

TWENTY-THIRD DAY

Thursday, February 28, 2013

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:08 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Representative Jo Jordan, after which the Roll was called showing all Members present with the exception of Representatives Coffman and McDermott, who were excused.

At this time, Representative Nishimoto, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures today, February 28, at 2:00 o'clock p.m. in Conference Room 308, and the Chair "so ordered."

H.B. No. 20, Making an Appropriation for State Lifeguards;
H.B. No. 481, Relating to Agricultural Land Use;
H.B. No. 482, Relating to Agriculture;
H.B. No. 776, Relating to Government Tort Liability;
H.B. No. 793, Relating to Notaries Public;
H.B. No. 892, Relating to Funding for Parking for Disabled Persons;
H.B. No. 1257, Relating to Taxation; and
H.B. No. 1443, Relating to the Hawaii Hurricane Relief Fund.

"The Committee will also be doing decision-making on several measures:

H.B. No. 385, previously heard on Thursday, February 21st;
H.B. No. 487, previously heard on Monday, February 25th;
H.B. No. 1328, previously heard on Monday, February 25th;
H.B. No. 856, previously heard on Monday, February 25th; and
H.B. No. 497, previously heard on Friday, February 22nd."

At 12:16 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 12:16 o'clock p.m.

At 12:17 o'clock p.m., Representative Awana 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.

Representative Nishimoto: "Thank you, Mr. Speaker. I was remiss in not stating the reason for why we are requesting the waiver. These are bills requested by Members and also the Attorney General."

On motion by Representative Awana, seconded by Representative Fukumoto and carried, reading of the Journal was dispensed with and the Journals of the Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth and Sixteenth Days were approved. (Representatives Coffman and McDermott were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 227 through 234) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 227, dated January 16, 2013, transmitting the Findings and Recommendations from the "Roads In Limbo" Working Group, prepared by the Department of Transportation pursuant to S.C.R. No. 49, S.D. 1, H.D. 1 (2012).

Gov. Msg. No. 228, dated January 30, 2013, transmitting the 2012 Annual Report of the Department of Business, Economic Development and Tourism, pursuant to Section 201-10, HRS, and Act 100, SLH 1999.

Gov. Msg. No. 229, dated February 12, 2013, transmitting the Office of Information Management and Technology Procurement Report as of January 31, 2013, pursuant to Act 222, SLH 2012.

Gov. Msg. No. 230, dated February 13, 2013, transmitting the Basic Health Program Report, prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Act 254, SLH 2012.

Gov. Msg. No. 231, dated February 13, 2013, transmitting the FY 2011-2012 Annual Report of the Office of Planning, prepared by the Department of Business, Economic Development and Tourism pursuant to Section 205A-3(10), HRS.

Gov. Msg. No. 232, dated February 14, 2013, transmitting the 2012 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General.

Gov. Msg. No. 233, dated February 19, 2013, transmitting the Report 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, prepared by the Office of the Governor pursuant to H.C.R. No. 32, H.D. 1 (2012).

Gov. Msg. No. 234, dated February 19, 2013, transmitting the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2012, prepared by the Department of Accounting and General Services pursuant to Section 40-5, HRS.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 34) was received and announced by the Clerk:

Sen. Com. No. 34, transmitting S.B. No. 880, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCE OF IMPRISONMENT FOR SEXUAL ASSAULT OF A MINOR UNDER THE AGE OF TWELVE YEARS," which passed Third Reading in the Senate on February 20, 2013.

On motion by Representative Awana, seconded by Representative Fukumoto and carried, the following Senate Bill passed First Reading by title and further action was deferred: (Representatives Coffman and McDermott were excused.)

S.B. No. 880, SD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 87 through 90) were received by the Clerk and were placed on file:

Dept. Com. No. 87, from the University of Hawai'i, dated February 7, 2013, transmitting the Report Requesting a Review of the State's Funding for Existing English as a Second Language Instruction and Activities and Hawai'i Language Programs Offered in Hawai'i and Any Disparities in Funding for the State's Two Official Languages, pursuant to S.C.R. No. 87, S.D. 1 (2012).

Dept. Com. No. 88, from the University of Hawai'i, dated February 13, 2013, transmitting the Annual Report on University of Hawai'i Special and Revolving Funds FYE2012, pursuant to Sections 304A-106, 304A-2007, and 304A-2273, HRS; and Act 106, Section 132.2, SLH 2012.

Dept. Com. No. 89, from the Office of the Auditor, dated February 19, 2013, transmitting its 2012 Annual Report, pursuant to Section 23-9, HRS.

Dept. Com. No. 90, from the University of Hawai'i, dated February 19, 2013, transmitting the Annual Report on Operations of the Hawai'i Research Center for Future Studies, pursuant to Sections 304A-3253, HRS.

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'omalū 'ōlelo,
Ka hua 'ōlelo o ka lā – Mihi.*

Mihi – apology.

'O ku'u leo mihi ho'i kēia e noi ha'aha'a nei iā 'oukou i ka huikala mai ia'u.

"Today's word is *mihi*, which means to apologize. And I humbly apologize to all of you who may have been offended by sentiments expressed that were taken into the news media. I realize that as public elected officials, we all come to the table and *kukakuka* about the issues that matter most to our communities. Sometimes we agree, sometimes we don't. However, let me reaffirm my commitment to all of you that I shall serve my people and the people of the State of Hawaii, and to the best of my ability, integrity and for the honor of my *kupuna*.

"Ka hua 'ōlelo o ka lā – Mihi, apologize."

INTRODUCTIONS

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

Representative Cabanilla introduced her constituent, friend and colleague from the National Guard, Captain Richard Hargrave.

Representative Ichiyama introduced 4th grade students from Salt Lake Elementary; Teachers, Ms. Donna Shigezawa, Ms. Shari Higashi, Ms. Catrina Naroa, Mr. David Harauchi and Ms. Lynn Hartnett; Educational Assistant, Mr. David Yoffee; and Parents, Ms. Suzette Adversalo and Mr. Dexter Do.

Representative Takai introduced Uncle Joe Tassill; professional ballroom dancers from New York, Mr. and Mrs. George and Roscel Garcia; and his parents, Erik and Naomi Takai.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 46) was announced by the Clerk and the following action taken:

H.R. No. 46, entitled: "HOUSE RESOLUTION COMMENDING THE CIVIL AIR PATROL FOR ITS UNWAVERING COMMITMENT TO FAITHFULLY AND HONORABLY SERVE THE PEOPLE OF THE STATE OF HAWAII," was jointly offered by Representatives Evans and Takai.

Representative Evans moved that H.R. No. 46 be adopted, seconded by Representative Takai.

Representative Evans recognized and honored members of the Hawaii Wing of the Civil Air Patrol, whose motto *Semper Vigilans*, 'Always Vigilant', is significant in ensuring the safety of residents of Hawaii during emergencies and in conducting search and rescue missions, and thanked them for their years of dedication and service.

Representative Takai congratulated and thanked the Civil Air Patrol, and introduced honorees seated on the Floor of the House:

Colonel Stanley Fernandez, Director, Government Affairs, Hawaii Wing, Civil Air Patrol;
Colonel John Henry Felix, Former Wing Commander, Hawaii Wing, Civil Air Patrol, Squadron Commander Maryknoll High School;
Lt. Colonel Ronald Baird, Kona Composite Squadron, Hawaii Wing, Civil Air Patrol;
Colonel Herbert Kaneshige, Hawaii Wing, Civil Air Patrol; and
Captain Richard Hargrave, Honolulu Flight, Hawaii Wing, Civil Air Patrol.

Representative Takai then recognized guests seated in the gallery:

Cadet Sr. Master Sgt. Josh Myrick, Kona Composite Squadron, Hawaii Wing, Civil Air Patrol;
Major Jim Helfenbein, Kona Composite Squadron, Hawaii Wing, Civil Air Patrol;
Captain Susan Turner, Public Affairs, Hawaii Wing, Civil Air Patrol; and
1st Lieutenant Lisa Myrick, Squadron Commander, Kona Composite Squadron, Hawaii Wing, Civil Air Patrol.

Representative Yamane, as a volunteer of the Civil Air Patrol, highlighted the Cadet Program and its benefits to our youth.

Representative Ward commended and thanked the volunteers of the Civil Air Patrol for all the time they donate to Hawaii.

Representative Ito, as an Air Force Veteran and a proud member and officer of the Civil Air Patrol, recognized the Civil Air Patrol for all their years of service to the people of Hawaii and the nation.

Representative Cabanilla thanked the Civil Air Patrol for all the work they do for the youth of Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 46 was adopted, with Representatives Coffman, Kobayashi and McDermott being excused.

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 12:40 o'clock p.m.

At 12:41 o'clock p.m., Representative Awana requested a recess and the Chair declared a recess subject to the call of the Chair.

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

SUSPENSION OF RULES

On motion by Representative Awana, seconded by Representative Fukumoto and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Coffman, Hanohano and McDermott were excused.)

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 638) recommending that H.B. No. 740 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 740, entitled: "A BILL FOR AN ACT RELATING TO OPEN CONTAINERS OF INTOXICATING LIQUORS IN PUBLIC HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 639) recommending that H.B. No. 788 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 788, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 640) recommending that H.B. No. 1089, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1089, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KALO APPRECIATION MONTH," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott 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. 641) recommending that H.B. No. 998 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 998, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 642) recommending that H.B. No. 560, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 560, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING URBAN GARDENING," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 643) recommending that H.B. No. 1339, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 551, HD 2 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 551, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 503, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 503, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Ruling on a potential conflict. My family owns a farm. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, same request. My family also operates a farm," 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. 503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Choy voting no, and with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 478, HD 2 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 478, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 673, HD 2 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 673, HD 2 pass Third Reading, seconded by Representative Awana.

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

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

"Ruling on a potential conflict," and the Chair ruled, "no conflict."

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

"Mr. Speaker, same request," and the Chair ruled, "no conflict."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 673, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 747, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Choy voting no, and with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 649) recommending that H.B. No. 1365 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1365, entitled: "A BILL FOR AN ACT RELATING TO URBAN AGRICULTURE," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 650) recommending that H.B. No. 643, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH GANGS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 651) recommending that H.B. No. 986, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 986, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. Ruling on a potential conflict. I'm adopting a child that comes from the foster care program. 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. 986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE SERVICES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 652) recommending that H.B. No. 266, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 266, HD 1 pass Third Reading, seconded by Representative Awana.

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

"In strong support, Mr. Speaker, and I would like to get permission to insert comments into the Journal. Thank you."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker I rise in support of HB 266 HD1.

"Thank you for the opportunity to support House Bill (H.B.) 266, House Draft (HD) 1. The purpose of this bill is to establish a language access resource center and a multilingual website in the Office of Language Access. As I represent immigrants of all colors and ethnic groups, I have been very supportive of any opportunity that would promote and enhance language access in the State of Hawaii.

"I believe that establishing a language access resource center will not only lead to the growth and development of a badly-needed pool of qualified interpreters in the State but will also address the interpreter needs of State and state-funded agencies and Hawaii's more than 151,000 limited English proficient (LEP) population in general.

"We badly need a multilingual website that will enable limited English proficient LEP individuals to access electronically information about government services and programs and in their own language.

"These proposals will lead to better customer service, promote equal access, and bring about greater participation by the LEP population in government services and programs. I strongly urge my colleague to pass this worthy bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 653) recommending that H.B. No. 358, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIDEOCONFERENCING," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 654) recommending that H.B. No. 152, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 152, HD 1 pass Third Reading, seconded by Representative Awana.

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 of interest. Our family owns a small business that may be impacted," and the Chair ruled, "no conflict."

Representative Kawakami continued to speak in support of the measure with reservations, stating:

"Please note my reservations, Mr. Speaker. I'm just concerned about the potential cost that this could impose on businesses. I would also like to note that the Director and Insurance Commissioner can already implement the increase. Thank you."

Representative Johanson 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 with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations, and just some brief comments. My concern with the measure is, and I totally support the underlying measure, given that most other states have the workman's comp rate set at 140 and this would still have it 10% below others.

"My main concern is that there's been no decoupling between this and the no-fault auto insurance rates, which other states have statutorily done. And if we don't look at this as the measure moves forward, it could have an unintended effect of an immediate increase in everybody's auto insurance premiums and exasperate uninsured drivers.

"So I'd just like to note it just for the record, so as we move forward on this important measure, we can perhaps discuss this more. Thank you."

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

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

"May I have a ruling on a potential conflict, since everyone else who is in small business has stood up. Thank you very much," and the Chair ruled, "no conflict."

Representative Say then 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. 152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION MEDICAL FEE SCHEDULES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 655) recommending that H.B. No. 269, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 269, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, I rise in support with reservations. Very briefly, I very much support the intent of the bill of having public officials actually representing the community that they live in. Of particular concern though, is with young people who are born and raised in a district that move away to get educated, won't be allowed to return home and decide to run for public office.

"And more generally, any time we consider restricting the right of anybody in the public to run for office, we need to be very provident and conscientious."

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

"Thank you, Mr. Speaker. I rise in opposition and if I could adopt the words of the previous speaker. I understand the intent of this measure is so that the people who run for office come from the districts that they represent. But I can imagine a hypothetical situation where, let's say, somebody from the neighbor islands comes to Honolulu to be educated, let's say to become a doctor at the medical school, or moves to Honolulu to

attend the law school. And while they're living here, they change their voter registration so that they can vote for the person where they're living, here in Honolulu.

"However, they may return home and wish to run for office, and this bill would prevent them from doing so. And I think it unfairly would prohibit especially young people from running for office, and that's why I'm in opposition. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. A no vote and I'd like to ask that the words of the speaker from Red Hill be inserted into the Journal as if they were my own, although I'm an old person," and the Chair "so ordered." (By reference only.)

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

"Thank you very much, Mr. Speaker. In opposition, with just a couple of comments. Rather than belabor the point. I know the intent of this. The intent of this is to prevent someone who's totally unfamiliar with a district, moving in very recently and running for office. But for every person that this precludes from running for office, you're actually hurting another person, who for example was born and raised in that district for 30 or 40 years, for example, and then for whatever reason, whatever circumstances, did not live in that district in the previous year or so. That person now cannot file to run.

"In my book the best test as to whether or not voters, and they're sharp enough to discern the difference. Voters can make up their minds, and it's called elections. If they feel residency, long term residency, is an issue, they will not vote for you. If they feel you bring to the table other attributes that they feel represents their values, they will vote for you. Essentially what this does is, we're kind of making up the minds for voters. Thank you, Mr. Speaker."

Representative Ito rose in opposition to the measure and asked that the remarks of Representatives Takumi and Ichiyama be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

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

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

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

"Thank you, Mr. Speaker. I rise in opposition and would like to say a few words. Thank you. I don't want to limit someone to put their name in if they want to run. There already are requirements to be a US citizen. I think the test will come with the voters, if they want to vote for that person or not. So, I just don't see that this is a good policy to move forward. Thank you."

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

"Mr. Speaker, with reservations and brief comments. Mr. Speaker, my difficulty with the bill here is that it's not clear, that it implies physical residency. But definitionally residency, even if you've gone off to the mainland, as indicated by our Member from Maui, you don't lose your residency unless you register to vote in another state's election. So actually by the statute and the strict interpretation, you don't lose your residency because where you were before you went is considered your residence.

"This bill is 'loosey goosey' because it doesn't say 'physical residence' versus 'residency in the State of Hawaii' and I think that needs to be clarified. But I think the legal definition of residency has always been rather interpretative with intention and motivation, etc., to establish residency, and I think that language needs to be clarified. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm standing in support of this measure. And the reason why I support it is that the first time I ran for office, there were about five of us who are bona fide residents of the district that would like to represent our people, until somebody from outside came in that was well-funded and had a bigger name and took that opportunity from all of us. So, I stand in strong support of this bill. Thank you, Mr. Speaker."

Representative Onishi rose and asked that the Clerk record a no vote for him, 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 just a brief comment, if I may. First, I would like to adopt the words of the Chair of Education as if they were my own. And also I just would like to say that, Mr. Speaker, this is for the very same reasons that I am opposed to term limits and other things, which was so well articulated as the choices aren't being made by the voters anymore."

"The voters are really *akamai*, Mr. Speaker. They can see through anything and they're the ones who are the ultimate judges of who is best to represent them. Thank you very much."

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, stating:

"Mr. Speaker, in support. First, I would just say that we're talking about a 12-month residency requirement in the district, which isn't very long. And I think for those who were out of town for whatever reason. Students, if you go to the mainland to go to school it doesn't necessarily mean you move your residency."

"But a minimum level of knowledge about the district I think is a good thing when you run for office. And I'll also just point out this is a con-am, so people will have to support the idea. Voters will actually have to support the idea before it becomes law. *Mahalo*."

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

"Mr. Speaker, I rise in opposition to this measure. I wasn't going to stand, but I think the words of the Chair of Education kind of prompted me. And in fact to some degree I almost feel like I need to ask for a ruling on a potential conflict, because if this law had been in place when I first ran for office, I would not have been able to stand for a seat in the House back in 1994."

"At that time, Mr. Speaker, I was living in Mililani, about two miles away from Wahiawa. But with the suggestion of my father, I decided to seek public office, and do so from a community which I was born and raised and grew up and schooled in. So that's what I did by moving back to Wahiawa."

"I did so approximately two and a half months before the general election. And I have been serving the community of Wahiawa proudly for the last 18 years."

"So I think with that kind of history and my own personal experience with the voters of my district, I think this is a bad idea. I think it short-changes them and it basically preempts the opportunity for people who are

born and raised in the community, who understand the community and are from the community, of the chance to represent that community. So, I would recommend that we not move this bill forward."

"I would also like to remind people that with the current reapportionment that we just went through, the current case that's before the Federal District Court, that the district lines might change before the next election. And for all of us sitting here, we might be impacted by those changes. And if this law would be in place, some or many of us might find us without a seat to run from or run for."

"So I think the words that are suggested here are to be taken under consideration. Thank you, Mr. Speaker."

Representative Fale rose to respond, stating:

"Mr. Speaker, again in opposition. This bill would also exclude a cousin of mine who has served nine tours in the Middle East and has spent more of the last 10 years in the Middle East than he has at home. And this would prevent him as well as many other veterans who have served numerous terms in the Middle East serving our country. And I believe it would be a disservice to them for them to come home and feel the need to run for office, and then to be told that they would not be able to run for office, Mr. Speaker."

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

"Mr. Speaker, I rise in support of this measure. Please adopt the words of the Judiciary Chair as my own. I would like to also note that, just to clarify that, Article III, Section 6, of the Hawaii Constitution currently includes language that addresses reapportionment years. It provides that in reapportionment years, the residency requirements in this provision do not apply. So, in that sense there is a safe harbor for incumbents who face reapportioned districts. Thank you very much."

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

"Ruling on a potential conflict. If this law was in place a year or two ago I would not be qualified to run for public office because I spent the last six years on Oahu and voted in the 2008 presidential and 2010 interim election here before I decided to return to my home island to run. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Ing continued to speak in support of the measure with reservations, stating:

"Still 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. 269, HD 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," passed Third Reading by a vote of 37 ayes to 12 noes, with Representatives Evans, Fale, Hashem, Ichiyama, Ito, Kawakami, Onishi, Oshiro, Takayama, Takumi, Tokioka and Yamashita voting no, and with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 410, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 427, HD 1 pass Third Reading.

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 Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 726, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 1354, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 218, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 499, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SYSTEM," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 1317 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1317, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 1424 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1424, entitled: "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF RESOURCE VALUE LANDS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 664) recommending that H.B. No. 488, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 488, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 665) recommending that H.B. No. 166, HD 2 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 166, HD 2 pass Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. Ruling on a potential conflict. I'm an owner of a veteran-owned and service connected disabled small business. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, ruling on a potential conflict. My husband owns a service-disabled veteran-owned business. Thanks," 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. 166, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 666) recommending that H.B. No. 494, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO URBAN ART," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 667) recommending that H.B. No. 527, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 527, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. Ruling on a potential conflict. I'm a member of the Hawaii National Guard. 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. 527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM MAINTENANCE ALLOWANCE," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 668) recommending that H.B. No. 1396, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1396, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, in strong support and permission to insert additional comments into the Journal. Thank you very much."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of SCR 668, HB 1396, HD 1.

"Mr. Speaker, I want to thank the members of the Committee on Veterans, Military & International Affairs, and Culture and the Arts, the Committee on Higher Education, and the Committee on Finance for passing this historic measure, which will preserve, perpetuate, share the legacy, and tell the story of the Americans of Japanese ancestry who served in the armed forces of the United States, as well as those who were detained in internment camps, during World War II.

"Mr. Speaker, I ask all my colleagues to support this measure. Thank you."

Representative Ito also submitted the following *Honolulu Star-Advertiser* article:

The untold story of Honouliuli Internment Camp

A film marking 70 years since the facility's opening recalls families' separation ordeals

By Rosemarie Bernardo

POSTED: 01:30 a.m. HST, Mar 01, 2013

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Edna Saifuku was 15 when she saw the towers with guards bearing machine guns at the Honouliuli Internment Camp in Kunia, where she and her siblings visited their father, Sam Nishimura.

Nishimura, a tailor shop owner, was detained at the internment site with hundreds of other Japanese-Americans during World War II.

On a cloudy afternoon recently at her home tucked at the end of a cul-de-sac in Wahiawa, Saifuku, 86, talked about the injustice by the federal government against her father and other internees. "I thought we were protected by the Constitution. We are Americans," she said. "Nobody should've been taken to the internment camps."

This month marks the 70th anniversary of the opening of Honouliuli, the largest of the 13 internment sites in Hawaii during the war. The Nishimuras are one of the families featured in the Japanese Cultural Center of Hawaii documentary "The Untold Story: Internment of Japanese Americans in Hawaii."

One day in April 1942, an FBI agent took Sam Nishimura, a nisei born and raised in Haleiwa, to the immigration station in Honolulu. He was taken from his Haleiwa home for questioning about a truck that was sent to the Japan Red Cross, according to information gathered for an Ethnic Studies Oral History Project at the University of Hawaii at Manoa.

Nishimura told investigators that he believed the truck was going to be used to help people, as would have been the case with the American Red Cross. Despite being an American citizen, he was detained at the Sand Island detention camp and later transferred to Honouliuli, according to information from the oral history project.

During his internment, Nishimura worked as the camp tailor, altering coats for internees, including those of German and Italian descent, and uniforms for guards.

Saifuku recalled the hardship their soft-spoken mother, Hisae, endured to support six children while their father was interned for 2½ years. "She took care of all of us," she said.

Their grandfather Keitaro Nishimura stepped in to help tend to the children as their mother worked nonstop at the family's tailor shop in Haleiwa.

Saifuku leafed through an old box filled with letters and birthday cards that she and her siblings sent to their father while he was confined. Nishimura saved all the letters written by them and his wife.

Among the letters Saifuku shared with the *Star-Advertiser* was one her mother wrote to Lt. Gen. Robert Richardson Jr., military governor of the Territory of Hawaii, in September 1943 requesting her husband be released from internment.

A necklace her father made for her from shells collected while at Sand Island, and colorful rings he created out of toothbrush handles at Honouliuli, also were some of the items she shared. According to the oral history project, internees created and molded the rings from toothbrush handles using a hacksaw, hot water, a round pole and sandpaper.

Nishimura was released from Honouliuli before the end of the war after he signed documents stating he wouldn't sue the government.

He didn't talk about his experience at the internment camp with his children. It was only when his granddaughter Sandi Chang – who was working on an assignment for her ethnic studies class at the University of Hawaii – asked him if he could tell her what happened at Honouliuli that he agreed to talk about it.

Chang said her grandfather in his own way did hold resentment against the federal government but didn't show it. "When I was interviewing him, that's kind of when it came out," she said.

Saifuku, Chang's mother, said, "We didn't know that he was angry."

She said people need to know what happened so history doesn't repeat itself. "Something like that shouldn't happen again."

Nishimura's oral history interview conducted by Perry Nakayama appeared in a collection called "Waialua and Haleiwa: The People Tell Their Story." The interview occurred in 1976, a year before Nishimura died. He was 71.

Efforts are being made to ensure the history of Honouliuli is not forgotten.

The National Park Service is working on a study of 13 Japanese internment sites in Hawaii. The process started two years ago when the park service held public meetings to gather information and recommendations.

Paul DePrey, superintendent of the WWII Valor in the Pacific National Monument, said the goal of the study is to determine the significance of the internment sites on a national level and how best to preserve them. DePrey said he hopes the final draft of the study will be ready this summer for public review.

In the state Legislature, House Bill 1396 would appropriate funds for the planning, design and construction of the Honouliuli Internment Camp Education Center and Nisei Veterans Legacy Center.

At UH-West Oahu an archaeology course is offered to students that involves work conducted at Honouliuli. Also, a team of researchers is putting together a journal focusing on the internment camp, said Suzanne Falgout, anthropology professor at UH-West Oahu. The journal is expected to be available to the public by year's end.

"The story of the WWII Honouliuli Camp reminds us of the truly global reach and complexities of that war. And, it highlights some of the significant challenges to our important principles of democracy and social justice in times of conflict. World War II internment and imprisonment impacted a wide diversity of people in Hawaii, and the

lessons it holds are important ones to remember today. In that sense, Honouliuli is everybody's story," Falgout said in an email.

Later this year marks the 25th anniversary of the Civil Liberties Act, signed in August 1988 by President Ronald Reagan, that acknowledged the federal government's unjust actions against Japanese-Americans during World War II. Each surviving internee received a formal apology and \$20,000 in restitution, according to the Japanese American National Museum website.

Norman Osumi's father, the late Rev. Paul Osumi, was one of the former internees who received reparations from the federal government. His father was detained a day after the Pearl Harbor attack.

"My father never understood why he was picked up. He didn't believe he did anything wrong against the United States. He did right by the government," said Osumi, 71, of Nuuanu, who is also featured in the documentary.

Osumi's father was born in Hiroshima and raised in Hawaii. He was confined at Sand Island before he was transported to a mainland internment camp.

While at Gila River Relocation Center, an internment site in Arizona, Osumi became gravely ill with pleurisy, an inflammation of the membrane that surrounds the lungs. Osumi's mother, Janet, left their Honolulu home with her two sons and moved into the internment camp to care for her husband. His health later improved.

Norman Osumi was a toddler when they moved to the internment camp.

They stayed there until the end of the war and lived on the mainland for a while before returning to Hawaii in 1946. Norman Osumi said when his father received the apology and restitution, he never spoke about it.

He believes his father didn't hold any resentment against the federal government. "He didn't show it or state it," Osumi said.

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

Representative Fale's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 1396, HD1, a bill that would appropriate funding for the planning, design and construction of a center in West Oahu that would incorporate a Nisei Veterans Legacy Center and a Honouliuli Internment Camp Educational Center.

"The history and legacy of our Nisei community here in Hawaii and the service they gave to our country is a beacon and a light that I believe should be held high for all to see, and especially held up as a motivational banner for young members of our community. Their story has been an enormous inspiration for me to serve in a quiet and humble way.

"I am concerned that because of the great humility with which they served important stories and lessons may be lost, this facility would serve us well in preserving and portraying this legacy to continue to inspire us and our posterity. For these reasons I strongly support this measure."

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 on HB 1396, HD 1 because the existing remnants of the Honouliuli Internment Camp is a historical site that is located within State House District 39. It is humbling to represent a district with a strong history dating back to World War II and I have supported the establishment of a Honouliuli advisory group since 2012. I believe that it is important to preserve this piece of history so that future generations can understand the sacrifices made by all groups of people, especially those of

Japanese ancestry, to protect and preserve the freedoms we are privileged to enjoy today. Their courage shall not be forgotten."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JAPANESE AMERICAN EXPERIENCE IN HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 178, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 178, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Ruling on a potential conflict. I will have to pay more and take classes," and the Chair ruled, "no conflict."

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

"I am in support. 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. 178, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 424, HD 1 pass Third Reading.

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 Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 1150, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 2 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 673) recommending that H.B. No. 120, HD 2 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 120, HD 2 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, I rise with reservations. Mr. Speaker, this is about care facility inspections and violations that after a chance for adjudication, they go to the public, and they're on a website for everybody to see. Which is good, but I have two reservations.

"One is, this care industry is a budding industry. As you know, we cannot afford long-term care, and these care facilities, primarily in Kalihi, are a real boon to the community, Mr. Speaker.

"And secondly, for the sake of equity, what's fair? Right now we have restaurant inspectors, sometimes of which have gross violations, and they don't get put up on the website for the public to see. They don't have a 'ding' in the owner and the employee's reputation.

"So until we do that for all of these other things for the public health, I think we're picking on this industry which is in its nascent stage and we should back off until we're all going to do that for all the public health, public information. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm standing with reservations and I would like the words of my colleague from Hawaii Kai to be inserted into the record as if they were my own.

"Normally I would stand in opposition, but since my colleagues here have worked with me in making this bill a little bit more palatable to the care home operators, I'm voting with reservation out of respect to them.

"But I think that the care home industry has been taken to a level wherein a lot of the care providers are exiting the business because there is so much manipulation to this industry.

"In 2008, Mr. Speaker, there were 500 care home operators. And up to today, that number is still the same, while the market should have risen exponentially because of demands. So because of this micromanagement and laws written to micromanage and put a lot of sunshine to these small business owners, it had an impact of not wanting to be in that business.

"So I think measures such as this, although it's well intended, we should not forget that these are people's homes, and people's homes are their castle. So we should have a little bit more respect for these people, because they are not paid well, and the work is so tedious, Mr. Speaker, that not too many people would like to enter. Thank you."

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."

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

"Mr. Speaker, I'll be voting with reservations. I just want to let this Body know that the amount of money that they're getting is about \$1,300 a patient. And that \$1,300 is not enough, the way I look at it, because the caregivers give more or less, house them, feed them, bring them to the doctor, and it's 24/7. And the way I computed it is, if you compute the amount of money they receive it's just like they're being paid \$1 or \$2 an hour.

"So hopefully this bill is not a destruction of what they do. If they give up taking care of the elderly or the patient that they have, we will be losing a lot of money. The alternative is bleak. So treat them nicely. Thank you."

Representative Aquino rose and asked that the Clerk record an aye vote with reservations for him, 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 rise in support with reservations on HB 120, HD 2 because I support the intent and want to ensure that our *kupuna* are being cared for in a safe and responsible manner. My reservation with this bill is because it does not clarify the ways in which a care facility may appeal to a related posted violation that, while the violation may be justified under the potential law created by this bill, it inadvertently will also hurt those in the facility who are properly caring for our *kupuna*. As the bill moves through its process in the Legislature, I hope that language may be inserted that would address such concerns."

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

"Thank you, Mr. Speaker. In strong support and if I could just make a few comments. With this particular bill and with a number of bills moving through the legislative session this year, there really is an emphasis on the public's right to know.

"In the Health Committee we heard moving testimony from individuals who were looking to put their parents into homes, and they just wanted information. They had to call the Department of Health and they were told, maybe in 15 days we'll be able to give you some information about any of the care homes that you would like to consider. In those 15 days, at that point in time, that individual would have had to have already made a decision very quickly to move an aging parent from a hospital to a care home setting.

"I think what this bill highlights and what this focuses on is the public's right to know. On transparency, on making these documents that are already available, to be made available online, it's a good measure and a good direction for this House to move in.

"I do want to thank all the Members who are working on this and we will continue to work on this because I think there is a balance that will need to be struck between the public's right to know as well as the business interest's right to protect their reputation.

"And I fully embrace Minority Leader Emeritus's suggestion that we go, after we deal with this and use this potentially as a model, that we go to the other business entities in this State for disclosure. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker, I appreciate that information and I would just add one thing in with my reservations. As the Department of Health, Sanitation Branch, has physical hard copies now available for people, I didn't hear it was 15 days later, but it's now available. So if people want to do it, they can go, get in their car or however they get there, because the hard copy is available.

"The issue is this is going to go public, it's going to be over the Internet. And as my colleague said, it's not equitable given that our other public health concerns that we're not publicizing. Thank you."

Representative Hanohano 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:

"Thank you, Mr. Speaker. In strong support. This measure has a little bit more work to be done on it before we get to the complete end of it. I think it is our obligation to provide to this industry that is going to be growing in the near future to care for our elderly and disabled in these care homes in

our communities. And it should be up to us to put this information out to the general public when such incidents happen. 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. 120, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 674) recommending that H.B. No. 653 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 653 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, may I request a ruling on a possible conflict. My wife is a consultant with HPH. 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. 653, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAI'I PACIFIC HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 914, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 914, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OBESITY PREVENTION," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 1432, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1432, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING AND DISABILITY RESOURCE CENTERS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representatives Evans and Hanohano, for the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 677) recommending that H.B. No. 1423, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1423, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MALA WHARF TASK FORCE," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 678) recommending that H.B. No. 154, HD 2 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 154, HD 2 pass Third Reading, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 154, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 679) recommending that H.B. No. 760, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 680) recommending that H.B. No. 1112, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 681) recommending that H.B. No. 1409, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1409, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOFUELS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 682) recommending that H.B. No. 71 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 71, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 683) recommending that H.B. No. 1375 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1375 pass Third Reading, seconded by Representative Awana.

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. 1375, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Jordan voting no, and with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 684) recommending that H.B. No. 850, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 850, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELAND

SECURITY," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 685) recommending that H.B. No. 1392, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1392, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESERVATION OF HAWAII'S MOVING IMAGES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 686) recommending that H.B. No. 450, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 450, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HYDROGEN FUELING STATIONS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 687) recommending that H.B. No. 632, HD 2 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 632, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN DATA," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 688) recommending that H.B. No. 378, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH NOURISHMENT," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 689) recommending that H.B. No. 275, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 275, 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 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 690) recommending that H.B. No. 898 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 898 pass Third Reading, seconded by Representative Awana.

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

"In opposition, Mr. Speaker. This is an anti-homeless bill. I think that it's well intended, however until we have remedies for people who don't want to be in shelters and prefer to be in their cars, we should not criminalize

them. Because they're human beings too, Mr. Speaker, and they need a place to live. Thank you."

Representative Oshiro rose in opposition to the measure and asked that the remarks of Representative Cabanilla 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 a no vote for her, and the Chair "so ordered."

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

"Mr. Speaker, in support of this measure. This measure is only having Department of Health no longer in charge of enforcing people that can't reside in their vehicles. They don't have the mechanisms to enforce that capability, and that should be put upon the different county agencies. 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. 898, entitled: "A BILL FOR AN ACT RELATING TO PARKED VEHICLES," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Cabanilla, Hanohano and Oshiro voting no, and with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 691) recommending that H.B. No. 697 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 697 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, in strong support, with written comments."

Representative Say's written remarks are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. 697, 'Making Appropriations For Public Employment Cost Items.' This measure appropriates funds for unspecified amounts to fund the Hawaii Employer-Union Health Benefits Trust Fund costs and other cost adjustments for officers and employees of specified Legislative agencies.

"The officers and employers are deserving of the coverage of the EUTF benefits and that is why I am in strong support of this measure.

"A VOICE OF REASON."

The motion was put to vote by the Chair and carried, and 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 Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 692) recommending that H.B. No. 807 pass Third Reading.

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 Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 693) recommending that H.B. No. 832 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 832, entitled: "A BILL FOR AN ACT MAKING EMERGENCY

APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 694) recommending that H.B. No. 834 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 834, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 695) recommending that H.B. No. 915 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 915, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 696) recommending that H.B. No. 1166 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1166, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 697) recommending that H.B. No. 1167 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1167, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 698) recommending that H.B. No. 1173, HD 1 pass Third Reading; and

(Stand. Com. Rep. No. 699) recommending that H.B. No. 1174, HD 1 pass Third Reading.

Representative Saiki moved that the reports of the Committee be adopted, and that H.B. No. 1173, HD 1; and H.B. No. 1174, HD 1 pass Third Reading, seconded by Representative Awana.

Representative Say rose to speak in opposition to both measures, stating:

"Mr. Speaker, may I take up Stand. Com. Report 698 and 699, in opposition with written comments. Thank you very much."

Representative Say's written remarks in opposition to Stand. Com. Rep. No. 698 are as follows:

"Mr. Speaker, I rise to speak against H.B. 1173, HD 1, relating to Collective Bargaining. House Bill No. 1173, HD 1 repeals the prohibition of using arbitration to resolve impasses or disputes relating to State and County Hawaii Employer Union Health Benefits Trust Fund (known as EUTF) contributions and authorizes arbitration panels to decide EUTF

contributions. HD 1 also repeals the prohibition on the right to strike over EUTF contributions.

"I truly believe that the best way to maintain control of EUTF costs is to leave the final decision for EUTF contributions in the hands of the Legislature if the two parties are unable to reach an agreement. While arbitration panels are tasked to consider the employee's ability to pay and overall economic conditions, panels often fail to grasp the complexities of the State Budget.

"Recent fiscal conditions have made it increasingly difficult to reach resolution in collective bargaining negotiations. However, altering what is done in these situations to allow binding arbitration would take this critical decision out of our hands (elected officials) and put it in the hands of unelected and unaccountable arbitrators. Even though the Legislature would still have the authority to reject an arbitration award, it appears all cost items would be rejected, not just EUTF contributions. And so the end result of this measure could result in giving the Legislature a choice of fully conceding control of this significant portion of the State Budget to the arbitration panels or RISK ending collective bargaining negotiations.

"Let us not get into the fiscal irresponsibility for the future generations of the people of the State of Hawaii.

"A VOICE OF REASON IN THIS HOUSE."

Representative Say's written remarks in opposition to Stand. Com. Rep. No. 699 are as follows:

"Mr. Speaker, I rise to speak against the repeal of the base monthly contribution amount formula for public employee contributions to the Employee-Union Health Benefits Trust Fund (EUTF) for State/County Retirees health benefits.

"Why I am opposed to this measure is that first the base monthly contribution formula provides an upper threshold parameter for the EUTF Board of Trustees in determining health benefits plan designs and benefits for State/County Retirees. Cost is a significant consideration in the design of a health benefit plan, and removing the upper threshold parameter could lead to development of health benefit plans for retirees that are unsustainable. And it should be noted that collective bargaining of public employer EUTF contribution serves as the comparable upper threshold parameter for active State/County employees.

"Secondly, the base monthly contribution formula for State/County retirees is one of the factors used by the actuary in determining the unfunded other post-employment benefit (OPEB) liability of the EUTF. Repealing the base monthly contribution formula could result in an increase of the EUTF unfunded OPEB liability, which is currently \$16.3 billion for all State/County jurisdictions – the State's portion of the unfunded OPEB Liability is about \$13.6 billion.

"For these reasons, I oppose H.B. 1174, HD 1.

"A VOICE OF REASON."

Representative Oshiro rose to speak in opposition to Stand. Com. Rep. No. 698, stating:

"Mr. Speaker, I rise in opposition to this measure. Basically I'm reading from the Committee report, Mr. Speaker. It states that this would repeal the prohibition against using binding arbitration to resolve impasses or disputes relating to State and county EUTF contributions. I'm not very much concerned with that, I think that's part of the process right now. And I think it will probably lead itself to better negotiations and better resolutions.

"But what I find troubling is that it repeals the Legislature's role in determining the State and county contribution amounts where agreement cannot be reached between the parties. In other words, once it goes to arbitration, the arbitration panel decides the amount and the cost shared between the employer and employee. It basically end-runs the legislative

prerogative and responsibility of funding and appropriating any necessary cost items.

"I think this is an essential component of the responsibility of the Legislative purse strings in the area of collective bargaining. Not that we get involved in the bargaining itself, but we are given the responsibility to find the funding of all cost items against the other needs of the day.

"And then a third consideration that I'm concerned about, Mr. Speaker, is that it would permit the bargain unit members to use State and county EUTF contributions as a basis for striking. It seems unusual that this one component, if there's no settlement reached, that it will allow all parties to strike.

"I think under current Chapter 89 provisions, only certain units are allowed strike provisions. The rest need to go to resolution through binding arbitration. But this seems to open it all up to the strike versus arbitration when there's a dispute on the EUTF contributions. So, for those reasons, Mr. Speaker, I respectfully oppose this measure. Thank you."

Representative Hanohano rose in opposition to Stand. Com. Rep. No. 698 and asked that the remarks of Representative Oshiro be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, same request, adopting the Representative from Wahiawa's words. I have reservations and a brief comment. As Speaker Say noted, I would say comments to both of these bills, 698 and 699 with a question.

"My reservation is, why would we want to tempt the unfunded liability which for this health fund is already six-point-something billion dollars and rising without this, because of costs going up. Why would we as a Body, who have been told by various and sundry sources of actuarial with the ERS and the EUTF, to make it whole we have to put \$500 million and on for the next 30 years to make our unfunded liabilities whole.

"Mr. Speaker, I just want to have our eyes open on what we're doing by doing this, because it's already going up without releasing it. And with that are my reservations. Thank you."

Representative Cabanilla rose to speak in opposition to Stand. Com. Rep. No. 698, stating:

"I'm also standing in opposition, Mr. Speaker, and I would like the words of the Representatives from Hawaii Kai and Wahiawa as my own. And I just would like to add that we have a huge unfunded mandate right now, and these next four bills that we're about to consider would definitely aggravate that. Thank you, Mr. Speaker."

Representative Har rose in opposition to both measures and asked that the remarks of Representative Oshiro 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 reports of the Committee were adopted and H.B. No. 1173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Cabanilla, Hanohano, Har, Oshiro, Say and Yamashita voting no, and with Representatives Coffman and McDermott being excused; and

H.B. No. 1174, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Har and Say voting no, and with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 700) recommending that H.B. No. 1165 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1165, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 701) recommending that H.B. No. 363, HD 2 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 363, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 702) recommending that H.B. No. 1279, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 703) recommending that H.B. No. 591, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE ROUTES TO SCHOOL," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 704) recommending that H.B. No. 1080, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1080, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 705) recommending that H.B. No. 201, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 201, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 706) recommending that H.B. No. 208, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 208, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, may I request a ruling on a possible conflict. My wife is a registered lobbyist. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I request for a ruling on a potential conflict. My wife also is a registered lobbyist. *Mahalo*," 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. 208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Third Reading by a vote of 49 ayes, with Representatives Coffman and McDermott being excused.

At 1:26 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:27 o'clock p.m.

At 1:31 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 740
 H.B. No. 788
 H.B. No. 1089, HD 1
 H.B. No. 998
 H.B. No. 560, HD 1
 H.B. No. 1339, HD 1
 H.B. No. 551, HD 2
 H.B. No. 503, HD 1
 H.B. No. 478, HD 2
 H.B. No. 673, HD 2
 H.B. No. 747, HD 1
 H.B. No. 1365
 H.B. No. 643, HD 1
 H.B. No. 986, HD 1
 H.B. No. 266, HD 1
 H.B. No. 358, HD 1
 H.B. No. 152, HD 1
 H.B. No. 269, HD 1
 H.B. No. 410, HD 1
 H.B. No. 427, HD 1
 H.B. No. 726, HD 1
 H.B. No. 1354, HD 1
 H.B. No. 218, HD 1
 H.B. No. 499, HD 1
 H.B. No. 1317
 H.B. No. 1424
 H.B. No. 488, HD 1
 H.B. No. 166, HD 2
 H.B. No. 494, HD 1
 H.B. No. 527, HD 1
 H.B. No. 1396, HD 1
 H.B. No. 178, HD 1
 H.B. No. 424, HD 1
 H.B. No. 1150, HD 1
 H.B. No. 2
 H.B. No. 120, HD 2
 H.B. No. 653
 H.B. No. 914, HD 1
 H.B. No. 1432, HD 1
 H.B. No. 1423, HD 1
 H.B. No. 154, HD 2
 H.B. No. 760, HD 1
 H.B. No. 1112, HD 1
 H.B. No. 1409, HD 1
 H.B. No. 71
 H.B. No. 1375
 H.B. No. 850, HD 1
 H.B. No. 1392, HD 1
 H.B. No. 450, HD 1
 H.B. No. 632, HD 2
 H.B. No. 378, HD 1
 H.B. No. 275, HD 1
 H.B. No. 898
 H.B. No. 697
 H.B. No. 807

H.B. No. 832
 H.B. No. 834
 H.B. No. 915
 H.B. No. 1166
 H.B. No. 1167
 H.B. No. 1173, HD 1
 H.B. No. 1174, HD 1
 H.B. No. 1165
 H.B. No. 363, HD 2
 H.B. No. 1279, HD 1
 H.B. No. 591, HD 1
 H.B. No. 1080, HD 1
 H.B. No. 201, HD 1
 H.B. No. 208, HD 1

At this time, the Chair stated:

"The Chair will call a recess to give the Members a little time to go and refresh themselves, and we'll call you back in 15 minutes."

At 1:31 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:45 o'clock p.m.

At this time, the Chair stated:

"Right now we are on page 16, right after House Bill Number 208. It is the pleasure of the Chair that all remaining measures from page 16 through page 28, be deferred one day."

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 707) recommending that H.B. No. 399, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 708) recommending that H.B. No. 689, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representatives Wooley and Evans, for the Committee on Agriculture and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 709) recommending that H.B. No. 734, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 710) recommending that H.B. No. 1071, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 1258, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 563, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

that H.B. No. 841, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 734) recommending that H.B. No. 1316, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 735) recommending that H.B. No. 138, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 736) recommending that H.B. No. 813, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 737) recommending that H.B. No. 999, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 738) recommending that H.B. No. 245, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 739) recommending that H.B. No. 457, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representatives Evans, Takumi and Luke, for the Committee on Water & Land and the Committee on Education and the Committee on Finance, presented a report (Stand. Com. Rep. No. 740) recommending that H.B. No. 865, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 741) recommending that H.B. No. 1130, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 742) recommending that H.B. No. 373 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 743) recommending that H.B. No. 652 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action was deferred one legislative day.

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. 744) recommending that H.C.R. No. 37 be adopted.

By unanimous consent, action was deferred one legislative day.

THIRD READING

H.B. No. 353, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 430, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 504, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 506, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 293, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 1282, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 1203, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 524:

By unanimous consent, action was deferred one legislative day.

H.B. No. 489, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 763, HD 1:

By unanimous consent, action was deferred one legislative day.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 32 through 45) and concurrent resolutions (H.C.R. Nos. 49 through 59) were referred to Printing and further action was deferred:

H.R. No. 32, entitled: "HOUSE RESOLUTION RECOGNIZING HAWAIIAN NATIONALS AS A POPULATION RESIDING LAWFULLY IN THE HAWAIIAN ISLANDS," was offered by Representative Hanohano.

H.R. No. 33, entitled: "HOUSE RESOLUTION REQUESTING THE COMPTROLLER TO ESTABLISH A TASK FORCE TO STUDY THE STATE PROCUREMENT CODE AND IDENTIFY AMENDMENTS THAT WOULD INCREASE THE ECONOMY, EFFICIENCY, EFFECTIVENESS, AND IMPARTIALITY IN THE PROCUREMENT OF PUBLIC WORKS CONSTRUCTION PROJECTS," was offered by Representative Choy.

H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO ADDRESS THE ISSUES AND CONCERNS RAISED BY THE SENATE SPECIAL COMMITTEE ON ACCOUNTABILITY RELATING TO THE UNIVERSITY OF HAWAII," was offered by Representative Choy.

H.R. No. 35, entitled: "HOUSE RESOLUTION REQUESTING COLLABORATION AMONG VARIOUS STATE AGENCIES TO IDENTIFY BARRIERS RELATING TO THE PRACTICE OF ADVANCED PRACTICE REGISTERED NURSING TO THE FULL EXTENT OF THE NURSES' EDUCATION AND TRAINING IN THE STATE," was jointly offered by Representatives Belatti, Ichiyama, Woodson, Jordan and Kobayashi.

H.R. No. 36, entitled: "HOUSE RESOLUTION ENCOURAGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT OF 1976 TO STRENGTHEN CHEMICALS MANAGEMENT THROUGH POLICY REFORMS," was jointly offered by Representatives Belatti, Awana, Hanohano, Jordan, Lowen, Luke, Morikawa, Thielen and Wooley.

H.R. No. 37, 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 Cabanilla, Belatti, Hanohano, Ichiyama, Jordan, Lowen, Luke, Morikawa and Thielen.

H.R. No. 38, entitled: "HOUSE RESOLUTION REQUESTING THE SUPPORT OF THE REPEAL OF COMBAT EXCLUSIONARY RULES," was jointly offered by Representatives Hanohano, Awana, Belatti, Ichiyama, Jordan, Lowen, Luke, Morikawa, Thielen and Wooley.

H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO ELIMINATE DIESEL CREMATORS IN THE STATE," was offered by Representative Ohno.

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION AND THE UNITED STATES MARINE CORPS TO WORK WITH THE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF HEALTH TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was jointly offered by Representatives Wooley, Ito, Lee and Thielen.

H.R. No. 41, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE MANDATORY LABELING OF CARBON MONOXIDE OR GAS TREATED RAW FISH," was offered by Representative Hanohano.

H.R. No. 42, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS AND HAWAII'S CONGRESSIONAL DELEGATION TO AVOID SEQUESTRATION AND AVERT THE DRAMATIC FINANCIAL IMPLICATIONS SUCH CUTS WOULD HAVE FOR HAWAII," was jointly offered by Representatives Ito, Aquino, Cabanilla, Har, Ichiyama, Jordan, Oshiro, Say, Takai and Takayama.

H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO CONTINUE TO COLLABORATE WITH FAMILY AND COMMUNITY ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY-SCHOOL PARTNERSHIPS IN HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Ohno and Takumi.

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A WORKING GROUP TO EXAMINE HAWAII'S ENHANCED SENTENCING AND EXTENDED SENTENCING LAWS," was jointly offered by Representatives Mizuno, Brower, Evans, Aquino, Cachola, Hanohano, Ing, Kobayashi, Lee, Morikawa, Souki, Tsuji and Woodson.

H.R. No. 45, entitled: "HOUSE RESOLUTION URGING HAWAIIAN ELECTRIC COMPANY, INC., TO RETURN ITS CALL CENTER OPERATIONS TO HAWAII," was offered by Representative Cabanilla.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A SMALL BOAT HARBOR MANAGEMENT TASK FORCE," was offered by Representative Lowen.

H.C.R. No. 50, 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. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMPTROLLER TO ESTABLISH A TASK FORCE TO STUDY THE STATE PROCUREMENT CODE AND IDENTIFY AMENDMENTS THAT WOULD INCREASE THE ECONOMY, EFFICIENCY, EFFECTIVENESS, AND IMPARTIALITY IN THE PROCUREMENT OF PUBLIC WORKS CONSTRUCTION PROJECTS," was offered by Representative Choy.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO ADDRESS THE ISSUES AND CONCERNS RAISED BY THE SENATE SPECIAL COMMITTEE ON ACCOUNTABILITY RELATING TO THE UNIVERSITY OF HAWAII," was offered by Representative Choy.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COLLABORATION AMONG VARIOUS STATE AGENCIES TO IDENTIFY BARRIERS RELATING TO THE PRACTICE OF ADVANCED PRACTICE REGISTERED NURSING TO THE FULL EXTENT OF THE NURSES' EDUCATION AND TRAINING IN THE STATE," was jointly offered by Representatives Belatti, Ichiyama, Woodson, Jordan and Kobayashi.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO ELIMINATE DIESEL CREMATORS IN THE STATE," was offered by Representative Ohno.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE MANDATORY LABELING OF CARBON MONOXIDE OR GAS TREATED RAW FISH," was offered by Representative Hanohano.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS AND HAWAII'S CONGRESSIONAL DELEGATION TO AVOID SEQUESTRATION AND AVERT THE DRAMATIC FINANCIAL IMPLICATIONS SUCH CUTS WOULD HAVE FOR HAWAII," was jointly offered by Representatives Ito, Aquino, Cabanilla, Har, Ichiyama, Jordan, Oshiro, Say, Takai and Takayama.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO CONTINUE TO COLLABORATE WITH FAMILY AND COMMUNITY ORGANIZATIONS TO ESTABLISH, IMPLEMENT, AND MONITOR STATEWIDE POLICIES FOR FAMILY-SCHOOL PARTNERSHIPS IN HAWAII'S PUBLIC SCHOOLS," was jointly offered by Representatives Ohno and Takumi.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A WORKING GROUP TO EXAMINE HAWAII'S ENHANCED SENTENCING AND EXTENDED SENTENCING LAWS," was jointly offered by Representatives Mizuno, Brower, Evans, Aquino, Cachola, Hanohano, Ing, Kobayashi, Lee, Morikawa, Souki, Tsuji and Woodson.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAIIAN ELECTRIC COMPANY, INC., TO RETURN ITS CALL CENTER OPERATIONS TO HAWAII," was offered by Representative Cabanilla.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
707, SD2	Jointly to the Committee on Water & Land and the Committee on Finance
870, SD1	Committee on Judiciary
890, SD1	Committee on Labor & Public Employment
1000, SD1	Committee on Finance
1016, SD1	Committee on Public Safety, then to the Committee on Judiciary

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>
65, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
97, HD1	Committee on Agriculture, then to the Committee on Finance
1249, HD1	Committee on Water & Land, then to the Committee on Finance
1381, HD1	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Consumer Protection & Commerce

ADJOURNMENT

At 1:46 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, Friday, March 1, 2013. (Representatives Coffman and McDermott were excused.)

HOUSE COMMUNICATIONS

"February 28, 2013

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 House Bills, copies of which are attached hereto:

H.B. No. 269, H.D. 1, entitled:

"PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO RESIDENCY REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE."

H.B. No. 275, 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."

H.B. No. 427, H.D. 1, entitled:

"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."

Said measures passed Third Reading in the House of Representatives on this date.

Respectfully,
/s/ Brian L. Takeshita
BRIAN L. TAKESHITA
Chief Clerk

Enclosures

CC: Carol Taniguchi, Clerk of the Senate
Scott Nago, Chief Election Officer"