

## EIGHTEENTH DAY

Wednesday, February 13, 2013

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:05 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Reverend Glenn Nochi of Bodaiji Mission, after which the Roll was called showing all Members present with the exception of Representative Coffman, who was excused.

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

**KA HUA 'ŌLELO O KA LĀ  
HAWAIIAN WORD FOR THE DAY**

Representative Hanohano presented *Ka Hua 'Ōlelo O Ka Lā*, the Hawaiian Word for the Day, as follows:

*"Mahalo ho'omalu 'ōlelo,*

*Ka hua 'ōlelo o ka lā – Hanohano.*

*Hanohano – Distinguished, honor, majestic, glorious.*

*E hele ana au i Nā Hoku Hanohano.* I am attending the stars of distinction awards.

*Hanohano – Distinguished, honor, majestic, glorious.*

*Mahalo."*

**INTRODUCTIONS**

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

Representative Nishimoto, on behalf of Representatives Say, Kobayashi and himself, introduced fifth grade students from Kaimuki Christian School; their teachers, Ms. Jane McClaire and Ms. Chau Sachs; and parent chaperones, Ms. Jann Kono, Ms. Lisa Kamibayashi and Ms. Cheryllyn Shiinoki.

Representative Saiki introduced friends from the National Conference of State Legislatures: Mr. William Pound, Executive Director; and Ms. Corina Eckl, NCSL Liaison to Hawaii. They were accompanied by Acting State Auditor, Ms. Jan Yamane.

Representative Ward introduced constituents from Hawaii Kai: Mr. Richard Smylie and Ms. Cindy Vaillancourt.

Representative Onishi introduced from Hilo, Hawaii: Ms. Emily Fujita, the 2013 Youth Honoree for the Arthritis Foundation of Hawaii; and her mother, Ms. Sherry Fujita. They were accompanied by Ms. Jennifer Hee, Executive Director of the Arthritis Foundation of Hawaii.

**ORDER OF THE DAY**

**INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)**

The following resolution (H.R. No. 25) was announced by the Clerk and the following action taken:

H.R. No. 25, entitled: "HOUSE RESOLUTION COMMENDING THE 27TH INFANTRY REGIMENT WOLFHOUSES FOR ITS PEACE BRIDGE WITH JAPAN," was offered by Representative Cheape.

Representative Cheape moved that H.R. No. 25 be adopted, seconded by Representative Takai.

Representative Cheape introduced and recognized honorees seated on the Floor of the House:

Ms. Yuko O'Reilly, wife of Master Sergeant Hugh O'Reilly;  
Mr. Hugh O'Reilly, Junior, son of Sergeant O'Reilly;  
Ms. Mora Dolormente, President of Peace Bridge, Incorporated;  
Lieutenant Colonel Todd Fox, Commander of the 1st Battalion of the 27th Infantry Regiment; and  
Lieutenant Colonel Barrett Bernard, Commander of the 2nd Battalion of the 27th Infantry Regiment.

Representative Cheape then introduced guests who were seated in the gallery:

Command Sergeant Major Tony Tuck, 1st Battalion of the 27th Infantry Regiment;  
Command Sergeant Major James Wadsworth, 2nd Battalion of the 27th Infantry Regiment;  
Ms. Norma Vantoll, relative of the O'Reilly family;  
Ms. Kuniko Iwaki, friend of the O'Reilly family; and  
Master Shawn Nakamura.

Representative Cheape commended the legacy of Hugh Francis Xavier O'Reilly and the 27th Infantry Regiment, "The Wolfhounds," for their selfless generosity to the Holy Family Home Orphanage in Osaka, and thanked them for establishing one of the longest military and civilian relationships in the history of the United States Army.

Representative Takai recognized the 27th Infantry Regiment Wolfhounds for their humanitarian work, and thanked them for giving the orphans of Holy Family Home Orphanage the gift of *Aloha*.

The motion was put to vote by the Chair and carried, and H.R. No. 25 was adopted, with Representatives Belatti, Coffman, Har, Hashem and Say being excused.

At 12:30 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

**SUSPENSION OF RULES**

Representative Awana moved to suspend the rules of the House for the purpose of considering a certain House Bill for Third Reading by consent calendar, seconded by Representative Fukumoto.

At 12:41 o'clock p.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 12:42 o'clock p.m.

At 12:42 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 12:42 o'clock p.m.

The motion was put to vote by the Chair and carried, and the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Coffman, Har and Say were excused.)

At 12:43 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 12:44 o'clock p.m.

## UNFINISHED BUSINESS

**H.B. No. 231, HD 1:**

Representative Saiki moved that H.B. No. 231, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'm rising to speak in support with some reservations. Essentially, Mr. Speaker, my reservations are two-fold. First of all, let me thank the Chair of the Judiciary Committee for working on this measure. He changed the presumption borne by the defendant to a rebuttable presumption, and I appreciate the importance of that rebuttable presumption.

"My concern basically centers around the fact that the list of nine acts may not be an exhaustive list to the different types of defenses or actions that we may want to forbid the use of the parental defense argument. That's one concern that I have. There are certain instances where that list may not be exhaustive and therefore used by defense counsel to actually subvert the intent of the offense.

"Number two, is also the changing of the burden of proof requirements upon the defendant. I am voting in support of this, Mr. Speaker, with reservations. Thank you."

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

"Mr. Speaker, I would like to also vote with reservations and to have the comments of the previous speaker inserted as my own. As well as the addition that, as I grew up as a little kid in the Pacific Islands that I'm most familiar with the Kingdom of Tonga and Samoa. I have been greatly concerned with the content of the character of the youth here that we find in the great State of Hawaii. But, from my personal experience as a youth growing up, there was no intrusion of government into the way children were raised in Samoa and in the Kingdom of Tonga.

"But here, in the United States of America, where I have found greater intrusion into the close circle of the family, I have been less impressed with the content of the character of the youth here. I have found, and my concerns and reservations rise greatly, that our further intrusion into telling parents what they can and cannot do will not facilitate the strengthening of the youth of our great state. So, those are my reservations, Mr. Speaker."

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

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 rise in support of this motion.

"I want to clarify that the proposed amendment to the mens rea element of the parental discipline defense should not be construed to mean that spanking is an unacceptable 'force.' It is accepted that spanking that arises out of anger or short temper should not automatically lead to the conclusion that it was 'not reasonably related to the purpose of safeguarding or promoting the welfare of [a] minor.' As the Hawaii Supreme Court has held, 'an angry moment driving moderate or reasonable discipline is often part and parcel of the real world of parenting with which prosecutors and courts should not interfere.' State v. Kikuta, 125 Hawai'i 78, 91-92, 253 P.3d 639, 652-653 (Hawai'i 2011).

"Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS," passed Third Reading by a vote of 48 ayes, with Representatives Coffman, Har and Say being excused.

At 12:48 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 231, HD 1

## REPORTS OF STANDING COMMITTEES

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 716 pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 716 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker, I need a ruling on a potential conflict. I'm a CPA," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I'm requesting on a ruling on a potential conflict. My firm worked on the underlying case that has lead to this measure, 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 H.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO THE DISCIPLINARY AUTHORITY OF THE BOARD OF PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 19, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 19, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Thank you, Mr. Speaker, ruling on a potential conflict. At my law firm we do work on evictions. Thank you," and the Chair ruled, "no conflict."

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

"Ruling on a potential conflict, Mr. Speaker. I'm a landlord," and the Chair ruled, "no conflict."

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

"I would also like to speak in favor of this bill. I think this is a very good measure because a lot of the things that tenants leave behind when they move out are pieces of furniture they don't want. 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. 19, 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 Judiciary, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 680, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 680, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

Representative McDermott 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."

Representative Fale 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. 680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

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

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

Representative Ohno's written remarks are as follows:

"The challenge for families to care for their aging parents is emotionally, physically and financially immense. There are adults who move across the country to care for aging parents; there are adults with young children that have the additional responsibility of caring for aging parents. I strongly support this measure as a step toward working toward long term care solutions and easing the burden on those dedicated families caring for aging parents."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1, 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 Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 359) recommending that H.B. No. 424, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 424, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIMESHARE CONVEYANCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 25, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 25, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I request a ruling on potential conflict. At my law firm we do work on foreclosures. Thank you, 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 H.B. No. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSPENSION OF FORECLOSURE ACTIONS BY JUNIOR LIENHOLDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 142, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 142, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, I rise in opposition to this measure. I wish I could remember my speech of last year because the same bill is the same issue of promoting monopoly, capitalism, and charging exorbitant rates for a licensure to insure portable electronics. Mr. Speaker, this bill allows people to insure devices such as the one that I have in my hand, which some of us pay \$7.95 per month, in case we lose it, break it, drop it, make it dysfunctional or somebody steals it.

"Last year this bill came up and said, we're going to charge you \$5,000 because there's a company on the mainland that has 80% of the market and that's what they're charging. And we said, no, we don't want to charge that much here. So it went down to \$150. And lo-and-behold what happens, this baby pops up again and it's back to \$5,000, Mr. Speaker.

"That is unfair, unwarranted, and I know the Committee report says well, look we're just trying to do industry standards on the mainland. Well I know a comparable sales tax of twelve percent in California doesn't justify us increasing our GE Tax. So the logic of this I just don't know because it's going to keep the small guys from entering into any insurance proposition and that's basically why Europe is so entrepreneurially backward, because they've created a monopoly capitalism by making the entry level so high that anybody who wants to do anything, they've got to have all of these leaps and hurdles and costs in order to enter.

"So I say let's keep it as it is. These are nice the way they are. Let's go back and keep the old \$150 as sufficient. Thank you."

Representative McDermott 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."

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

"Mr. Speaker, I rise in opposition to the measure and wish to have the words of the Representative from Hawaii Kai inserted as my own, in addition to the comments that, I'm trying to help find markets for the youth in my community to enter into. And if we raise the standard so high that

the youth in my community won't have a chance to operate in this area, then it's going to be unfair to the young entrepreneurs in my community, and therefore I oppose the measure, Mr. Speaker."

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

"In opposition, Mr. Speaker, and I think this is one of the many measures that we are entertaining this session that would increase fees. I make an analogy with the, although this is not the bill at hand, with the money transfers wherein they keep upping it to limit the small guy. So I'm in opposition, Mr. Speaker."

Representative Fukumoto 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 Cheape 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. 142, 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 Cabanilla, Fale, McDermott and Ward voting no, and with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 143, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 143, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FREEDOM OF INFORMATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 906 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 906, entitled: "A BILL FOR AN ACT RELATING TO THE SYSTEMATIC HEARING AND VISION PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 905, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 905, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEWBORN SCREENING," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 909, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFANT MORTALITY PROGRAM," passed Second Reading and was referred to

the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 894, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 894, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, I know it's with great surprise I rise against this measure and would like to deliver a few comments. Mr. Speaker, 26 years ago if I wanted to get a copy of my marriage certificate, which I actually had to do, it was \$2. Now it's \$15, or it could be raised higher, the way I read the bill. The amount has been blanked out. The fact of the matter is, Mr. Speaker, these are services that every working family accesses. Everyone needs to get a copy of their birth certificate. Everyone needs to get a death certificate. Everyone needs to get a marriage certificate for filing forms and other things.

"Mr. Speaker, this hits our working families the hardest. Now, they go to work and they say, why am I paying my taxes? When we say, well to fund government. Except when you use it, then you've got to pay more. They don't understand that. And Mr. Speaker, neither do I.

"Somewhere along the line we have lost control, which is why we are unnecessarily raising these fees. I would suggest that instead of raising fees, the various departments that come before us, such as this one here, look inward and say, are we doing everything as efficiently as possible. It's easy to say, give me more money. I've never heard any government agency come before us and say, you know what, we've got some room to cut, we can make some cuts, we're not operating as efficiently as possible. No, it's always more, more, more, more.

"And here we are again. We're the gatekeepers. We guard the pocketbooks of the working families. And here we are reaching into there again and again. I've seen this measure so many times over my career, and here we are back again. And then, if you want an expedited copy of a death certificate, well not only has your loved one died, we're going to charge you \$50 as a courtesy. I mean, that's ridiculous, that should be absolutely stricken out of there.

"And then for each additional copy, the worker is already at the copy machine, they're making the copy, we're charging them \$15 or whatever it is for that copy, and then if they want an extra one, it's not 3 cents, the cost of the paper, it's another \$4 or \$5. But it's discounted, we're doing them a favor. Because instead of hitting button one, we hit two, and for that we charge them an extra \$4. Again, Mr. Speaker, we have to stop this, we're addicted to it, we have to stop reaching into their pockets. Thank you."

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

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

"Mr. Speaker, in opposition. I drive from my community out here to Honolulu and it takes me awhile to get here. And every time I check my wallet to see if I have \$2 or \$3 in there, because if I have \$3, you have to have, I don't know if it's like 10 cents, I don't know whatever the taxes are, about 10 cents if you're ordering off the 'Dollar Menu' it's going to be like \$1.10, so I need \$3 and some change. Because I always want to stop off at the McDonalds either in Kaneohe over in Temple Valley, or the one over in Kalihi on School Street. I order a McDouble, because the Double Cheeseburger went away, it was too expensive, you only get one piece of cheese now, a McChicken and a small fries, okay."

The Chair addressed Representative Fale, stating:

"Representative, we're on Stand. Com. No. 366, not McDonalds."

Representative Fale continued, stating:

"So for us, for the little guys who drive who can only afford to order off the 'Dollar Menu,' because that's all we can afford, and then to come into Honolulu because we do travel far, we have to pay all the extra taxes related to gas and everything else."

Speaker Souki: "Representative, I'm going to have to call you out of order. If you can still stick to the vital records fees that you may be opposed to. Will you please speak to it?"

Representative Fale: "What I'm saying is, is that I just feel like people don't understand what the small working guys are going through and if you're coming all the way from there to go to the Department of Health to pick up whatever document you need, whether it's a death certificate, marriage certificate, birth certificate or whatever it is. If I can barely find \$3 to order off the 'Dollar Menu,' how am I going to find \$15 to pick up a certificate?"

"So what I'm saying, Mr. Speaker, is that this is just getting out of hand and the working mothers and fathers in my community are struggling where we're at. This, the burden, one straw gets thrown on day after day and it's just too much. It's just too much, Mr. Speaker. And I would like to have the words from the Representative from Ewa inserted as if they were my own," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in the same spirit of Frank Fasi's concern for the small guy, I'd like to register 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. 894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORDS FEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale, Hanohano, McDermott and Ward voting no, and with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 783, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 783, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

Representative Fale 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. 783, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF PUBLIC HEALTH STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 1439, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1439, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING DEATHS TO STATE AGENCIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 655, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 655, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker. I have serious reservations on this measure. This is the inclusion of all medical service personnel to have an assault in the second degree if they ever get, so called, assaulted. This is an inclusion of a lot of people to that category, Mr. Speaker, and so that's my reservation. 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. 655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES PROVIDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 656, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE ADMINISTRATIVE UNIFORMITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 842, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 842, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

Representative Fale 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. 842, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICE CORPORATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 1482, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1482, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Mr. Speaker, may I have a ruling on a potential conflict. My spouse is a consultant with Hawaii Pacific Health," 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. 1482, 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 Coffman, Har and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 417, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representatives Belatti and Carroll, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 908, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 908, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOME VISITING PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representatives Belatti and Carroll, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 895, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 895, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, I rise against this measure. Mr. Speaker, this increases fees for obtaining a marriage license from \$60 to \$100. Mr. Speaker, this is another fee increase and it goes to funding some very worthy programs, and I will note that, and the intention is wonderful. But, if these are indeed worthy programs, they should be put into the general operating budget and compete like every other worthy program for funding, and that's our job to make the hard decisions.

"They may or may not make the cut, but when we increase fees and attach a nexus to things like this, they're not going into that process, we're bypassing it. And we need to focus on what we're supposed to do while we're here and focus on the core essential functions of government. And if these are core essential functions, let them go to the Finance Committee, let them work through their process, but when we do this we take them out of that.

"Do we need to expand these programs? Do we need to add more people? I don't know, Mr. Speaker, I'm not on Finance. But I do know that we've added over 600 people to the State payroll in the last two years in the executive branch alone. So, when we say we don't have enough money, we are bringing extra people on, we are growing the size of government and we're doing it through measures like this.

"Now from \$60 to \$100, I will tell you as a young couple 26 years ago, my wife and I got married at the courthouse. I didn't have \$100, I didn't have \$50. I don't know how much it was in those days, it was a couple bucks. This would have been a real strain for me to execute that.

"So again, I'm against it. We've got to live within our means and this is a sneaky tax increase we're passing along. We've got to stop."

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 with reservations on HB 895, HD 1. This measure would raise the tax on marriage licenses from \$60 to \$100, which places even more of an economic strain on new couples. Families around the state are struggling to survive in these difficult economic times, and it would not be prudent to add to their burden by increasing the costs of obtaining a marriage license. While the idea of being more proactive regarding domestic violence and sexual assault is a noble one, I have serious concerns that this approach represents a fee increase that some may not be able to afford given Hawaii's already high cost of living."

Representative Fukumoto 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 Cheape 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 Fale rose in opposition to the measure and asked that the remarks of Representative McDermott be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker, in support with a few remarks. Thank you, Mr. Speaker. I would just urge the Committee Members to look at the underlying testimony. In fact, some of this money is going towards funding the Department's functions, in particular the partnerships with our visitor industry to establish people in those tourist locations to be agents of the State so that we can in fact conduct marriages and assist with that very vibrant part of our economy. So, there is a direct nexus between the fees that are being increased and the monies and positions to which it is being put towards. Thank you, Mr. Speaker."

Representative Fale rose to respond, stating:

"Mr. Speaker, I understand the underlying causes of why we want to raise this for spouse and child abuse and special accounts and such. But I would like to see a strengthening of the cultural fiber of our community that I believe would more effectively address these concerns, than having to reach into the pockets of our working community again, Mr. Speaker."

Representative McDermott rose to respond, stating:

"Mr. Speaker, with all due respect, this is precisely what I'm talking about. We're raising marriage fees to underwrite the promotion of marriage tourism. Why should a local young man and woman living anywhere in this community have to underwrite the promotion of tourism through their marriage license fees? It's ridiculous. That's what the HTA is supposed to do. That's why we have them, that's why they go to Finance and they make their case. And in their budget they're supposed to do all of these things. If not, it falls on the young backs of the working couple 24 years old. And that's who's getting married, the 23, 24 year olds for the vast majority of this. And we're asking them to subsidize a position to promote marriage tourism. Ridiculous. 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. 895, 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 Fale and McDermott voting no, and with Representatives Coffman, Har and Say being excused.

Representatives Belatti and Carroll, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 898 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 898 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"In opposition, Mr. Speaker. You made me the Chair of Housing, a Committee that is very, very difficult. And I'm the voice of a lot of homeless people in this Chamber. House Bill 898, Relating to Parked Vehicles, the intended consequence is to remove those people who are working homeless, living in their cars, from our streets. I agree it's not meant to be a place for habitation, and we all want our streets to be used for what they are intended. But because of the number of un-housed homeless that we have here, they become the safe haven.

"I agree that the solution to this is affordable housing. But in the meantime, Mr. Speaker, we don't have enough. Neither do we have funding for this. This is a hostile measure for the working homeless, Mr. Speaker, and I want your Members to feel the plight of the homeless. 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. 898, entitled: "A BILL FOR AN ACT RELATING TO PARKED VEHICLES," passed Second Reading and was referred to the Committee on Finance, with Representative Cabanilla voting no, and with Representatives Coffman, Har and Say being excused.

Representatives Choy and Tsuji, for the Committee on Higher Education and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 1419, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 1419, 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 Coffman, Har and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 60, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 60, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

Representative Fale 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 report of the Committee was adopted and H.B. No. 60, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 1131, as

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

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1131, HD 1 pass Second Reading and be referred to the Committee on Health, seconded by Representative Awana.

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. 1131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ENTRANCE," passed Second Reading and was referred to the Committee on Health, with Representatives Coffman, Har and Say being excused.

Representatives Takumi and Belatti, for the Committee on Education and the Committee on Health, presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 913, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 913, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

Representative Fale 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 H.B. No. 913, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING WELLNESS GUIDELINES," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representatives Yamane and Lee, for the Committee on Transportation and the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 760, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 760, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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 H.B. No. 760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Cabanilla, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 562, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 562, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 697 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 697, 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 Coffman, Har and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 805 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 805, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 807 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 807, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS FOR JUDGES," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 743, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 743, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 808 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 808, 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 Coffman, Har and Say being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 80, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 80, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Mr. Speaker, I rise against this measure. Mr. Speaker, this authorizes the PUC to give preference to renewable energy resources that reduce or eliminate the use of fossil fuel. Mr. Speaker, I want the PUC to give preferences to whatever will lower the electric bill for our community. You go door-to-door, you talk to people, you say, man my electric bill is

so high, they blame HECO. Well HECO is just passing the fuel cost on that they get from Chevron and Tesoro when they were in existence.

"The people want their electric bill lowered. They don't care whether it's natural gas or six gerbils running around in a little wheel. They don't care, they just want to be able to turn on their computer, turn on their TV, and they want the lowest price possible. That's the real world, away from all of this political subterfuge.

"And Mr. Speaker, I would point out in the Committee report, Mr. Speaker, I'm an educated man, not a brilliant man, not a particularly bright man, but I am an educated man. I cannot understand the first paragraph in this Committee report. It is one sentence, and I can read, but I am unable to decipher what it means. So, please, a little more clarity, and I would urge this Body, let's focus on what's good for the rate payer. Mr. Speaker, I have some good news and some bad news."

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 speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak in support of the measure. Thank you, Mr. Speaker. My colleague from Ewa Beach was evidently referring to the original bill. The bill has been amended in Energy & Environmental Protection, and it's asking the Public Utilities Commission to submit a report to the Legislature after the PUC examines the potential for giving preference to certain renewable energy technologies.

"The preference, Mr. Speaker, will include pricing. It will include the examination of what does it do for our customers, our rate payers, when we move away from high priced fossil fuel. So, I believe that this is a good way to go to look at renewables, which for the most part we know are cheaper than the ever escalating fossil fuel. And then to come back to us before the beginning of the 2014 Legislative Session so we can save money for the rate payers. Thank you."

Representative McDermott rose to respond, stating:

"Mr. Speaker. I have the bill and the Committee report in front of me and again my comments on, maybe I didn't understand, because I can't understand what it says here.

"The second thing is, listening to the previous speaker or some of the other comments, this might be a shot across the bow to make it impossible for us to use natural gas. This is going to do a study with all of these various factors which I don't understand, Mr. Speaker. And formulas and procedures and protocols that may make it impossible for us to bring in natural gas. America is awash in natural gas, it could lower our electric bill here by thirty percent even when capital improvement costs are taken into consideration. So, this is a bad idea for the electric bill payer, it's a bad idea all around. Thank you."

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

"Mr. Speaker, strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 80, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Coffman, Har and Say being excused.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 1417, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.



Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1417, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, Mr. Speaker, ruling on a potential conflict. My law firm does foreclosure work. Thank you," 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 H.B. No. 1417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDIATION AFFECTING JUDICIAL FORECLOSURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 812 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 812, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 391) recommending that H.B. No. 220, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 220, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAINING," was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 427, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 427, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 15, OF THE HAWAII STATE CONSTITUTION TO ALLOW ELECTRONIC COPIES, AS AN ALTERNATIVE TO PRINTED COPIES, OF A BILL TO BE MADE AVAILABLE FOR MEMBERS OF A HOUSE IN WHICH THE BILL IS BEING VOTED UPON FOR THIRD OR FINAL READING IN FULFILLMENT OF THE FORTY-EIGHT HOUR AVAILABILITY REQUIREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 775, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 775, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, ruling on a potential conflict. On House Bill Number 775, House Draft 1, Standing Committee Report Number 393, my office has a claim in this bill at number five. I work directly on that case and continue

to work on it until the case closes. Thank you, 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 H.B. No. 775, 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 Coffman, Har and Say being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 463, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 463, 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 Coffman, Har and Say being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 1070, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1070, 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 Coffman, Har and Say being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 799, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 799, HD 2 be referred to the Committee on Finance, seconded by Representative Awana.

Representative Ing 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. 799, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA DEVELOPMENT," was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 559, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 559, 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 Coffman, Har and Say being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 1016, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1016, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, Mr. Speaker, I ask the Clerk to cast a no vote for me and I just have a few remarks. Mr. Speaker, the measure looks like it's related to the PLDC, and I really ask Members to take a hard look at this. It allows the Office of Planning to establish a transfer of development rights program and a development rights credit bank. I'm just not comfortable with it at this point, Mr. Speaker. So, I just don't want us to go down the wrong road again like we did with PLDC. Thank you."

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

Representative Fale 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. 1016, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF DEVELOPMENT RIGHTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives Coffman, Har and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 950, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 950, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS ON FURLOUGH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 1114, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1114, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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. 1114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representatives Aquino and Yamane, for the Committee on Public Safety and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 1308, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 1308, 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 Coffman, Har and Say being excused.

Representatives Aquino and Takai, for the Committee on Public Safety and the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 850, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 850, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELAND SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representatives Aquino and Takai, for the Committee on Public Safety and the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 1136, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1136, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, ruling on a potential conflict. I'm a volunteer with the Civil Air Patrol. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker, ruling on a potential conflict. I'm an honorary member of the Civil Air Patrol," and the Chair ruled, "no conflict."

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

"I'm in strong support and would like permission to insert written comments into the Journal."

Representative McKelvey's written remarks are as follows:

"I stand in strong support of HB1136, HD1, as it is imperative for Hawaii's Civil Air Patrol to offer rigorous training programs to promote good citizenship and volunteerism to future leaders. Their Cadet Program enables the development of leadership skills to produce bright, poised and disciplined youth and young adults. CAP also provides an invaluable service as an extension of the State's Civil Defense mission in their abilities to use aircrafts to reach areas in the State that cannot be covered by any of the normal warning systems.

"In late October 2012, CAP was called upon to provide tsunami warnings to the community as they were capable of alerting campers along the Hilo shore who were beyond the sirens and where Civil Defense sirens had failed. CAP was able to perform this public service at minimal cost to the government, primarily because they have pilots that are trained to respond to such emergencies."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 1059, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1059, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT ADVISEMENT CONCERNING ALIEN STATUS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har and Say being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand.

Com. Rep. No. 405) recommending that H.B. No. 459, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 459, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND ARTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 406) recommending that H.R. No. 6 be adopted.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.R. No. 6, entitled: "HOUSE RESOLUTION ENCOURAGING CONGRESS AND THE PRESIDENT TO RE-STATE THAT THE CONGRESSIONAL INTENT OF THE FEDERAL CONTROLLED SUBSTANCES ACT IS NOT TO PROHIBIT THE PRODUCTION OF INDUSTRIAL HEMP," was adopted, with Representatives Coffman, Har and Say being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 407) recommending that H.C.R. No. 3 be adopted.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING CONGRESS AND THE PRESIDENT TO RE-STATE THAT THE CONGRESSIONAL INTENT OF THE FEDERAL CONTROLLED SUBSTANCES ACT IS NOT TO PROHIBIT THE PRODUCTION OF INDUSTRIAL HEMP," was adopted, with Representatives Coffman, Har and Say being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 160 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 160, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Har and Say being excused.

Representatives Hanohano and Evans, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 1412 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 1412, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Har and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 88, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 88, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, reservations on this one. I'm not very clear on the mechanics of 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 McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Fale 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. 88, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION OF LAWS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Har and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 189 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 189, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Har and Say being excused.

Representatives Evans and Luke, for the Committee on Water & Land and the Committee on Finance, presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 1133 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 1133, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Har and Say being excused.

## ANNOUNCEMENTS

Representative Evans: "Thank you, Mr. Speaker. Your Committee on Water & Land, on the 8:00 agenda, we had many agendas today but there's one we want to ask the Committee on Water & Land to meet in Room 329 at 1:45 for decision-making on House Bill 191. Also, we had another agenda later, today it was at 10:30, Committee on Water & Land and Committee on Ocean, Marine Resources, & Hawaiian Affairs. Also, we want to meet for decision-making at 1:45 in Room 329 on House Bill 106, HCR 15, HCR 27 and HCR 28. Thank you."

Representative Hanohano: "Also, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, we will also be meeting at 1:45 in Room 329 to complete our 10:50 a.m. agenda. *Mahalo*."

Representative McKelvey: "Mr. Speaker. Your Committee on Consumer Protection & Commerce will be holding a 2 p.m. hearing. We'll be going right into decision-making and would appreciate the Members being there to help us vote on these bills. Thank you."

## COMMITTEE REASSIGNMENTS

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

**H.B.**  
**Nos.**

**Re-referred to:**

486

Committee on Agriculture, then to the Committee on Finance

- 490,      Jointly to the Committee on Agriculture and the Committee on  
HD1      Water & Land, then to the Committee on Judiciary, then to the  
            Committee on Finance
- 491,      Committee on Agriculture, then to the Committee on Finance  
HD1
- 499,      Committee on Ocean, Marine Resources, & Hawaiian Affairs,  
HD1      then to the Committee on Finance
- 892,      Committee on Transportation, then to the Committee on  
HD1      Finance

#### ADJOURNMENT

At 1:30 o'clock p.m., on motion by Representative Awana, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 14, 2013. (Representatives Coffman, Har, Say and Tokioka were excused.)