobayashi, Kanetoku, Doi, Lum & Yasuda CPAs LLC)

Dept. Com. No. 88, dated May 29, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management Audit of the Natural Energy Laboratory of Hawaii Authority.

Dept. Com. No. 89, dated May 30, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the following audit reports, all as of June 30, 2011:

- Department of the Attorney General *Financial Statements and Management Letter* (Akamine, Oyadomari, & Kosaki CPAs, Inc.)
- Department of Education *Financial Statements* (KPMG LLP)
- Department of Hawaiian Home Lands *Financial and Compliance Audit and Internal Controls and Business Issues Report* (Accuity LLP)
- Department of Transportation-Administration Division *Financial and Compliance Audit* (CW Associates)

- Department of Transportation-Airports Division *Financial Statements, Single Audit Report, and Passenger Facility Charge Report* (KPMG LLP)
- Department of Transportation-Harbors Division *Financial Statements and Single Audit Report* (Kobayashi, Kanetoku, Doi, Lum & Yasuda CPAs LLC)
- Department of Transportation-Highways Division *Financial Statements* (KMH LLP)
- O'ahu Metropolitan Planning Organization *Financial and Compliance Audit Report and Management Letter* (Gilford Sato & Associates, CPAs, Inc.)

Dept. Com. No. 90, dated June 12, 2012, from Bernice K.N. Mau, City Clerk, City and County of Honolulu, transmitting Resolution 12-94, CD1, urging the State Legislature to strengthen State drunk driving statutes, which was adopted by the Council of the City and County of Honolulu on Wednesday, June 6, 2012.

Dept. Com. No. 92, dated June 12, 2012, from Anthony J.H. Ching, Executive Director, Hawaii Community Development Authority, transmitting the report, pursuant to Act 251, SLH 2006, of the Public Hearing on the request for Development Permit DP 1-11 for OM Kapiolani, a mixed use residential and commercial project situated at 850 Kapiolani Boulevard, which was approved at the hearing on June 6, 2012.

Dept. Com. No. 93, dated June 19, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the 2011 Annual Report, pursuant to Section 23-9, HRS.

Dept. Com. No. 94, dated July 2, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Study of the Transfer of Non-general Funds to the General Fund, pursuant to Section 23-9, HRS.

Dept. Com. No. 95, dated June 29, 2012, from Jamae K.K. Kawauchi, County Clerk, County of Hawaii, transmitting Resolution 258-12 (Draft 2), which was adopted by the Council of the County of Hawaii on June 19, 2012.

Dept. Com. No. 96, dated July 23, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Audit of the Department of Taxation's Administrative Oversight of High-Technology Business Investment and Research Activities Tax Credits.

Dept. Com. No. 97, dated July 25, 2012, from Scott T. Nago, Chief Election Officer, transmitting the Report to the Legislature in accordance with Section 31 of Act 164, SLH 2011.

Dept. Com. No. 98, dated July 25, 2012, from Bruce S. Anderson, President and Chief Executive Officer, Hawaii Health Systems Corporation, transmitting a report on the certification of losses from participation in the Quest and Quest Expanded Access programs and providing services to Uninsured patients for the quarter ending June 30, 2012, pursuant to Act 178, SLH 2005, Section 160.

Dept. Com. No. 99, dated August 13, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Report on the Implementation of State Auditor's 2009 Recommendations, pursuant to Section 23-9, HRS.

Dept. Com. No. 100, dated August 21, 2012, from Anthony J.H. Ching, Executive Director, Hawaii Community Development Authority, transmitting the report of the Public Hearing on the Repeal of Title 15, Chapter 200, Hawaii Administrative Rules ("HAR"), Relating to the Rules for Health and Safety ("Rules") within the Kalaeloa Community Development District ("KCDD"), and the Proposed Adoption of Title 15, New Chapters 215 and 216, HAR, Relating to the KCDD Rules and KCDD Reserved Housing Rules.

Dept. Com. No. 101, dated August 27, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the State of Hawaii Single Audit Report for the fiscal years ended June 30, 2010 and June 30, 2011.

Dept. Com. No. 102, dated August 24, 2012, from Jamae K.K. Kawauchi, County Clerk, County of Hawaii, transmitting Resolution 289-12, which was adopted by the Council of the County of Hawaii on August 15, 2012.

Dept. Com. No. 103, dated August 30, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management Audit of the Department of Education's School Bus Transportation Services, pursuant to Section 23-9, HRS.

Dept. Com. No. 104, dated August 29, 2012, from Aaron S. Fujioka, Administrator, State Procurement Office, transmitting the first Monthly Report on the Status of Information Technology Procurements, pursuant to Act 222, SLH 2012.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 2 through 4) were received by the Clerk and were placed on file:

Misc. Com. No. 2, dated May 15, 2012, from James W.Y. Wong, President/Chairman, Paradise Park, Inc., acknowledging receipt of House Concurrent Resolution No. 153 and House Concurrent Resolution No. 115.

Misc. Com. No. 3, dated June 13, 2012, from Aaron S. Brickman, Deputy Executive Director, United States Department of Commerce, on behalf of Secretary Bryson, acknowledging receipt of House Resolution No. 55.

Misc. Com. No. 4, dated June 13, 2012, from Inez M. Tenenbaum, Chairman, United States Consumer Project Safety Commission, acknowledging receipt of House Resolution No. 17, HD 1.