

**TWENTY-FOURTH DAY**

**Friday, March 1, 2013**

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:07 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Derek S.K. Kawakami, after which the Roll was called showing all Members present with the exception of Representatives Coffman, Hanohano, Nakashima and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Second and Twenty-Third Days was deferred.

**SENATE COMMUNICATIONS**

The following communications from the Senate (Sen. Com. Nos. 35 through 40) were received and announced by the Clerk:

Sen. Com. No. 35, transmitting S.B. No. 120, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on February 28, 2013.

Sen. Com. No. 36, transmitting S.B. No. 470, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARDS," which passed Third Reading in the Senate on February 28, 2013.

Sen. Com. No. 37, transmitting S.B. No. 633, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTING ACTIVITIES," which passed Third Reading in the Senate on February 28, 2013.

Sen. Com. No. 38, transmitting S.B. No. 1020, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATION," which passed Third Reading in the Senate on February 28, 2013.

Sen. Com. No. 39, transmitting S.B. No. 1066, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES LAW," which passed Third Reading in the Senate on February 28, 2013.

Sen. Com. No. 40, transmitting S.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 28, 2013.

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

S.B. No. 120, SD 1  
S.B. No. 470, SD 1  
S.B. No. 633  
S.B. No. 1020, SD 1  
S.B. No. 1066  
S.B. No. 1207

**INTRODUCTIONS**

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

Representative Ohno introduced Ms. Marian Tsuji, President, Lanakila Pacific; and volunteers from Lanakila Meals on Wheels.

Representative Wooley introduced students from UH William S. Richardson School of Law: Ms. Adair Fincher, 3rd year; and Ms. Daylin Rose Gibson, 2nd year.

At 12:14 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m.

**ORDER OF THE DAY**

**UNFINISHED BUSINESS**

At this time, the Chair stated:

"For Unfinished Business, Members, Stand. Com. Report Number 720, House Bill 1068, House Draft 1, will be deferred one legislative day."

Representatives Rhoads and McKelvey, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 720) recommending that H.B. No. 1068, 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 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.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 399, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Fale and McDermott voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 689, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 734, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF TARO LANDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1071, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 563, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 713) recommending that H.B. No. 696, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE LIEUTENANT GOVERNOR," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 714) recommending that H.B. No. 648, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715) recommending that H.B. No. 31, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 31, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, on Standing Committee Report Number 715, House Bill 31, House Draft 1, Relating to Disorderly Conduct, I'll be voting against this measure. Just briefly, my main objection is that you're basically using a criminal code, I think it's the 710, 711 chapter, when you criminalize disorderly conduct. And when one thinks about disorderly conduct, one thinks about provoking a fight, provoking a scuffle, obnoxious noise to irritate people, creating a commotion or even panhandling in Waikiki is disorderly conduct. And that's the kind of offense that I think is fitting for the criminal code and description of disorderly conduct.

"What we're trying to do here is to criminalize a person who might need to find shelter from the rain or the elements and they do so at the bus stop, or near a bus stop, or adjacent to a bus stop. But some shelter from the elements. Most of these people are probably poor, homeless, but they use bus facilities as a shelter.

"I think my reading of this bill would basically criminalize that person finding shelter there. If that person sleeps for 60 minutes or more, they'll be charged with a crime. This is not only bus shelters that you see on Beretania or King Street but those larger facilities in and about our communities. I just think that's a little bit too far to address the homeless folks misusing bus benches or taking up space for others who are using the buses getting to and from work or their business of the day. And that's my concern. So that's why I'll be voting no. Thank you."

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

"Thank you, Mr. Speaker. As your advocate for the homeless in this Body, I'm voting no because I feel that this is a little bit too harsh for them. Thank you."

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

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

"Thank you, Mr. Speaker. May I have a no vote cast for me please, and could the words of the former Legal Aid attorney be entered into the Journal as if they were my own. I spent five years at Legal Aid and I'm embarrassed I didn't stand up first and cast a no vote on that. I appreciate my colleague from a later era at Legal Aid for doing that. I think he's very correct on this. Thank you."

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

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

"Mr. Speaker, in support. For many of my constituents, the bus stop is an important transportation hub. They use the bus all the time to get to and from work and to do everything else they need to do. And especially for the older ones, not being able to use the bus stop is more than a minor inconvenience.

"If the homeless were camping out in the middle of Beretania Street and taking the middle lane of traffic and we were putting up cones so that people would drive around them, I don't think there'd be any question that this would be considered at least a violation, as this bill calls for. It's obstructing a form of transportation and it's an important form of transportation in the district I represent.

"It will not be easy to convict anybody under this bill, because it does require an hour and you have to prove that they've been there an hour. There's always a balance between treating people humanely and allowing the rest of the people to live their lives, and that's what I'm trying to strike here. *Mahalo*."

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

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

"Thank you, Mr. Speaker. In support with reservations. My only reservation is applying the negligent mental state in this case. Thank you."

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker, just a quick rebuttal. If the concern is for the homeless people to go and use it as a sleeping facility, there are ways that we can mitigate that and I think that in some certain bus stops that's been mitigated by having small sitting stools as opposed to a bench. So I don't think this bill is necessary, because the City and County is already addressing the issue. Thank you. In opposition."

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

At 1:00 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 1:03 o'clock p.m.

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

"I want to register a 'with reservations' on this. As someone who has ridden the bus here on Honolulu, I understand why people have concerns walking up and maybe sometimes feeling threatened, maybe experiencing something they haven't before with a homeless person. They're on the bench and maybe it's raining and you want to get out of the rain.

"So I understand the concern and why it was introduced. But the bigger problem is we need to find places for our homeless people and shelters for them. 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. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISORDERLY CONDUCT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Carroll, Fale, Kawakami, Oshiro and Thielen voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 716) recommending that H.B. No. 129, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WITNESS TESTIMONY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 717) recommending that H.B. No. 38, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 38, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNLAWFUL CHOP SHOP ACTIVITY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 718) recommending that H.B. No. 37, as

amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 37, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

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

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations. Although I understand the underlying concern regarding this measure on excessive noise, HB 37, HD 1 may have some unintended consequences if passed. The Attorney General's office and the construction industry testified in opposition, as this proposed bill also conflicts with existing administrative rules within the Department of Health. Again, Mr. Speaker, I am sure that other Members of this Body have received phone calls from constituents relating to loud noises from vehicles and neighbors blasting music to where homes are vibrating and for these reasons I am hopeful that the concerns that have been raised will be addressed as this HB 37, HD 1 moves through the process. Thank you, Mr. Speaker."

Representative Fale 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. 37, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives McDermott and Thielen voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representatives Rhoads and McKelvey, for the Committee on Judiciary and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 719) recommending that H.B. No. 235, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 235, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 721) recommending that H.B. No. 182, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 722) recommending that H.B. No. 510, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 510, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE PLEAS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 723) recommending that H.B. No. 568, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS COMMISSION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 724) recommending that H.B. No. 52, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 52, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 52, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was placed on the calendar for Third Reading, with Representative McDermott voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 725) recommending that H.B. No. 321, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 321, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

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

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

Representative Fale 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 Fale's written remarks are as follows:

"Mr. Speaker, I rise with reservations on House Bill 321, HD 1. I am in favor of the intent of the bill which is to increase the number of registered voters in the State of Hawaii. I do have some concerns.

"Ricky Watanabe, the County Clerk, County of Kaua'i, submitted the following comments on the bill, 'We are particularly concerned with the additional burden being placed on poll workers or the 'registration clerk' as noted in the bill. Though the EDR process for most voters should be fairly

straight forward, situations involving questionable voter residency and related issues frequently occur, and are sometimes quite difficult to resolve. Since poll workers (or registration clerks) are essentially volunteers, we do not believe they should be handling such complex and potentially contentious issues. Additionally, the bill will likely increase operating costs for both the State and Counties. 'Registration clerks' will require fairly intensive training on the various statutes and administrative rules governing voter registration and residency, and would likely require related support documents or devices to properly fulfill their responsibilities.'

"As Mr. Watanabe points out, the very nature of the polling place will change if this bill becomes an Act. The ability to hold elections to select public officials is a cornerstone of our constitutional republic. I am concerned that if our election-day polling places take on a dual-function role of both registering voters and managing the polling place, that this may compromise the election process.

"Jeffrey Kuwada, from the Office of the County Clerk, County of Maui, had similar grave concerns about lack of staffing, additional training needed and computer connections to the State of Hawaii voter database.

"The County Clerk's offices from County of Maui, City and County of Honolulu and County of Hawaii also had similar concerns. In addition the Clerk from the City and County of Honolulu noted that, "a cast ballot cannot be retrieved (nor election results amended) if that election day ballot was issued either fraudulently (albeit unlikely) or perhaps erroneously (i.e. without proper authorization/documentation, in the wrong precinct, or if not in adherence to established procedure)."

"For these reasons, Mr. Speaker, I rise with reservations on House Bill 321, HD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 321, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 726) recommending that H.B. No. 619, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 619, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'm rising with some reservations on this measure. I'm still studying this draft here, but my reading last night kind of gave me pause to share my thoughts on this bill. I think this bill is trying to address the situation where you have an inconsiderate neighbor or reckless neighbor in your neighborhood, maybe feeding their pigeons, maybe inviting the wild birds to one's backyard for their own personal enjoyment, not knowing that the birds might land adjacent to their homes and do their natural business on people's eaves and porches and patios and rooftops.

"My family has certainly been at times negligent of doing that, growing up in Wahiawa, raising some pheasants and Japanese quail and pigeons and all the other kinds of animals that go along with that.

"But what kind of struck me is that there is no measurement of when and what degree ones feeding of feral or wild birds would become a problem and would need to be criminalized in order to act as a deterrent to that behavior. It basically almost sets a strict liability of standard that if a person feeds a wild or feral bird, that person can be guilty of a violation of the first offense. But the second and subsequent offenses will be a petty misdemeanor, you will charge them with a crime.

"There's no authorization or distinguishing element in this bill to impose a different fine, nor would you expect one for a minor. Let's say that a child would go out there and toss the old stale bread into their backyard, or at Ala Moana Beach Park threw a piece of their musubi to feed the dove or the sparrows going about. A strict reading and application of this bill might criminalize their behavior or at least make it a violation.

"This bill seeks to address a nuisance in some communities, but I think it kind of goes a little bit too far on the current draft. So those are my reservations. Thank you."

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

"Mr. Speaker, I rise in opposition. Thank you. Next door to where I live, a 99 year old man feeds the wild turkeys that come into Waikalua Village, and it really gives him a lot of pleasure. I know people in the neighborhood maybe find it a little bit of a nuisance. Because instead of having 2 or 3 birds you have maybe 12 turkeys, and they fly all around the different neighbors and they do their duty on people's lawn furniture or whatever. But we tolerate it because it brings a lot of pleasure to this old man.

"I just think if things are a nuisance, I just kind of, in my heart, want to believe that communities can find answers to these types of problems and that we don't really have to pass a law on this kind of behavior. So for that reason, I'm in opposition. Thank you."

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

"Mr. Speaker, as the introducer of the bill, I rise in support of the measure. The intent behind the bill was not to punish the occasional feeder, but the intent was to make it illegal for persistent feeders who create a public nuisance to their neighbors. Public nuisance defined by causing property damage or health problems to their neighbors. That was the intent behind the bill as it was introduced. Thank you very much."

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

"Thank you, Mr. Speaker. Ruling on a potential conflict. I feed the mynah birds with dog food on my property," and the Chair ruled, "no conflict."

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

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

"Mr. Speaker, reservations with a brief comment. Mr. Speaker, in my district the issue is feral cats. And I'm sure it's in probably many other districts where feeding feral cats, and you've got almost half the population saying it's the best thing you could do, and the others saying it's the worst thing you could do for public health, for encouraging and having this proliferation.

"So for consistencies sake, if we're going to punish people for feeding birds, there's got to be a re-examination, are we going to take in cats, then from cats is it going to chickens, then on and on. So I'm afraid that we're entering a slippery slope here and we should cautiously proceed. Thank you."

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

"Mr. Speaker, same ruling on a potential conflict. Not only do I feed some wild birds, I happen to eat them as well," and the Chair ruled, "no conflict."

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

"That actually goes exactly to the point that I'm actually raising right now. That used to be one of my favorite pastimes as a little kid, is to go try and feed these animals and try to catch them.

"There's a group of guys, we like to go out into the mountains regularly, we live in the country part of Oahu. And one of my friends that we go out and do this with, a new person moved into the neighborhood who is very wealthy and bought a really nice piece of property, and the birds that we feed and sometimes enjoy kind of happen into the yard of the neighbor and now this would make what we do criminally wrong. But I think this is just part of being a country boy and doing some of the country things that we do. So with that, Mr. Speaker, I'm opposed to this measure."

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

"Thank you, Mr. Speaker. Please note my reservations. Just a few comments. In Makaha Valley we do have birds known as peacocks and that retirement community does enjoy the pleasure of, I guess watching them and feeding them as well. And I do have some concerns with the harshness of some of the penalties in this and I'll review it between now and Third Reading. Thank you very much."

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

"Thank you. I'd also just like to vote with reservations. And if this bill moves forward I hope that the original intent is realized with further work on this bill. 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. 619, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL BIRDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Evans and Fale voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 727) recommending that H.B. No. 1202, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1202, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'm rising in opposition for House Bill 1202. It says in the bill, 'any person, who engages in an activity requiring a license issued by the licensing authority.' That equates to hundreds of thousands of people in Hawaii, Mr. Speaker. There goes your plumber, your lawyers, your nurses, your doctors, etc., etc. There's hundreds of thousands of them. And then the bill goes on, 'licensee who inadvertently fails to maintain licensing requirements under the appropriate licensing statute and who subsequently corrects the failure so that there was no lapse in licensure, shall be guilty of a misdemeanor and each day of unlicensed activity shall be deemed a separate offense.'

"We will be prosecuting every day, Mr. Speaker. There will be a lot of people that will be criminalized based on this statute. It is so broad and is so wide that I think that it's either we're going to make a lot of money out of these people or the courts will be so busy with them.

"And so that's the reason, Mr. Speaker, not unless I'm reading this statute in error. But that's what it sounds like to me. It affects hundreds of thousands of people that have licenses in this State. Thank you."

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

"Mr. Speaker, I stand in strong support. I think probably a prior draft of this measure, way before it got to a public hearing, maybe it suggested

that. But actually the current draft, as I read it, actually protects an inadvertent failure to maintain a person's license, so they will not be penalized if it's inadvertent.

"And I think it's good for businesses who might inadvertently fail to file on the right day, or because of the change of the calendar or some computer glitch, they might not get the requisite documents in, so that their license might lapse and then they might be penalized for unauthorized license activity.

"So I think the bill as a current draft, I think it cures the concern that was raised by the prior speaker. And I think it was supported by DCCA as well as the Contractor's Association. 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. 1202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Cabanilla voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 728) recommending that H.B. No. 587, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 729) recommending that H.B. No. 493, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 493, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, with reservations. This bill has great intentions and I think the initial thrust of it is good. If you're going to trap cats and dogs, you're going to be punished for it. And my only concern is, and it's been voiced by the Director of the Department of Land and Natural Resources, is that if you trap a rat or a mouse, you may fall under this particular bill.

"In other words, it's trying to avoid trapping animals, particularly cats and dogs. But as the DLNR stated, this section should also not apply to persons carrying out accepted practices for rodent control that do not involve the devices listed in subsection 1 above.

"In other words, if we're going to do it, let's do it right. And it's with good intentions, but I think people shouldn't be penalized for catching rats in their home. And right now it implies that it could be. And I think we just have to be crisp and clear about it. Thank you."

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

"Mr. Speaker, I rise with reservations on this measure too, similar to the words of the previous speaker from Hawaii Kai. In fact may the record reflect that I adopt his words as my own.

"Further, I just have concerns, I think not so much in section 1 which is really I think to address the situation when you have an inadvertent trapping of a person's cat or dog. I think that's terrible and it should be criminalized. But I think the concern that we have is, under the current draft, is that someone who may be setting out a rat trap or a mouse trap, depending upon on how that trap is configured, whether it's considered a

conibear trap or a foot or leg-hold trap or a steel-jaw leg-hold trap, any of those described in this bill might inadvertently subject the homeowner who is trying to rid their home of a pest like a mouse or a rat to a criminal fine here. So that's my concern. Thank you."

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

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

"In support. I just want to make sure that Members read the bill closely. Thanks."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 730) recommending that H.B. No. 1066, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1066, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 731) recommending that H.B. No. 951, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 951, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 732) recommending that H.B. No. 785, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 785, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 733) recommending that H.B. No. 841, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 841, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi 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. 734) recommending that H.B. No. 1316, as

amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1316, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, I rise in opposition to this measure. I think this will increase, or make life more difficult for families trying to rent places, particularly on Oahu, at least that's where my expertise lies. If you want to try and rent a home as it is, it's very competitive and if you look in the paper there are practically no, almost zero, dwellings that will allow you to bring a pet in there. So the ones that do, know that they have an edge on the market and therefore can charge a premium if they're going to allow you to bring a dog to the house.

"So, a unit that would normally rent for say \$2,200, you know that you can get \$2,400 - \$2,500 for that, because you're going to allow a pet. So, the market already addresses a built-in mechanism for the extra money that you might want to have to clean up a urine spill or whatever it is. When you go into the deal, you know you're going to allow pets, okay. So you charge more. There's a premium. That's how the free market works, particularly here on Oahu, because if you look in the paper there are no dwellings to rent.

"So the young family renting, and they have a dog and a little boy, this is going to increase the cost of, not only will the people charge a premium when they put the dwelling up for rent, they're also now going to take more in a security deposit from you then they already would have. So it's going to make it more difficult for families with a little pet, and I think back to when we were little we had the little dog, to try and get a dwelling. It's very difficult. Thank you."

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

"Thank you, Mr. Speaker. In support. I think the previous speaker is misunderstanding the bill. The comments from the realtors and all the other landlords indicate that they want this kind of language. *Mahalo*."

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

"I would like to get a ruling on a potential conflict. I'm a landlord," and the Chair ruled, "no conflict."

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

"In support, Mr. Speaker. I see this bill to be excellent, because as a landlord, I do not rent to people with pets. Because usually, based on previous experiences, the damages are so enormous that the deposit is not enough. So what I do, I don't rent to people that have pets.

"But if there's a mechanism to put a bigger amount on the deposit that would make me feel comfortable, that if that tenant walks out on me or the lease expires, that I can recoup my damages. So I would agree with the realtors, I think this is a measure that would help people that rent as opposed to disadvantage them. Because now if this measure passes, there will be more landlords that will be open to tenants that have pets. Thank you, Mr. Speaker."

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

"Thank you, ruling on a potential conflict. My mother's a landlord," and the Chair ruled, "no conflict."

Representative McKelvey continued in support of 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 Fale rose to disclose a potential conflict of interest, stating:

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

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

"This bill, there's a lot of young families like mine that are kind of struggling in the community and we're very much concerned about the adverse effects that would enter the marketplace to hurt us. And this is something that I believe that would really have a negative impact on young working families in my community. And I would like to adopt the words of the Representative from Ewa on the Diamond Head side as my own, Mr. Speaker," and the Chair "so ordered." (By reference only.)

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

"Thank you, with reservations. I think the only reservation I have is when I consider the definition of service animal and what is a service animal. Because the reality is, I think dogs are service animals for everybody. We have animals, they lower blood pressure, they're wonderful companions. What this is saying is, you can charge more money for a dog or a cat but if it's a service animal, you can't.

"So then what we have is people trying to get their animals now classified as service animals. There may be an unintended consequence to this bill. That's why I have reservations. Thank you."

Representative McDermott rose to respond, stating:

"Mr. Speaker, still in opposition. A security deposit to be increased beyond the statutory minimum. Beyond. We're not regulating that, it's an agreement between the tenant and the landlord, Mr. Speaker. And we love to regulate things, so I'm not sure how that slipped through.

"As I said before, you can charge a premium. So if you're going to allow a dog or a cat, you can charge, instead of \$2,200, you can charge \$2,500. And you'll get it. That's your increased premium right there. The market is already taking care of that for you.

"So, who supports it: Hawaii Association of REALTORS, Cornerstone Properties, National Association of Residential Property Managers, numerous other individuals and property management companies.

"Opposition: none. You know why, Mr. Speaker? Because they're out driving truck for a living, mom's working, they're trying to go to school. They don't know about this. They couldn't come and even if they could they're not going to take off time at work to come to do this. We're not helping working families with a measure like this. The market is already taking care of it. We don't need it.

"I understand it, and I see who supports it, and it doesn't say 'working family' on here anywhere in the measure's supporters. Maybe my glasses are fogging up, but I'm sorry. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. I'm a landlord. In fact, I will not, well I'm going to pause before I rent to someone with an animal in the future, and I speak from experience. And I know that many of you may have had these experiences or heard of these experiences, but it's tough to rent to people with animals. I think this bill strikes a balance. It allows for landlords to increase a deposit just in case there are damages. I think that's fair.

"Because what's happening now, for families that have pets, you're limited to the places where you can rent. And the volume of apartments and condos and townhouses and homes that you can get into, are being further reduced because we have a law that says you can only charge one month's rent for your security deposit.

"I think if you take a look at this bill, we're all talking about the same thing. We're saying that we need to increase the amount of available rental units for families with pets. This bill does that. This will allow for people like me and other landlords to consider, or reconsider, renting to families with pets because of this new provision, if it should pass.

"So I think some people should take a look at this bill and kind of look at it from the standpoint of landlords that no longer are renting to families with pets. Thank you, Mr. Speaker."

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

"Possible conflict of interest. I'm a landlord. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. I rise in strong support. I ask that the words of the Representative from Aiea be adopted as my own. I think this is really good policy. We've already recognized, I think in prior legislatures, the importance of an animal or a pet in the lives of most of our constituents. Many of our families do have pets of different pedigree and type, and they are so important that they would even be allowed to be taken into a storm shelter on evacuations.

"So, I think we've already recognized the importance of a family's pet to them. This is consistent with that policy. I think it allows the landlord to address the potential damage that could be incurred because of an animal, whatever pedigree or type it might be, that's reasonable and rational, related to their rental contract. So I think this is good.

"I'd like to also express that I might benefit from this also as a renter myself. It may enable me to have my American Pit Bull Terrier reside with me, instead of residing with my mother right now. Thank you."

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

"Mr. Speaker, ruling on a conflict. I'm a landlord. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, ruling on a conflict of interest. I am a landowner. Thank you," and the Chair ruled, "no conflict."

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

"I did mention it earlier, but I just wanted to officially request a ruling on a potential conflict. I'm a landlord. Thank you," and the Chair ruled, "no conflict."

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

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. For those with pets, renting has always been a challenge. Understandably, landowners are hesitant that they will be faced with property damages caused by pets. This measure addresses these concerns for both persons wishing to rent and willing to pay an additional fee and landowners willing to rent to those with pets. For these reasons, I rise in support. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1316, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Fale and McDermott voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE SELLER DISCLOSURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY PRODUCERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 999, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 457, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. A ruling on a potential conflict. At my law firm I represent community associations and condo associations. 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. 457, HD 1, entitled: "A BILL



FOR AN ACT RELATING TO ACT 326, SESSION LAWS OF HAWAII 2012, REPORTING REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 865, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. Could the clerk please cast a no vote for me. Thank you. I'm concerned about taking school land and using it for other purposes, for private developers such as commercial buildings and other things. I know there have been protections put into the bill, but the basic point is, it will allow some school land in our State now to be developed for other than school purposes. I don't think that's a good idea. Thank you."

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

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

"Mr. Speaker, a no vote to this son of PLDC, and a brief comment. Mr. Speaker, for the Representative who, I forget who is the specific one, but the Puuhale Elementary School was to be closed following what in my district was Koko Head Elementary. Both communities fought back and won.

"But Mr. Speaker, this would be such a foot in the door to say, look Puuhale Elementary, you're down in Mapunapuna or you're near the industrial district. We can make better use to put workforce housing in there. We can make better use to get a condo and then we can give DOE a lot more money and they can live happily ever after.

"Mr. Speaker, this came up years ago and it came in a different form, but then the PLDC appeared. This is a clone of that. And it's a great cause, we want to fund education, we want to get good results for our kids. But the way that this thing is now timed with the PLDC and it looks and walks and almost smells like it, I don't think in good conscience that we should be pushing this legislation. Thank you."

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

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

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

Representative Fale 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 Fale's written remarks are as follows:

"Mr. Speaker, I rise with reservations on House Bill 865, HD 1. According to the bill description, this bill 'Establishes framework for the development of twenty-first century schools through the redevelopment of public school lands by the DOE.' Although I am in favor of supporting teachers while developing and maintaining our school infrastructure, I also recognize that this bill will move us into uncharted territory, in terms of the use of State lands that are designated for public school usage.

"Mr. Speaker I am also concerned that the Legislature may be making the same mistake that was done in the past with the Public Land Development Corporation.

"For these reasons Mr. Speaker, I rise with reservations on House Bill 865, HD 1."

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

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

"Thank you, Mr. Speaker. With reservations and just two short comments. I really appreciate the work of the Committees on this bill, and I want to note the limitation to no more than five school projects as part of this program. I think that's a step forward with this bill. I'd also like to say, as this bill moves forward, and say the DOE is to be given this authority, that they truly do integrate a very meaningful community engagement process, because I think that will help to reassure some of the concerns and reservations out there. Thank you, Mr. Speaker."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL REDEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives McDermott, Thielen and Ward voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO MAMMOGRAPHY REPORTING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

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.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 652 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 652, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Second Reading and was placed on the calendar for Third Reading, with Representative McDermott voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

At 1:34 o'clock p.m., Representative Luke requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:37 o'clock p.m.

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.

Representative Saiki moved that the report of the Committees be adopted, and that H.C.R. No. 37 be adopted, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NONEXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS LOCATED IN KAPAHULU, HONOLULU, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF AN EXISTING SEAWALL AND STEPS," was adopted, with Representatives Carroll and Jordan voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

At 1:42 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:42 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, Morikawa, Nakashima and Takumi were excused.)

### UNFINISHED BUSINESS

#### H.B. No. 353, HD 1:

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 353, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### H.B. No. 430, HD 1:

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 430, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### H.B. No. 504, HD 1:

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### H.B. No. 506, HD 1:

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### H.B. No. 293, HD 1:

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MICROBE," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### H.B. No. 1282, HD 1:

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 1282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### H.B. No. 1203, HD 1:

Representative Saiki moved that H.B. No. 1203, HD 1 pass Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, with great reluctance I rise in opposition to this. I have so much respect and *aloha* for the Chairman of the Committee, who is a very good friend of mine. My only concern, and I understand the testimony was impassioned and heartfelt from some great leaders. My only concern is that we would limit the pool and not allow folks like General Lee or Bob Fishman, who we all know, wouldn't be allowed to be considered for selection as Adjutant General.

"And part of that job is, there's more to it than just being a great soldier. And I understand the concerns, but for that reason, limiting the pool, I'm going to say no. Thank you."

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

"Mr. Speaker, in opposition. My concerns are very similar to the concerns shared by the Representative from Ewa in regards to this bill. As a member of the 442nd 100th Infantry Battalion, it would exclude my unit as well as many other soldiers and service members who served outside of the Hawaii National Guard, from possible inclusion and selection in leadership for our unit here. And for those reasons, Mr. Speaker, I'm opposed."

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

"Mr. Speaker, I also stand in opposition for this matter. I understand that there are unique missions that are inherent to the guards alone. However, if you're up for selection for Adjutant General, you have proven to yourself that you are intelligent, *akamai*, and capable of learning anything in front of you. Not so many people, Mr. Speaker, get to that level.

"To bar anybody from the reserves who are from Hawaii and have lived here in Hawaii to be considered to be the leader in the National Guard, in my opinion, is limiting the chances of leadership for the people of Hawaii. There are those people from the reserves in this State, Mr. Speaker, that could do the job. Yes, there are special missions, but those missions can be learned. And anybody that got into that level is flexible enough to occupy that role. Thank you, Mr. Speaker.

"Oh, I'm now retired from the reserves so I don't have to get a ruling of a potential conflict. Thank you."

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 National Guard," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. Just briefly in support. Thank you, Mr. Speaker. I understand the concerns raised by the previous speakers, but the National Guard has a very unique mission unlike any other, across the world in fact.

"If you take a look at even the active duty service members who serve us well in the Army Reserves, or the Navy in Pearl Harbor, or Air Force at Hickam, or for that matter even the Army soldiers at Schofield. Their missions are very focused, focused on a federal mission with the Commander in Chief being the President of the United States.

"The National Guard here in Hawaii and across the entire nation has a very unique additional mission, and that is to serve the people of their respective states, and in Hawaii is to serve at the pleasure of the Governor, but more importantly, to serve us here in Hawaii.

"And what do I mean by that? Well I mean things like State Civil Defense, homeland security, the Youth Challenge Program, the State Office of Veterans Services, the Counter Drug Program, and even sea burning or responses to chemical, nuclear, biological or explosive events. Those are very unique missions immediately addressed only by the National Guard. And as such, I think it's important to have National Guard experience.

"General Lee, as mentioned by the previous speaker, was the Adjutant General for the State. And he's an outstanding individual. But General Lee lacked the experience of being in the Guard. And I think that it mattered, it really did matter from my perspective on two points.

"Number one, the people that have served the Guard for many, many years, they look forward to one day possibly being the General. And for someone to just kind of come in and take that position is demoralizing. So that's one point.

"But number two, I think without the experience of going through being a National Guardsman, going through efforts like Makani Pahili and hurricane response or disaster response in Iniki on the island of Kauai or on the Waianae Coast, it's difficult I think to take an organization and lead it without that experience.

"So I think those two points are critical as we take a look at this bill. I'll just leave everything else for written comments, Mr. Speaker, in support. Thank you."

Representative Takai's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of House Bill 1203. House Bill 1203 provides preference for a person who has had at least five years of service as an active commissioned officer in the Hawaii National Guard, whether Army, Air, or both for eligibility to serve as Adjutant General.

"The role of the Adjutant General in Hawaii is very unique in that it is more than that of a military leader. To define the role in only military terms will be too narrow. Unlike most of the other states, the Adjutant General of Hawaii is not only the commander of the Army and Air National Guard, the TAG is also:

**"Director of State Civil Defense**, therefore head of emergency management in the State of Hawaii. This is a tremendously important role the TAG of Hawaii plays. It is important for the people of Hawaii to have someone that has experience in working in this system before he becomes in-charge of it. You would not get much of this experience outside the National Guard.

**"Homeland Security Advisor to the Governor.** In charge of the security for the State of Hawaii for all hazards to include terrorism, cyber attack, nuclear, biological attack and more. This is another very important job that the Hawaii TAG has. There are only 12 other TAGs in the United States that have this role also. Military training alone will not prepare you to take on this role. Building the strategy for this department is key. Having prior networking and understanding and having experience working with local, State, and federal law enforcement is important. Having the ability to work with the private sector in this area is also important.

**"State Authorization Agent** for which all Department of Homeland Security Grants come through for the State of Hawaii. He should understand how the FEMA grant system works and provide strong leadership in collaboration across the State to define capability gaps and use proper DHS grants to mitigate those gaps. The grants funds in the State of Hawaii have decreased appreciably and understanding how to try increase the amount of funding the State of Hawaii can write to is tremendously important.

**"Responsible for the Youth Challenge Program in the State.** Hawaii is one of a few States that have more than one program. Understanding and using this program to help save Hawaii's at risk kids is key.

**"Has oversight of the Hawaii State Office of Veteran Services.**

**"In-charge of the State's Civil Support Team** which is on call to help across the State in responding to any chemical, biological, radiological, and nuclear incident. There is no other unit like this in any of the other services.

**"In-charge of State's Counter Drug Program.** Current TAG needs to understand its critical role in the community and fight for its federal budget. This will be with the National Guard Bureau in the Pentagon.

**"In-charge of the Hawaii National Guard Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Enhanced Response Force Package (CERF-P) team.** A team that has medical, urban search and rescue and decontamination components and used in any consequence management response here in our State. We have sent portions to help American Samoa after their earthquake and tsunami response. Key for TAG to understand its role, how to resource it and deploy it.

"The TAG is the senior leader of the Hawaii National Guard Association organization, which is the State component of the overall National Guard Association of the United States (NGAUS). These two organizations provide National Guard inputs to Congress for those issues to promote National Guard readiness and welfare concerns. The TAG must understand his National Guard units to help affect changes that need to be advocated to congress.

"The TAG is also a member of the Adjutant General Association of the United States (AGAUS). This organization is made up of all the TAGs of the 54 States and Territories. This group meets to provide requirements, policy and direction for issues and concerns on the readiness, equipment, force structure, and military construction to the Chief of the National Guard as well as the Congress of the United States. The TAG must know how the Pentagon works, how the Congress of the United States work, and above all know his own state's congressional delegation to help provide the information and updates to them for any political influence needed.

"The role of the TAG in Hawaii is more than just a military leader. To only define the qualifying criteria solely in terms of the military aspect is too narrow and would not provide the people of the State of Hawaii the best selection for the TAG. The National Guard is a State entity and there is no other organization like it in the world. The role of the TAG in Hawaii and the two other key roles he plays as the Director of State Civil Defense and Homeland Security Advisor to the Governor is also unique and only duplicated in 12 other states.

"Therefore to truly understand the National Guard, its interrelationship with Domestic Operations, Homeland Security within the State Department of Defense, to lead it at the highest level, and to be effective immediately upon selection, a person needs to have spent some time in the National Guard. The requirement to at least be a Lieutenant Colonel (O-5) or above is also important. It ensures a minimum amount of professional development, experiences and maturity to become a General Officer and operate in that circle.

"The proposed criteria are broad enough and offer good requirements for qualifications as a TAG for the people of the State of Hawaii."

Representative Takai also submitted the following documents:

TAG Requirement Spreadsheet

STATE	APPOINTED WITH SIGNIFICANT MILITARY EXPERIENCE	5 YEAR STATE REQUIREMENT	AT OR HIGHER THAN MAJOR GRADE	RANK	QUALIFICATION
Alabama	1	0	0	COMMISSIONED OFFICER	Appointed from active officers of the National Guard, with at least 10 years of military service, 2 years in the line and 4 years in the active National Guard.
Alaska	1	1	1	GENERAL GRADE	Gives preference to person with at least 5 years in the Alaska Air National Guard or Alaska Army National Guard.
Arizona	1	1	1	GENERAL GRADE	Appointee shall be citizen of the U.S. and a resident of the state of Arizona for at least 5 years and have served not less than 2 years in the Arizona National Guard.
Arkansas	1	1	1	FIELD GRADE	Appointee shall be citizen of the U.S. and a resident of the state of Arkansas and in service as a commissioned officer for 15 years.
California	1	0	1	FIELD GRADE	At least 10 years of commissioned service, of which at least four years shall be service in the California National Guard.
Colorado	1	1	1	LT COLONEL	10 years military service in the armed forces of this state or of the United States, with at least 3 years as commissioned officer in the Colorado National Guard.
Connecticut	0	0	0	COMMISSIONED OFFICER	The adjutant general shall have had at least 10 years commissioned service in the armed forces of the United States.
Delaware	1	0	0	COMMISSIONED OFFICER	Appointee must have served as a commissioned officer of the Delaware National Guard of the armed forces of the United States for at least 10 years.
District of Columbia	0	0	0	0	It is hereby provided that the adjutant general shall have had previous military experience.
Florida	0	1	1	COLONEL	A federally recognized officer of the Florida National Guard, who has served in the Florida National Guard for the preceding 5 years and has served in the organized militia of the state, in the armed forces of the United States or a reserve component thereof and shall have served in the organized militia of the state, in the armed forces of the Army or Air Force or their Reserve components.
Georgia	1	1	1	FIELD GRADE	Appointee shall be a citizen of the United States and have served in the organized militia of the state, in the armed forces of the United States or a reserve component thereof and shall have served in the organized militia of the state, in the armed forces of the Army or Air Force or their Reserve components.
Guam	1	0	1	LT COLONEL	Appointee shall be a citizen of the United States and have served in the organized militia of the state, in the armed forces of the United States or a reserve component thereof and shall have served in the organized militia of the state, in the armed forces of the Army or Air Force or their Reserve components.
Hawaii	1	0	1	FIELD GRADE	Appointee shall be a citizen of the United States and have served in the organized militia of the state, in the armed forces of the United States or a reserve component thereof and shall have served in the organized militia of the state, in the armed forces of the Army or Air Force or their Reserve components.
Idaho	1	1	1	COLONEL	A federally recognized member of the national guard with current service of not less than 6 years as a commissioned officer in the National Guard of the United States.
Illinois	1	1	1	COLONEL	10 or more years of active commissioned service in a component of the U.S. armed forces, the active Illinois Army, or Air National Guard.
Indiana	0	0	0	BREGADIER GENERAL	The adjutant general must hold the rank of not less than brigadier general.

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TAG Requirement Spreadsheet

STATE	APPOINTED WITH SIGNIFICANT MILITARY EXPERIENCE	5 YEAR STATE REQUIREMENT	AT OR HIGHER THAN MAJOR GRADE	RANK	QUALIFICATION
New Jersey	1	1	1	COLONEL	The adjutant general shall be appointed from a federally recognized general officer in the National Guard who has served therein for the preceding 10 years or federally recognized commissioned officers in the National Guard, who have served therein for the preceding 10 years and are now serving in a military grade not less than that of a lieutenant colonel, or a reserve component thereof, or become a federally recognized brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.
New Mexico	1	0	1	MAJOR	Appointee shall be a citizen of the United States and have served in the active New Mexico Army National Guard for at least 10 years and have received federal recognition in the rank of major or higher.
New York	0	0	0	Army National Guard, MAJOR GENERAL, Air National Guard, BREGADIER GENERAL.	Appointee shall be a citizen of the United States and have served in the active New York Army National Guard for at least 10 years and have received federal recognition in the rank of major general or higher.
North Carolina	0	0	0	COMMISSIONED OFFICER	Appointee shall be a citizen of the United States and have served in the active North Carolina Army National Guard for at least 10 years and have received federal recognition in the rank of major general or higher.
North Dakota	1	0	1	LT COLONEL	Appointee shall be a citizen of the United States and have served in the active North Dakota Army National Guard for at least 10 years and have received federal recognition in the rank of lieutenant colonel or higher.
Ohio	1	1	1	COLONEL	Appointee shall be a citizen of the United States and have served in the active Ohio Army National Guard for at least 10 years and have received federal recognition in the rank of colonel or higher.
Oklahoma	1	0	1	COLONEL	Appointee shall be a citizen of the United States and have served in the active Oklahoma Army National Guard for at least 10 years and have received federal recognition in the rank of colonel or higher.
Oregon	1	1	1	LT COLONEL	Appointee shall be a citizen of the United States and have served in the active Oregon Army National Guard for at least 10 years and have received federal recognition in the rank of lieutenant colonel or higher.
Pennsylvania	1	1	0	COMMISSIONED OFFICER	Appointee shall be a citizen of the United States and have served in the active Pennsylvania Army National Guard for at least 10 years and have received federal recognition in the rank of major general or higher.

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TAG Requirement Spreadsheet

STATE	APPOINTED WITH SIGNIFICANT MILITARY EXPERIENCE	5 YEAR STATE REQUIREMENT	AT OR HIGHER THAN MAJOR GRADE	RANK	QUALIFICATION
Iowa	1	1	0	COLONEL	Federally recognized commissioned officer in the U.S. Army or Air Force Reserve.
Kansas	1	1	0	COMMISSIONED OFFICER	The person appointed shall have served at least 3 years as a commissioned officer in the Kansas National Guard and shall have received federal recognition in the rank of colonel or higher.
Kentucky	1	0	0	OFFICER	The administrative staff shall consist of the adjutant general and such other officers of the Kentucky National Guard as may be necessary for the efficient operation of the office.
Louisiana	1	1	1	COLONEL	Appointee must have served in the Louisiana National Guard for at least 15 years prior to appointment and have received federal recognition in the rank of colonel or higher.
Maine	1	0	1	COLONEL	Appointee must have obtained the federally recognized rank of colonel in the Maine National Guard.
Maryland	1	0	1	COLONEL	1) Have at least 2 years of commissioned field grade service in the United States Army, Navy, Air Force, or Marine Corps; and 2) meet the requirements for federal recognition at the rank of major general.
Massachusetts	1	1	1	LT COLONEL	Appointee must be a citizen of the United States and have served in the active Massachusetts National Guard for at least 10 years and have received federal recognition in the rank of lieutenant colonel or higher.
Michigan	1	1	1	FIELD GRADE or GENERAL GRADE	The adjutant general shall have served as an officer of field or general grade in the state military establishment for not less than 5 years before appointment.
Minnesota	1	1	1	FIELD GRADE	Appointee shall be a commissioned officer of the National Guard of this state, with not less than 10 years military service in the National Guard of this state.
Mississippi	1	0	1	COLONEL	Appointee shall be a citizen of the United States and have served in the active Mississippi National Guard for at least 5 years or 10 years of previous military service in the United States.
Missouri	1	1	1	FIELD GRADE	Appointee shall be a citizen of the United States and have served in the active Missouri National Guard for at least 10 years and have received federal recognition in the rank of colonel or higher.
Montana	1	1	1	LT COLONEL	Appointee shall be a citizen of the United States and have served in the active Montana National Guard for at least 10 years and have received federal recognition in the rank of lieutenant colonel or higher.
Nevada	1	1	1	LT COLONEL	Appointee shall be a citizen of the United States and have served in the active Nevada National Guard for at least 10 years and have received federal recognition in the rank of lieutenant colonel or higher.
New Hampshire	1	1	1	COLONEL	Appointee shall be a citizen of the United States and have served in the active New Hampshire National Guard for at least 10 years and have received federal recognition in the rank of colonel or higher.

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<b>Guam</b>	Guam Code Ann. tit. 10, §65201	Serve until such time as his replacement is appointed by the Governor or until he resigns	Have such rank and qualifications as the Governor may prescribe, and he shall: (a) be, or have been, a federally recognized commissioned officer in the Army or Air Force or their Reserve components in the grade of at least lieutenant colonel (O-3, Promotable) pursuant to Army or Air Force promotion regulations and policies at the time of appointment; (b) be promoted in the Guam Army or Air National Guard, as appropriate, at the discretion of the Commander-in-Chief, to a grade not to exceed lieutenant general (O-9).
<b>Hawaii</b>	Hawaii Rev. Stat. §121-7	Concurrent with the appointing governor	No person shall be eligible for appointment as adjutant general unless the person holds or has held a commission of at least a field grade officer, federally recognized as such, or its equivalent in the national guard, state defense force, or other branch of the armed forces of this or any other state or territory of the United States, or in the armed forces of the United States or a reserve component thereof and has served as a commissioned officer in one or more of the armed services for at least 10 years. The adjutant general shall have the grade of a general officer.
<b>Idaho</b>	Idaho Code §46-111	Concurrent with and at the pleasure of the appointing governor	No person is eligible for appointment as adjutant general unless he is a federally recognized member of the national guard with current service of not less than six years as a commissioned officer in the National Guard of Idaho and has attained the rank of colonel or above.
<b>Illinois</b>	Ill. Rev. Stat. ch. 20, §1805/14 and ch. 20, §1805/16	Two years	The adjutant general and the assistant adjutants general shall have had 10 or more years of active commissioned service in a component of the U.S. armed forces, the active Illinois Army National Guard, or active Illinois Air National Guard, as appropriate, and have attained at least the grade of lieutenant colonel or lieutenant colonel, respectively.
<b>Indiana</b>	Ind. Code §10-16-2-6	Concurrent with the appointing governor	The adjutant general must hold the rank of not less than brigadier general.

<b>Iowa</b>	Iowa Code §29A.11	The adjutant general shall hold office for a term of four years and at the pleasure of the governor	At the time of appointment the adjutant general shall be a federally recognized commissioned officer in the United States Army or Air Force, the Army or Air National Guard, the United States Army or Air Force reserve who has reached at least the grade of colonel and who is or is eligible to be federally recognized at the next higher rank.
<b>Kansas</b>	Kan. Stat. Ann. §48-203	The term of office of officers appointed pursuant to this section shall be during the pleasure of the governor appointing them and until their successors are appointed and confirmed	The person appointed shall have served at least five years as a commissioned officer in the Kansas National Guard and shall have been an officer in the armed forces of the United States.
<b>Kentucky</b>	Ky. Rev. Stat. §36.110	The staff shall be appointed by the governor and shall hold office during his pleasure or during the term for which he was elected.	The administrative staff shall consist of the adjutant general and such other officers of the Kentucky National Guard, of the grade prescribed by the Department of Defense of the United States for the administrative staff for Kentucky, as are detailed by the governor.
<b>Louisiana</b>	La. Rev. Stat. Ann. §29.10	He shall hold office for a term of four years or until the appointment and qualification of his successor, and shall not be dismissed except for just cause.	The adjutant general shall have been a citizen of the state for at least 15 years prior to his appointment. He shall be appointed from active federally recognized officers of the Louisiana National Guard who have had at least seven years of federally recognized commissioned service in the Louisiana National Guard and have attained the federally recognized rank of colonel.
<b>Maine</b>	Me. Rev. Stat. Ann. tit. 37-B, §5 and 37-B, §107	Pleasure of the governor	A person appointed adjutant general or assistant adjutant general must have attained the federally recognized rank of colonel in the Maine National Guard and meet the criteria for federal recognition as a general officer for either the United States Army National Guard or the United States Air National Guard as prescribed by federal service regulations.
<b>Maryland</b>	Md. Public Safety Code Ann. §13-301	Concurrent with the appointing governor	At the time of appointment, the adjutant general shall: (1) have at least two years of commissioned field grade service

<b>Massachusetts</b>	Mass. Gen. Laws. Ann. ch. 33, §15	Concurrent with the appointing governor. He shall thereafter hold his position until he reaches the age of 65 years unless separated prior to that time by resignation, disability, or for cause by a court-martial legally convened for that purpose.	In the National Guard, (2) have attained at least the rank of colonel, and (3) meet the requirements for federal recognition at the rank of major general. To be eligible for initial appointment on the state staff, an officer shall have federal recognition in an organization or unit of the Massachusetts National Guard, Army or Air. The adjutant general shall be appointed by the governor, in his capacity as commander-in-chief, from those persons who are, or have been, active commissioned officers in the Massachusetts National Guard, Army or Air, for a period of not less than five years and who have attained, while serving therein, or in the National Guard of the United States, a grade not lower than that of lieutenant colonel.
<b>Michigan</b>	Mich. Comp. Laws §32.700 through §32.710	The adjutant general shall serve at the pleasure of the governor, and unless sooner relieved, shall serve until the term of 64.	The adjutant general shall have served as an officer of field or general grade in the state military establishment for not less than five years before appointment.
<b>Minnesota</b>	Minn. Stat. §90.07	The term of the adjutant general is seven years from the date of appointment.	The adjutant general shall be a staff officer, who at the time of appointment shall be a commissioned officer of the National Guard of this state, with not less than 10 years military service in the National Guard of this state or the armed forces of the United States, at least three of which shall have been commissioned and who shall have reached the grade of a field officer.
<b>Mississippi</b>	Miss. Code Ann. §33-3-7	The four-year term shall expire with the expiration of the appointing governor's term of office.	To be eligible for such appointment, the adjutant general shall have attained at least the rank of colonel, shall be eligible to receive federal recognition upon his appointment, and shall have served at least seven years in the armed forces of the United States, either in active federal service or as a member of a reserve component, with at least three years of such service in the Mississippi National Guard. At least five years of such service shall have been as a commissioned officer.

<b>Missouri</b>	Mo. Rev. Stat. §41.140	Concurrent with the appointing governor	There shall be an adjutant general of the state with not less than 10 years of previous military service as a commissioned officer with the military forces of this state, or the United States, or in any or all of such services combined, five years of the service being in field grade.
<b>Montana</b>	Mont. Code Ann. §2-15-1201 and §2-15-1202	Pleasure of the governor	The adjutant general must: (a) have the rank of major general; (b) be selected from the active list of the National Guard of this state; (c) be federally recognized in the rank of lieutenant colonel or higher, immediately preceding appointment; (d) have at least 10 years of service as an officer of the active national guard of this state during the 15 years immediately preceding appointment.
<b>Nebraska</b>	Neb. Rev. Stat. §55-120 and §55-121	Until age of 64 unless retired prior to that time by reason of resignation, disability, or pursuant to applicable regulations issued by the Department of the Army or the Department of the Air Force	The adjutant general shall be appointed by the governor from the active or retired commissioned officers of the National Guard of this state. Such adjutant general shall be or have been a commissioned officer who has actively served in the National Guard of this state for at least five years, and shall be able to become eligible for promotion to general officer. If a retired officer is appointed, he or she shall not have been retired for more than two years at the time he or she is considered for appointment.
<b>Nevada</b>	Nev. Rev. Stat. §412.042 and §412.044	Four-year term or until relieved by reason of resignation, withdrawal of federal recognition or for cause to be determined by a court-martial. The current term of an adjutant general shall continue until its prescribed expiration date while such adjutant general is serving in a federal active duty status under an order	To be eligible for appointment to the office of adjutant general, a person must be an officer of the Nevada National Guard, federally recognized in the grade of lieutenant colonel or higher, and must have completed at least six years' service in the Nevada National Guard as a federally recognized officer.

<b>New Hampshire</b>	N.H. Rev. Stat. Ann. §100-B:8	or call by the President of the United States. The adjutant general shall be appointed as provided in the constitution and the tenure of office shall be until the officer has reached the age of 65 years.	At the time of appointment, the adjutant general shall have had not less than five years of service as a member of the New Hampshire National Guard, immediately preceding that appointment, shall have attained at least the rank of colonel and shall be eligible for federal recognition by the department of defense as a brigadier general.
<b>New Jersey</b>	N.J. Rev. Stat. §38A:3-3	Concurrent with appointing governor	The adjutant general shall be appointed from: (a) federally recognized general officers in the National Guard who have served therein for the preceding 10 years; or (b) federally recognized commissioned officers in the National Guard who have served therein for the preceding 10 years and are now serving in a military grade not below that of a colonel, such officers having the qualifications to become federally recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard
<b>New Mexico</b>	N.M. Stat. Ann. §20-1-5	Five years. The adjutant general shall not be removed from office during the term for which appointed, except for cause to be determined by a court martial or efficiency board legally convened for that purpose in the manner prescribed by the National Guard regulations of the United States department of defense.	The governor shall appoint as the adjutant general of New Mexico an officer who for three years immediately preceding his appointment as the adjutant general of New Mexico has been federally recognized as an officer in the National Guard of New Mexico and who during his service in the National Guard of New Mexico has received federal recognition in the rank of major or higher.
<b>New York</b>	N.Y. Military Law §11 and §40	Pleasure of the governor	The New York Army National Guard shall be commanded by a general officer who shall be federally recognized or qualified for federal recognition in a grade not below that of

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<b>Oregon</b>	Or. Rev. Stat. §396.150	A four-year term or until relieved by reason of resignation, withdrawal of federal recognition or for cause to be determined by a court martial.	general of this state, unless, at the time of appointment, he or she is a federally recognized officer of the National Guard of Oklahoma and of the National Guard of the United States, not below the rank of colonel, and that the status as a federally recognized officer, both of the National Guard of Oklahoma and of the National Guard of the United States, shall have existed for at least three years prior to the time of such appointment; or unless, within two years prior to the time of the appointment, he or she has been a federally recognized officer of the National Guard of Oklahoma, and rank of colonel, and that during military service he or she served for a period of three years as a federally recognized officer, both of the National Guard of Oklahoma and of the National Guard of the United States; provided that if the no persons having the above qualifications are available within the state, then the governor may appoint, subject to the advice and consent of the Senate, any suitably qualified person who at any time in the preceding 10 years would have been qualified, as above, and who has served at least two years in active federal service in the grade of colonel or higher.
<b>Pennsylvania</b>	Pa. Cons. Stat. tit. 51, §901	Concurrent with the appointing governor	To be eligible for appointment to the office of adjutant general, a person must be an officer of the Oregon National Guard, federally recognized in the grade of lieutenant colonel or higher, and must have completed at least six years' service in the Oregon National Guard as a federally recognized officer.

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<b>North Carolina</b>	N.C. Gen. Stat. §127A-19	Pleasure of the governor	major general. The New York Air National Guard shall be commanded by a general officer who shall be federally recognized or qualified for federal recognition in a grade not below that of brigadier general, and who has received an aeronautical rating as a pilot of service types of aircraft.
<b>North Dakota</b>	N.D. Cent. Code §37-03+01	The term of office is for six years and commences on July 1, 2001, and on every sixth anniversary thereof.	No person shall be appointed as adjutant general who has less than five years' commissioned service in an active status in any component of the armed forces of the United States.
<b>Ohio</b>	Ohio Rev. Code Ann. §913.02 and §913.021	Pleasure of the governor	Each candidate for the office must have been a federally recognized commissioned officer of the National Guard for a period of at least three years immediately preceding the appointment, must have obtained the rank of lieutenant colonel or higher, and must have completed the educational requirements for appointment as a federally recognized general officer.
<b>Oklahoma</b>	Okl. Stat. tit. 44, §24	Pleasure of the governor	The adjutant general at the time of appointment shall be a federally recognized officer in the Ohio National Guard in the grade of colonel or above. The adjutant general shall have not less than 10 years' commissioned service in the armed forces of the United States, not less than five years of that service being in the Ohio National Guard, and shall at all times during their tenure of office be federally recognized officers of the Ohio national guard. The provisions of this section relative to federal recognition shall be suspended during any period of emergency when the majority of the units of the Ohio national guard are in the federal service. In that event, retired officers of the Ohio National Guard shall be eligible to serve as adjutant general, assistant adjutant general for army, assistant adjutant general for air, and assistant quartermaster general for the duration of such emergency or until a majority of the units of the Ohio National Guard are released from federal service.

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<b>Puerto Rico</b>	P.R. Code Ann. tit. 25, §2059	Pleasure of the governor	No person shall be eligible to hold the office of adjutant general unless he or she holds or has held a commission of at least colonel in the armed forces of the United States, or in a reserve component thereof, and shall have served not less than five years in one or more of the federal services, and shall meet the criteria for federal recognition in the rank to which he or she has been appointed as prescribed by the laws and regulations of the United States.
<b>Rhode Island</b>	R.I. Gen. Laws §30-2-12 and §30-2-13	Appointed by the governor and shall hold office for a term of four years from the time of appointment and until his or her successor shall be appointed in his or her place and stead, provided, however, that this appointment may be revoked by the governor for cause or if the adjutant general shall have been found to be physically unfit for service, as provided by §30-3-22.	The adjutant general shall comply with the following requirements: Be a citizen of the United States of America and must have lived in Puerto Rico for at least one year prior to his appointment. Shall be an officer who has or may have had the corresponding federal acknowledgement as officer of the armed forces of the United States, shall be in the service of, or shall have served in the National Guard of Puerto Rico at least for a term of not less than five years and shall have reached the grade of lieutenant colonel or its equivalent rank.
<b>South Carolina</b>	S.C. Const. Art. VI, §7 S.C. Code Ann. §25-1-320 and §25-1-340	Elected by the qualified electors for a term of four years.	If the Office of the Adjutant General is vacated because of the death, resignation, or retirement of the Adjutant General prior to the normal expiration of his term of office, the Governor shall appoint an officer of the active South Carolina National Guard, who is at least the rank of colonel, meets the eligibility requirements for a constitutional officer, and who has a minimum of fifteen years' active commissioned service in the South Carolina National Guard, to fill out the unexpired term of the former incumbent.

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South Dakota	S.D. Codified Laws Ann. §33-1-12	Pleasure of the governor	At the time of appointment, the adjutant general shall be a federally recognized commissioned officer of the South Dakota National Guard, with not less than 10 years military service in the armed forces of this state or of the United States. The officer appointed to the position of adjutant general shall meet all of the requirements of the officer respective service to be appointed and receive federal recognition as a general officer in that service, including any waivers that may be authorized and granted or delegated by the secretaries of the Army or Air Force, as appropriate.
Tennessee	Tenn. Code Ann. §38-1-115	Concurrent with the term of the governor who appointed the adjutant general, and shall serve as such at the pleasure of the governor.	The adjutant general shall be a member of the Tennessee National Guard who meets all of the qualifications to be a federally recognized general officer.
Texas	Tex. Government Code Ann. §43.022	Appointed by the governor to a term expiring February 1 of each odd-numbered year.	To be qualified for appointment as adjutant general a person must: (1) when appointed be serving as a federally recognized officer of not less than field grade in the Texas National Guard; (2) have previously served on active duty or active duty for training with the army, air force, or marines; and (3) have completed at least 10 years' service as a federally recognized reserve or active duty commissioned officer with an active unit of the United States armed forces, the National Guard, or the Texas National Guard, including at least five years with the Texas National Guard.
Utah	Utah Code Ann. §39-1-12	The adjutant general holds office for a term of six years, unless terminated by resignation, disability, or for cause as determined by a military court or court-martial.	The person appointed to the office shall be a citizen of Utah and meet the requirements provided in Title 32, United States Code. He shall be a federally recognized commissioned officer of the National Guard of the United States with no fewer than 10 years commissioned service in the Utah National Guard. Active service in the armed forces of the United States may be included in this requirement, if the officer was a member of the Utah National Guard when

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South Dakota	S.D. Codified Laws Ann. §33-1-12	Pleasure of the governor	At the time of appointment, the adjutant general shall be a federally recognized commissioned officer of the South Dakota National Guard, with not less than 10 years military service in the armed forces of this state or of the United States. The officer appointed to the position of adjutant general shall meet all of the requirements of the officer respective service to be appointed and receive federal recognition as a general officer in that service, including any waivers that may be authorized and granted or delegated by the secretaries of the Army or Air Force, as appropriate.
Tennessee	Tenn. Code Ann. §38-1-115	Concurrent with the term of the governor who appointed the adjutant general, and shall serve as such at the pleasure of the governor.	The adjutant general shall be a member of the Tennessee National Guard who meets all of the qualifications to be a federally recognized general officer.
Texas	Tex. Government Code Ann. §43.022	Appointed by the governor to a term expiring February 1 of each odd-numbered year.	To be qualified for appointment as adjutant general a person must: (1) when appointed be serving as a federally recognized officer of not less than field grade in the Texas National Guard; (2) have previously served on active duty or active duty for training with the army, air force, or marines; and (3) have completed at least 10 years' service as a federally recognized reserve or active duty commissioned officer with an active unit of the United States armed forces, the National Guard, or the Texas National Guard, including at least five years with the Texas National Guard.
Utah	Utah Code Ann. §39-1-12	The adjutant general holds office for a term of six years, unless terminated by resignation, disability, or for cause as determined by a military court or court-martial.	The person appointed to the office shall be a citizen of Utah and meet the requirements provided in Title 32, United States Code. He shall be a federally recognized commissioned officer of the National Guard of the United States with no fewer than 10 years commissioned service in the Utah National Guard. Active service in the armed forces of the United States may be included in this requirement, if the officer was a member of the Utah National Guard when

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Vermont	Vt. Stat. Ann. tit. 20, §565	The general assembly shall biennially elect an adjutant and inspector general.	he entered that service. An officer is no longer eligible to hold the office of adjutant general after becoming 64 years of age.
Virginia	Va. Code §44-11	The adjutant general shall serve at the pleasure of the governor for a term coincident with that of the governor.	Not specified in statute
Virgin Islands	V. I. Code Ann. tit. 23, §1508	Concurrent with the appointing governor	No person shall be appointed adjutant general who shall not have had at least 10 years' commissioned service in the Virginia National Guard in at least field grade.
Washington	Wash. Rev. Code §38.12030	Concurrent with the appointing governor	To be qualified for appointment to the office of adjutant general, he must: (1) be a citizen of the United States; (2) have resided in the Virgin Islands at least one year immediately prior to his appointment; and (3) be a commissioned officer or a former commissioned officer of the armed forces of the United States.
West Virginia	W. Va. Code §15-1A-2	Four years	Whenever a vacancy has occurred, or is about to occur in the office of the adjutant general, the governor shall order to active service for that position from the active list of the Washington Army National Guard or Washington Air National Guard an officer not below the rank of a field grade officer who has had at least 10 years service as an officer on the active list of the Washington Army National Guard or the Washington Air National Guard during the 15 years next prior to such detail. The officer so detailed shall during the continuance of his or her service as the adjutant general hold the rank of a general officer.
Wisconsin	Wis. Stat. §15.31	Five years, may be	No person may be appointed adjutant general unless he or she has had at least six years' commissioned service and attained field grade or higher rank in the organized militia of this or some other state or in the armed forces of the United States, or in all combined.

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Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker. Just a quick rebuttal. The main function of the National Guard is still its federal requirement. Its federal duties nationwide. The state responsibilities that were mentioned are secondary duties, Mr. Speaker. That's why the National Guard is mainly composed of combat arms, because they're for deployment.

"According to the state duties that were mentioned, when you get up to that level, Mr. Speaker, as I previously mentioned, you have been trained for those. And furthermore, when you become an AG, you have about five or six Colonels giving you advice. You are not standing alone. So if the General doesn't have that necessary training or knowledge or know-how, there are five Colonels behind him or behind her, Mr. Speaker. So that knowledge can be augmented and it should not be a showstopper. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support. I'd also like to ask if the words from the Representative from Aiea be entered into the Journal as if they were my own. Just a few comments here.

"In the State of Hawaii, the Adjutant General holds three important positions. Command of Hawaii National Guard, homeland security, advisor to the Governor and director of civil defense. Five years of service in the Hawaii National Guard will allow the individual to gain the understanding of Hawaii's culture and the needs of its people, no matter if these officers are crossing from other branches of the military.

"Most states already have this requirement as being requested in House Bill 1203, House Draft 1, and for these reasons I stand in strong support. Thank you."

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



"Mr. Speaker, as a veteran I feel compelled to rise in this case with reservations. Mr. Speaker, leadership is about leadership, not what branch of service you're in. When you're in the service, you're in the service. You serve at the pleasure of the President or of the support of the Constitution.

"If this was not a national function it would be called the 'State Guard.' It's not called the 'State Guard,' it's the National Guard. And if we didn't have the National Guard we wouldn't be able to have two wars going on simultaneously in Afghanistan and Iraq. It was the National Guard that was the pillar of those. So to say that it's a state function I think is a little bit of a historical revisionism.

"Secondly, we have a joint chief of staff that doesn't belong to the Army or the Navy or the Air Force. It's the most qualified leader that the President puts in that position. And I think that's what we need to give to the Governor, the most qualified leadership. Leadership is what this is all about. This is like a third-world turf war that we're going into, and generally the civilian control of the military doesn't even bring this kind of stuff up.

"So I think we should get over with it, just let the thing die off and forget about it. Thank you."

Representative Fale rose to respond, stating:

"Mr. Speaker, still in opposition. I understand very clearly what was put forward by the Representative from Aiea. When you limit where you can pick your leadership from, it just narrows the pool of access to what will serve best the people in the State of Hawaii. And I believe that when you limit options, you limit the opportunity to bring in the best and brightest from wherever they may be.

"And I understand that we should definitely have preference for that, understanding the uniqueness of our community would probably best come from within our own National Guard. But why would we limit that. And I think whoever would appoint our Adjutant General would understand that clearly. But if we leave the door open where they can still go out and pick.

"And the mission of the National Guard has been very fluid over the past few years. The driving mission that we've had is the two wars that we've had in Afghanistan and Iraq. And probably during that time, having someone who has a better understanding of the federal nature of the armed services would have been the better person to have leading our National Guard at that time through this era of our history here in the State of Hawaii.

"And that mission may change in the future. Now we've closed the door on the war in Iraq, we're winding down the war in Afghanistan, and the mission will change. But then again, we don't know what's coming down the pipe and we need to be able to be ready for whatever it is.

"And leaving the door open for the selection of the best leader possible, I think is always a good idea. It's always a good idea. Even though we should probably, definitely, weigh in consideration someone who comes from within our own National Guard. Thank you, Mr. Speaker."

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

"Just a ruling on potential conflict. My husband is a member of the National Guard. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 1203, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Cabanilla, Fale and McDermott voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### **H.B. No. 524:**

Representative Saiki moved that H.B. No. 524 pass Third Reading, seconded by Representative Awana.

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

"I understand the intent of this bill, Mr. Speaker, but I do rise in opposition. And the reason for that is, Mr. Speaker, is that especially coming from, as a member of the unit that I belong to, the soldiers from the 442nd Regimental Combat Team and the 100th Infantry Battalion received the flag of the United States of America in recognition, to honor and remember who they were and the sacrifices that they gave.

"Just from my perspective, Mr. Speaker, if the stars and stripes were good enough for them, I believe they're good enough for anybody else out there. And that the flags that we fight under when we carry the flag of the United States of America and the flag of the State of Hawaii, that this encompasses everything that we do fight for, everything we do believe in and everything that we represent.

"And actually my concern is, is that we've actually reached the point in our community and in society where it's almost a common place thing to see the stars and stripes burn, to be desecrated. So it no longer carries for the average person the meaning that it does for so many who serve in uniform and those who have laid the ultimate sacrifice on the altar of liberty. And I would prefer to see our stars and stripes re-elevated to that status where it would, no question, honor and remember those who have given so much service to our great country including the ultimate sacrifice.

"And so for those reasons, for those who have gone before me, Mr. Speaker, if that was good enough for them, that will be good enough for me, and I believe it will be good enough for everybody else in the future, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 524, entitled: "A BILL FOR AN ACT RELATING TO THE HONOR AND REMEMBER FLAG," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Fale voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### **H.B. No. 489, HD 1:**

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 489, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDING PERMITS," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

#### **H.B. No. 763, HD 1:**

On motion by Representative Saiki, seconded by Representative Awana and carried, H.B. No. 763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

At 2:00 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 353, HD 1  
 H.B. No. 430, HD 1  
 H.B. No. 504, HD 1  
 H.B. No. 506, HD 1  
 H.B. No. 293, HD 1  
 H.B. No. 1282, HD 1  
 H.B. No. 1203, HD 1  
 H.B. No. 524  
 H.B. No. 489, HD 1  
 H.B. No. 763, HD 1

#### **REPORTS OF STANDING COMMITTEES**

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. 745) recommending that

H.B. No. 1327, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 1327, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AGENCIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 746) recommending that H.B. No. 694, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 694, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. Please note my reservations and my grave concerns with the loss of revenues possible in 2016 of about \$48 million. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 747) recommending that H.B. No. 1257, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1257, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

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

"Mr. Speaker, a no vote and a brief comment. Mr. Speaker, this bill has appeared over numerous sessions. It's basically a huge tax increase by having a nexus with just about anybody, from selling flowers on the side of the road to a multinational corporation, because of the nexus factor.

"It has two big problems. One is, I think it's in the Constitutional context, the Interstate Commerce Clause may not allow this, as it has for the streamlined tax in the past not allowed it. And secondly, and surprisingly, DOTAX, in the Finance Committee hearing yesterday, said this is with the language that it uses worse than what it was the way it is using the GE Tax license as a privilege of doing business rather than this nexus of doing business.

"So not even the tax department that would have a boon, said that this would not be in their best interest. In fact, they might even lose money. Counterintuitive, but for those reasons, Mr. Speaker, this is not a good bill. It's a huge tax increase potentially. Thank you."

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

"Mr. Speaker, in opposition. As Hawaii is trying to get into the information age, Mr. Speaker, this bill has a huge potential to significantly push some of the best and brightest further away from the State of Hawaii. It is my objective to help try and create an environment that would foster the inclusion of our youngest and best and brightest within the State of Hawaii. And I would like to see that environment grow and I believe, Mr. Speaker, that this measure does not support keeping our best and brightest here. For those reasons, I oppose it, Mr. Speaker."

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

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

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

"Thank you, in support with reservations and brief comments. While I do have concerns about the measure, I think it is worth exploring as we try to create equity for small businesses who may not necessarily have an Internet presence, but also have to face the taxation levels for the privilege of doing business here. I think the intent of this measure is just to explore that concept of equitability for those who may only have an Internet presence. So, because I think there is merit in the purpose, I will be supporting this with reservations. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Fale, Fukumoto, McDermott, Thielen and Ward voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 748) recommending that H.B. No. 418, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 418, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 749) recommending that H.B. No. 1287, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1287, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Thank you. Mr. Speaker, I would like to ask the clerk to cast a no vote for me and explain why. Thank you. This bill means, when you go into a corner liquor store to buy a six-pack or a bottle of wine, regardless of your age, the clerk is going to be able to scan your driver's license. The bill was opposed by the Office of Consumer Protection for very good privacy reasons.

"Before this, the businesses were not allowed to scan driver's licenses unless the person appeared to be below the legal age to buy the product."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, focus your comments to the Chair."

Representative Thielen continued, stating:

"Okay, I'm sort of focusing on the bill too, sorry about that. I think it's a dangerous situation. I think there's just been another incidence of identity theft going on in this State. This means that every corner liquor store, every convenience store, 7-11's across the State and others will be able to take your driver's license and scan that very personal information. Information that is far in excess of what they need to see as to whether or not you're old enough to purchase a bottle of alcohol.

"The other thing is that this will apply to all ages, every age. So, as the scammers become faster and more technically adept at stealing personal information, this system probably will feed right into that.

"I'm going to have more information on Third Reading to be able to argue against it if the bill comes out of caucus and does reach the Floor for Third Reading, which I hope it will not. But in talking to some of the people in the high-tech field, they think it's a really bad idea. Thank you."

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

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

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

"In strong opposition, Mr. Speaker. This bill offers very small benefit in comparison to the possible harm it will create. Driver's licenses carry a lot of important information that can be used in frauds. And I'm not talking about my birth date, Mr. Speaker. But if you match a name and a birthday, chances are, those high-tech frauds can make something out of it.

"But furthermore, my address is there, Mr. Speaker. And like I've said in the past, my house is my castle and I would only want that address to be given to the people that want to visit me, that I want them to come visit me.

"But when they scan that driver's license, you don't know who's going to get a hold of it or what they're going to do with it. I am for showing my driver's license, Mr. Speaker, but scanning it and not knowing where it will end up, I think is a matter of concern and should be a matter of concern to all of us.

"Again, it's a very small benefit in comparison to the possible harm this measure will hold. For those reasons, I'm in strong opposition."

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

"Mr. Speaker, I rise in opposition. Mr. Speaker, it's getting increasingly difficult to protect one's identity and this simply makes it easier. Case in point, I was sitting in Finance a couple of days ago and somebody sent out under my name, under my Gmail, a pro-marijuana paragraph. And my colleagues wondered, 'hey Ward, what are you doing, you switching over or what?' And I had to go back and apologize that that wasn't really me but somebody had taken my identity.

"Now we just had, I think last week, those who were scamming fuel pumps with the credit card, that when you swipe it they have this little thing that transmits the information. And now I understand you can even walk by a person with software and get the information out of their purse or out of their wallet.

"The point is, it's already out there and it's scary. Why make it easier by doing this or having people get temporary jobs who get in there just to collect identification, work for a couple bucks an hour to do that. I think we're just tempting those that are already out there prowling in cyberspace, and I would think we would do better without this bill. Thank you."

Representative Evans 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. 1287, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla, Evans, Fale, McDermott, Thielen and Ward voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 750) recommending that H.B. No. 1443, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1443, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, it is with a degree of reluctance that I rise in opposition to this because the author of the bill is a good friend of mine. But this is consistent with my stand against increasing fees and taxes and so on. I would note that when we use the Hurricane Fund money, we never said we would come back with a reinstated tax. We said we would repay it.

"And that's the tough job that the Finance Chair has, to balance all these competing demands with the limited amount of resources we have. Thank you."

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

"Mr. Speaker, I rise in strong support of this measure. But first let me thank the Chair of the Finance Committee and the Members for passing it out even though there are a lot of no votes. I guess they might have misunderstood what we're trying to do. Let me tell you a brief history of this bill.

"When Hurricane Iniki struck, all the insurance companies insuring property owners ran away. So we set up a policy which requires up to \$1.6 billion to insure all the homes here in the State of Hawaii. Based on that, we were able to insure two-thirds of the homes here in the State of Hawaii. That \$1.6 billion will not be enough to cover and insure not even 2,000 homes because the average price of homes now is about \$700,000 for residential and condos is over \$500,000.

"What this bill does is just to update the numbers. \$1.6 billion is not enough, we should raise it. And when it comes to setting up that amount, at that time we had four ways to do it. One is the deductible. Second are the contributions made by the insurance company. The third is \$500 million of insurance. And the rest of the \$1.6 billion was put up by the State of Hawaii and that includes recording fees at that time.

"The intent of this bill is to make sure that if there's another hurricane, and we don't know when because in our research at that time for the past 100 years most of the hurricanes are from 20 to 25 years apart. Hurricane Iwa in 1982 and Hurricane Iniki in 1992 were freak hurricanes because they were only 10 years apart. If something happens and we are not ready, we might end up calling you back here and saying, let's upgrade those numbers because those numbers will not be enough to cover for our insurance needs and to cover for the protection of our homes.

"The negative impact if we don't do that and if the insurance companies run away again, is one, the lenders will not be able to loan out money because they need to have catastrophic insurance to be able to sell their loans in the secondary market to be able to get more capital to loan out. If there is no mortgage to loan out, the real estate market will come to a screeching halt, because unless it's a cash sale, you might need to borrow money, and the lender will not be able to loan out because they cannot sell their loans in the secondary market, you impact everyone."

"So, we were able to come up with the mechanism which I proposed to save a lot of money and be able to cover a lot of this loan transaction. I guess some of the provisions the bill states might have scared some of the Members that we are competing with the private sector. We are not going to compete with the private sector. If that's what it takes, is for us to put in the bill that we can only activate this policy if, one, the insurance companies will again run away, and two, there's a need for us to do it.

"In our research we also found out, in the hundred years that we did, most, if not all, of the hurricanes occur mostly in Kauai and the North Shore. So, we have to help at one point in time, we have to help out our brothers in Kauai and come up with ways to help them out way back. Not just this bill but other monetary, economic incentives.

"So, I will let you know that this is a bill in progress. As we move along we will make sure that this policy will only be activated if, one, they run away again, meaning the insurance company."

Representative Awana rose to yield her time, and the Chair "so ordered."

Representative Cachola continued, stating:

"And most likely, two, that to preserve and protect the economic condition of Hawaii and most of the households in the State of Hawaii, that we should upgrade it now rather than coming back and doing it when the hurricane occurs. Since we are in session, let's do it. So I urge all the Members to please vote aye on this measure. Thank you."

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

"Mr. Speaker, please note my no vote, and a comment please. Coming from the Waianae and Makaha community and living through hurricane Iwa and Iniki, I understand how important this particular measure was, developed after that incident. But going forward we also must be cognizant of our bond rating, and this is a key component to one of our bond ratings going forward.

"So, for that aspect, I think we should table this measure for this point in time. Thank you."

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

"Thank you, Mr. Speaker. I'd like to ask for ruling on a potential conflict. I lived through Hurricane Iniki and I lost my house," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. In opposition. I'm not sure, because when we listened to the testimony and I read the testimony from the prior Committees, the Hurricane Relief Fund folks came, the Council came, people from the tax department came and they said that there may be issues of us losing our federal tax exemptions if we pass this bill. And as the Representative from Kalihi mentioned, another concern was, should government be competing in the private sector. So, for those reasons, Mr. Speaker, I'm standing in opposition to this bill. Thank you very much."

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

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

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

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

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

"Mr. Speaker, with a mild reservation and a short comment. Until the Representative from Kalihi delivers what he said will be changes, I will be with skepticism and reservations. I've also been reminded and I should remind the Members, we had promised to repay what we otherwise had raided, \$76 million that was supposed to go in last year, back into the Hurricane Relief Fund. And in 2013 we were supposed to put back in another \$68 million. So, I would say if we could 'show me the money,' I think that there would be some momentum of this without having to charge the mortgage fee that is attached *vis a vis* this particular bill. Thank you, Mr. Speaker."

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

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

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

Representative Fale 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 Fale's written remarks are as follows:

"Mr. Speaker, I rise with reservations on House Bill 1443, HD 1. According to the bill description, this bill 'Authorizes the Hawaii Hurricane Relief Fund to conduct itself as a private entity to participate in the insurance market. Reactivates the special mortgage recording fee. Replenishes the Hawaii Hurricane Relief Fund.'

"Lloyd Lim, the acting Director of the Hawaii Hurricane Relief Fund (HHRF) submitted the following testimony regarding problems with the language of the bill:

'In Section 2 of the bill at page 4, lines 13-15, there is discussion of HHRF acting as private entity. This language could jeopardize the tax exempt status of HHRF which is based on HHRF being seen by the IRS as an integral part of the State of Hawaii. In addition, we do not think this language is necessary to achieve HHRF's goals.

'Section 5 of the bill at page 7 reactivates the special mortgage recording fee. We note that HHRF has no staff and cannot process the fee. Also, please note that this reactivation imposes administrative burdens on the bureau of conveyances.'

"Mr. Speaker, in addition, Alison Powers of the Hawaii Insurers Council submitted testimony in opposition to the HB 1443. Powers commented that, the 'Hawaii Insurers Council opposes this bill. This bill authorizes the Hawaii Hurricane Relief Fund (HHRF) to compete with the personal lines hurricane insurance market. This bill also provides HHRF with certain advantages not available to the private market including, funding from state appropriations, funding from the special mortgage recording fee, and politically controlled rates either through a rate reduction or maintaining them at their existing level when the HHRF has secured from the federal government, financial institutions and/or the issuance of revenue bonds in an amount to be determined by the legislators.'

"For these reasons, Mr. Speaker, I rise with reservations regarding House Bill 1443, HD 1."

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

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

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

"Mr. Speaker, in support. It is a novel idea and one that probably does have some questions about it, but it does seem like it's worth at least exploring further and moving along farther in the legislative process to flush out what the proposal is and what the benefits might be. Thank you."

Representative Cachola rose to respond, stating:

"Mr. Speaker, if I did not do this proposal way back, we should not be saving a lot of money. This is the bill that I had stated before, when I introduced the health unfunded liability.

"I stated that our colleague from Kailua was very skeptical of that bill at the time."

The Chair addressed Representative Cachola, stating:

"Representative, keep the other Representative out. Focus your thoughts on this bill."

Representative Cachola continued, stating:

"So, the way I look at it is, we save a lot of money. I should be given a lot of credit for saving that. Now, it was raided to balance the budget. We will need whatever they took as seed money in case a hurricane occurs. And to my mind, the second part of this bill is to recover those monies and be placed in the Hawaii Hurricane Relief Fund, that will be needed in case an emergency occurs.

"So, those are the things that I think Members will at least take into consideration. I will again promise that this bill is a bill in progress, that we will be able to come up with more or less making changes to tighten this bill so that we will not be competing with the private sector, as well as to assure the Members that we can only use it when the insurance companies will run away again. Thank you."

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

"Mr. Speaker and Members, I wish to speak in favor and have the comments made by the Representative of Hawaii Kai as my own and the comments of the Representative from Kalihi, in his first comments to this measure here, as my own. And just a short note. However you may look at this measure, I think it's a measure that deserves further consideration and I ask this Body to allow it to move up and move on so we can have further discussion on this measure.

"It is a step forward. Certainly it needs a little work, but it's a step forward. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1443, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cheape, Cullen, Fukumoto, Ichiyama, Jordan, Kawakami, McDermott, Takayama and Tokioka voting no, and with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 751) recommending that H.B. No. 92 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. 92, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Third Reading by a vote of 46 ayes, with Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi being excused.

At 2:25 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 92

**ANNOUNCEMENTS**

Representative Nishimoto: "I would like to announce to the Members that this coming weekend we are having a birthday for one of our Members, none other than the Chair of the Tourism Committee. We'll be celebrating his birthday on Sunday, the same day as Girls' Day. I'll let you draw your own conclusions with that. But, please help me wish him a happy birthday."

Representative Brower: "I believe there's actually one more birthday, if I'm correct. The Representative from Kahala and I share the same birthday. We are two of nine Pisces in the House of Representatives. Thank you."

**COMMITTEE REASSIGNMENTS**

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

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
190, HD1	Committee on Education
989	Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs
1137, HD1	Committee on Human Services
1187	Committee on Human Services
<u>S.B. No.</u>	<u>Re-referred to:</u>
1000, SD1	Committee on Economic Development & Business, then to the Committee on Finance

**OPEN JOURNAL**

At this time, Representative Awana moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Standing Committee Reports and House Bills transmitted thereby, seconded by Representative Fukumoto and carried. (Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi were excused.)

**RECESS**

At 2:27 o'clock p.m., on motion by Representative Awana, seconded by Representative Fukumoto and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, March 5, 2013. (Representatives Coffman, Hanohano, Morikawa, Nakashima and Takumi were excused.)

**SUPPLEMENTAL CALENDAR #1**

**STANDING COMMITTEE REPORTS**

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 752 through 924), were received by the Clerk prior to 12:00 o'clock midnight this legislative day, in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies were made available to the Members of the House, and the following action was taken:

Stand. Com. Rep. No. 752 (OMH) and H.B. No. 866, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEWER

SYSTEMS SERVICING ON HAWAIIAN HOME LANDS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 753 (CPC/JUD) and H.B. No. 977, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 754 (CPC/JUD) and H.B. No. 1101, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 755 (CPC/JUD) and H.B. No. 690, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 756 (JUD) and H.B. No. 754, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 757 (JUD) and H.B. No. 791, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 758 (JUD) and H.B. No. 17, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 759 (JUD) and H.B. No. 90, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY RESPONSE VEHICLES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 760 (JUD) and H.B. No. 1132, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC DISCLOSURE OF FINANCIAL INTERESTS STATEMENTS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 761 (EDB/CPC) and H.B. No. 811, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INFORMATION REPORTING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 762 (FIN) and H.B. No. 343, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING OFFENSES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 763 (FIN) and H.B. No. 1481, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 764 (FIN) and H.B. No. 332, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 765 (FIN) and H.B. No. 7, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 766 (FIN) and H.B. No. 407, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 767 (FIN) and H.B. No. 417, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE

HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 768 (FIN) and H.B. No. 658, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 769 (FIN) and H.B. No. 908, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOME VISITING PROGRAM," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 770 (FIN) and H.B. No. 115, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 771 (FIN) and H.B. No. 191, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 772 (FIN) and H.B. No. 193, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 773 (FIN) and H.B. No. 194, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 774 (FIN) and H.B. No. 988, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE WILDLIFE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 775 (FIN) and H.B. No. 1074, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 776 (FIN) and H.B. No. 1292, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 777 (FIN) and H.B. No. 1330, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 778 (FIN) and H.B. No. 70, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 779 (FIN) and H.B. No. 471, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STARLIGHT RESERVE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 780 (FIN) and H.B. No. 473, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 781 (FIN) and H.B. No. 395, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 782 (FIN) and H.B. No. 1188, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK

FORCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 783 (FIN) and H.B. No. 1298, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 784 (FIN) and H.B. No. 1402, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL IMPACT BONDS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 785 (FIN) and H.B. No. 1430, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 786 (FIN) and H.B. No. 858, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HI GROWTH INITIATIVE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 787 (FIN) and H.B. No. 158, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 788 (FIN) and H.B. No. 196, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS TREATMENT COURT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 789 (FIN) and H.B. No. 742, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 790 (FIN) and H.B. No. 276, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SENIOR RESIDENCE AT PIIKOI, OAHU," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 791 (FIN) and H.B. No. 532, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 792 (FIN) and H.B. No. 536, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 793 (FIN) and H.B. No. 1119, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC HOUSING AUTHORITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 794 (FIN) and H.B. No. 486, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 795 (FIN) and H.B. No. 508, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 796 (FIN) and H.B. No. 1388, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 797 (FIN) and H.B. No. 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 798 (FIN) and H.B. No. 24, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 799 (FIN) and H.B. No. 680, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 800 (FIN) and H.B. No. 1342, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEBT COLLECTION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 801 (FIN) and H.B. No. 338, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A SEAWATER AIR CONDITIONING PROJECT IN WAIKIKI," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 802 (FIN) and H.B. No. 505, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENWAYS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 803 (FIN) and H.B. No. 899, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 804 (FIN) and H.B. No. 1149, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 805 (JUD) and H.B. No. 252, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 806 (JUD) and H.B. No. 25, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSPENSION OF FORECLOSURE ACTIONS BY JUNIOR LIENHOLDERS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 807 (JUD) and H.B. No. 651, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 808 (HLT) and H.B. No. 1440, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 809 (HLT) and H.B. No. 1131, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ENTRANCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 810 (FIN) and H.B. No. 808, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 811 (FIN) and H.B. No. 1374, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 812 (FIN) and H.B. No. 96, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FARMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 813 (FIN) and H.B. No. 857, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 814 (FIN) and H.B. No. 710, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHPONDS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 815 (FIN) and H.B. No. 334, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 816 (FIN) and H.B. No. 833, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 817 (FIN) and H.B. No. 1177, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 818 (FIN) and H.B. No. 1419, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 819 (FIN) and H.B. No. 799, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA DEVELOPMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 820 (FIN) and H.B. No. 1093, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 821 (FIN) and H.B. No. 484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF TARO," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 822 (FIN) and H.B. No. 106, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 823 (FIN) and H.B. No. 144, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 824 (FIN) and H.B. No. 1227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 825 (FIN) and H.B. No. 1441, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MUSIC AND DANCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 826 (FIN) and H.B. No. 838, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 827 (FIN) and H.B. No. 839, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 828 (JUD) and H.B. No. 713, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL MEDIA," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 829 (JUD) and H.B. No. 944, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 830 (JUD) and H.B. No. 907, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATION GUIDELINES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 831 (CPC) and H.B. No. 842, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICE CORPORATIONS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 832 (CPC) and H.B. No. 602, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 833 (CPC) and H.B. No. 396, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TOXIC PRODUCTS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 834 (CPC) and H.B. No. 848, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 835 (CPC) and H.B. No. 79, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 836 (CPC) and H.B. No. 398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 837 (CPC) and H.B. No. 810, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC SYSTEMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 838 (CPC) and H.B. No. 1103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 839 (CPC) and H.B. No. 370, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 840 (CPC) and H.B. No. 529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CARE HOMES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 841 (CPC) and H.B. No. 65, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 842 (CPC) and H.B. No. 877, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNEES FOR THE DIRECTORS OF THE DEPARTMENTS OF COMMERCE AND CONSUMER AFFAIRS, OF HEALTH, OF HUMAN SERVICES, AND OF LABOR AND INDUSTRIAL RELATIONS FOR THE BOARD OF DIRECTORS OF THE HAWAII HEALTH



INSURANCE EXCHANGE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 843 (CPC) and H.B. No. 656, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE ADMINISTRATIVE UNIFORMITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 844 (CPC) and H.B. No. 62, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY BENEFITS MANAGERS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 845 (CPC) and H.B. No. 1098, entitled: "A BILL FOR AN ACT RELATING TO HEALTH EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 846 (CPC) and H.B. No. 654, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 847 (CPC) and H.B. No. 1405, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 848 (CPC) and H.B. No. 1189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 849 (CPC) and H.B. No. 846, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OWNER-BUILDER EXEMPTION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 850 (CPC) and H.B. No. 815, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC COOPERATIVES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 851 (CPC) and H.B. No. 635, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 852 (CPC) and H.B. No. 1314, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 853 (CPC) and H.B. No. 672, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 854 (CPC) and H.B. No. 1381, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 855 (CPC) and H.B. No. 847, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT TOOLS TO IMPROVE PATIENT SAFETY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 856 (FIN) and H.B. No. 1028, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 857 (FIN) and H.B. No. 743, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 858 (FIN) and H.B. No. 634, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 859 (FIN) and H.B. No. 546, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 860 (FIN) and H.B. No. 151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 861 (FIN) and H.B. No. 692, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 862 (FIN) and H.B. No. 687, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 863 (FIN) and H.B. No. 1483, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 864 (FIN) and H.B. No. 111, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE ALTERNATIVE BUILDING CODE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 865 (FIN) and H.B. No. 20, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE LIFEGUARDS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 866 (FIN) and H.B. No. 224, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 867 (FIN) and H.B. No. 674, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 868 (FIN) and H.B. No. 725, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 869 (FIN) and H.B. No. 1380, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 870 (FIN) and H.B. No. 1263, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 871 (FIN) and H.B. No. 1264, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 872 (FIN) and H.B. No. 1172, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 873 (FIN) and H.B. No. 1328, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHŌ'OLAWĒ ISLAND RESERVE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 874 (FIN) and H.B. No. 888, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PERSONAL PROPERTY ON PUBLIC HOUSING PROPERTIES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 875 (FIN) and H.B. No. 509, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MAKUA VALLEY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 876 (FIN) and H.B. No. 131, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOBILITY MANAGEMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 877 (FIN) and H.B. No. 1136, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 878 (FIN) and H.B. No. 719, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 879 (FIN) and H.B. No. 109, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 880 (FIN) and H.B. No. 535, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS PROGRAMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 881 (FIN) and H.B. No. 909, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFANT MORTALITY PROGRAM," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 882 (FIN) and H.B. No. 1209, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 883 (FIN) and H.B. No. 169, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 884 (FIN) and H.B. No. 369, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO FIRE SAFETY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 885 (FIN) and H.B. No. 139, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS TRANSFERS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 886 (FIN) and H.B. No. 1027, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 887 (FIN) and H.B. No. 198, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE

VOTING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 888 (FIN) and H.B. No. 793, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 889 (FIN) and H.B. No. 749, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 890 (FIN) and H.B. No. 414, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WAIPIO VALLEY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 891 (FIN) and H.B. No. 429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 892 (FIN) and H.B. No. 481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LAND USE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 893 (FIN) and H.B. No. 482, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 894 (FIN) and H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX REVENUES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 895 (FIN) and H.B. No. 892, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 896 (FIN) and H.B. No. 859, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO COMPLETE STREETS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 897 (FIN) and H.B. No. 238, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 898 (FIN) and H.B. No. 805, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 899 (FIN) and H.B. No. 487, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 900 (FIN) and H.B. No. 873, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE YOUNG ADULT VOLUNTARY FOSTER CARE ACT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 901 (FIN) and H.B. No. 1208, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION AND LICENSURE FEES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 902 (FIN) and H.B. No. 114, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 903 (FIN) and H.B. No. 385, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 904 (FIN) and H.B. No. 856, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREEN INFRASTRUCTURE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 905 (FIN) and H.B. No. 668, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 906 (FIN) and H.B. No. 776, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 907 (FIN) and H.B. No. 1147, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 908 (HLT) and H.B. No. 903, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 909 (JUD) and H.B. No. 146, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 910 (JUD) and H.B. No. 798, entitled: "A BILL FOR AN ACT RELATING TO NOTICE BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 911 (JUD) and H.B. No. 980, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 912 (JUD) and H.B. No. 1280, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 913 (JUD) and H.B. No. 1059, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COURT ADVISEMENT CONCERNING ALIEN STATUS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 914 (JUD) and H.B. No. 21, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 915 (JUD) and H.B. No. 910, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 916 (JUD) and H.B. No. 667, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 917 (JUD) and H.B. No. 411, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL EMERGENCY COMPASSIONATE CARE FOR SEXUAL ASSAULT VICTIMS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 918 (JUD) and H.B. No. 1268, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 919 (JUD) and H.B. No. 1324, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 920 (FIN) and H.B. No. 775, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 921 (FIN) and H.B. No. 497, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 922 (FIN) and H.B. No. 1459, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 923 (FIN) and H.B. No. 357, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," were placed on the calendar for Third Reading on March 5, 2013.

Stand. Com. Rep. No. 924 (FIN) and H.B. No. 174, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD LABELING," were placed on the calendar for Third Reading on March 5, 2013.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, March 5, 2013.