

FORTY-SECOND DAY

Monday, April 4, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:06 o'clock p.m., with the Speaker presiding, after which the Roll was called showing all Members present with the exception of Representatives Carroll, M. Oshiro and Takai, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 383 and 384) were received and announced by the Clerk:

Sen. Com. No. 383, transmitting S.C.R. No. 68, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INSTALL RENEWABLE ENERGY FACILITIES ON THE PREMISES OF AS MANY PUBLIC SCHOOLS AS IS FEASIBLE AND CONSIDER LEASING SCHOOL PREMISES TO A POWER PRODUCER AND ENTER INTO POWER PURCHASE AGREEMENTS TO PURCHASE ELECTRICITY FROM THE PRODUCER," which was adopted by the Senate on April 1, 2011.

Sen. Com. No. 384, transmitting S.C.R. No. 79, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REVIEW ITS BY-LAWS AND POLICIES AND APPLICABLE ADMINISTRATIVE RULES AND STATUTES TO IMPROVE THE EFFECTIVENESS OF THE EDUCATIONAL DELIVERY SYSTEM," which was adopted by the Senate on April 1, 2011.

INTRODUCTIONS

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

Representative Johanson introduced his friend, Ms. Jane Hong, PhD, a student at Harvard University who is here for the Association for Asian Studies and International Convention of Asia Scholars.

Representative Ward introduced his intern, Mr. Masanori Yuasa and his mother, Mrs. Tomiko Yuasa of Tokyo, Japan.

Representative Awana introduced Mr. Robert Howe, Akamai Initiative Board Member from Hong Kong, and Akamai Initiative Board Member, Mr. Louis Perez. They were accompanied by Representative's office manager, Mr. Enoka Lucas.

Representative Ching introduced Chinese Chamber of Commerce President Mr. Jeffrey Lau; and Past President, Mr. Ted Li.

ORDER OF THE DAY

**INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)**

The following resolution (H.R. No. 299) was announced by the Clerk and the following action taken:

H.R. No. 299, entitled: "HOUSE RESOLUTION COMMENDING, RECOGNIZING, AND CONGRATULATING BENEDICTO R. GALINDO, M.D., ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII, UNITED GROUP OF HOME OPERATORS, ALLIANCE OF RESIDENTIAL CARE ADMINISTRATORS, THE PRIMARY CARE PROVIDERS OF HAWAII, ADULT FOSTER HOMES OF THE PACIFIC, AND CASE MANAGEMENT COUNCIL FOR THEIR

EXEMPLARY SERVICE TO THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Cabanilla and Manahan.

Representative Mizuno moved that H.R. No. 299 be adopted, seconded by Representative Cabanilla.

Representative Mizuno introduced Mr. Ben Galindo, MD who was seated on the Floor of the House, and thanked him for his many years of attending to the healthcare needs of the local community, and humanitarian service internationally.

Representative Mizuno also introduced Dr. Galindo's wife, Mrs. Adele Galindo who was seated in the gallery.

Representative Mizuno then recognized the essential work that the community-based caregivers provide for our seniors and disabled, and introduced the honorees seated on the Floor of the House:

Ms. Acela Garcia representing the United Group of Home Operators; and

Ms. Mila Castro representing the Adult Foster Home Association.

Representative Cabanilla then recognized the adult residential care home operators, and the adult foster home operators for providing the essential acute and long-term care services in our community:

Ms. Medy Delara representing the Alliance of Residential Care Administrators who was seated on the Floor of the House;

Ms. Maria Etrata representing The Primary Care Providers who was seated in the gallery;

Ms. Margie Agliam representing the Adult Foster Homes of the Pacific who was seated on the Floor of the House; and

Ms. Flora Velasquez representing the Case Management Council who was seated in the gallery.

Representative Awana also congratulated Dr. Galindo and recognized the many community-based caregivers here for a conference of local officials and those of the Asia-Pacific who were seated in the gallery.

Representative Brower also thanked the care home operators for coming to Hawaii and providing a valuable service in our community.

The motion was put to vote by the Chair and carried, and H.R. No. 299 was adopted, with Representatives Carroll, M. Oshiro and Takai being excused.

The following resolution (H.R. No. 300) was announced by the Clerk and the following action taken:

H.R. No. 300, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING GLADYS "GLADY" BURRILL FOR BEING THE OLDEST WOMAN IN THE WORLD TO COMPLETE A MARATHON," was jointly offered by Representatives Ward and Herkes.

Representative Ward moved that H.R. No. 300 be adopted, seconded by Representative Herkes.

Representative Ward introduced and recognized Mrs. Gladys Burrill, who was seated on the Floor of the House, for recently being confirmed as the oldest woman to finish a marathon by the Guinness World Records.

Accompanying Mrs. Burrill was her son, Mr. Mike Burrill, Sr. of Medford, Oregon.

Representative Ward also introduced Honolulu Marathon officials seated in the gallery: Mr. Pat Bigold, Director of Media Relations; and Mrs. Jeanette Chun, Treasurer.

Representative Herkes, as the elder statesman of the House, congratulated Mrs. Burrill on her outstanding achievement.

Representative Marumoto also congratulated Mrs. Burrill and thanked her for being an inspiration to us all.

The motion was put to vote by the Chair and carried, and H.R. No. 300 was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

The following resolution (H.R. No. 301) was announced by the Clerk and the following action taken:

H.R. No. 301, entitled: "HOUSE RESOLUTION HONORING AND CONGRATULATING MUN LUN SCHOOL ON THEIR CENTENNIAL ANNIVERSARY," was jointly offered by Representatives Ching and Rhoads.

Representative Ching moved that H.R. No. 301 be adopted, seconded by Representative Rhoads.

Representative Ching congratulated the Mun Lun School on their 100th anniversary and thanked them for preserving the language, culture and values of the Chinese community in Hawaii.

Representative Ching then introduced the honorees representing the School who were seated on the Floor of the House:

Mr. Wesley F. Fong, President;
Dr. Chock Wong, Principal;
Mr. Stanford Yuen, Vice-President;
Dr. King Ming Ching, Secretary; and
Mr. Cy S.Y. Feng, Treasurer.

Representative Ching also acknowledged and introduced other honorees and guests seated in the gallery:

Mr. Jeff Lau, President of the Chinese Chamber of Commerce; and
Mr. Ted Li, Past President of the Chinese Chamber of Commerce.

The faculty and staff of Mun Lun School:
Roland Louie, Director of Mun Lun School;
Mui Fong Wong, Vice Principal of Mun Lun School;
LuNing Liu Lee, teacher for Mun Lun School;
Xiaoping Fu, teacher for Mun Lun School;
Wenyi Guan, Teacher for Mun Lun School; and
Yan Long, Teacher for Mun Lun School.

Many guests and supporters of Mun Lun School:
Kenneth Siu;
Dr. Joseph Young;
Qikeng Li, Confucius Institute;
Jeff Lau, President of Chinese Chamber of Commerce;
William Hee, Hee Gow Yong Tong;
David Ma, Chinese Community Broadcasting Inc.;
Ted Li, President of United Chinese Society of Hawaii;
Christopher Loo, President of Ket On Society;
Derek Tamura, Friends of Dr. Sun Yat Sen;
Marsha Joyner, Friends of Dr. Sun Yat Sen;
Ernie Loo, Friends of Dr. Sun Yat Sen;
Karl Kao, Friends of Dr. Sun Yat Sen;
Dr. Lily Siu-Fong Sun, Dr. Sun Yat Sen's granddaughter;
Rose Chang, Kau Tom Post 11 American Legion;
Thelma Akinaka, Alum from Mun Lun School Class of 1961; and
Maylani Chang, Alum from Mun Lun School Class of 1960.

Representative Rhoads also congratulated Mun Lun School and recognized their contributions and their long history with Chinatown and the Chinese in Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 301 was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

At 12:55 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:06 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, M. Oshiro, Takai and Tokioka were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1302) recommending that S.B. No. 1067, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1067, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Third Reading by a vote of 46 ayes, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

At 1:07 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 1067, SD 1, HD 2

REPORTS OF STANDING COMMITTEES

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1303), recommending that H.C.R. No. 69, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF PHARMACY BENEFIT MANAGEMENT COMPANIES," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1304), recommending that H.C.R. No. 196, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DEVELOP A QUALITY IMPROVEMENT INITIATIVE TO REDUCE ELECTIVE CESAREAN SECTIONS AND INDUCTION OF LABOR," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1305), recommending that H.C.R. No. 7, be referred to the Committee on Higher Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 7, be referred to the Committee on Higher Education, seconded by Representative Evans.

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

"Mr. Speaker, I rise in support. I actually have a two page speech, but I would like permission to insert it in the Journal. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. It is important to educate expectant mothers about physiologic components of breast milk, benefits to the maternal-infant pair, decision-making for breast feeding, and strategies to assist new mothers to be successful.

"Breastfeeding helps to protect infants against a variety of conditions and diseases including:

- Ear infections;
- Respiratory problems;
- Bacterial meningitis;
- Diabetes (Type I & II);
- Certain cancers: lymphoma, Leukemia, Hodgkin's disease;
- Bowel problems: diarrhea, ulcerative colitis, Crohn's disease; and
- Childhood overweight & obesity.

"Breastfeeding has maternal benefits as well:

- Decreases the incidence of ovarian cancer;
- Decreases the incidence of premenopausal breast cancer;
- Decreases postpartum bleeding;
- Assists with rapid uterine involution; and
- Assists with earlier return to pre-pregnancy weight.

"Breastfeeding is good for the mother's health by preventing type 2 diabetes, breast and ovarian cancer, osteoporosis, and postpartum depression. Lastly breastfeeding benefits society and deaths among infants could be prevented."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE JOHN A. BURNS SCHOOL OF MEDICINE AND THE SCHOOL OF NURSING AND DENTAL HYGIENE OF THE UNIVERSITY OF HAWAII TO INCLUDE BREASTFEEDING IN EDUCATIONAL CURRICULUM TO EDUCATE MEDICAL PROFESSIONALS TO ADVOCATE AND PROMOTE BREASTFEEDING AMONG EXPECTANT MOTHERS," was referred to the Committee on Higher Education, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1306), recommending that H.R. No. 186, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 186, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A HAWAII MENTAL HEALTH COMMISSION TO DEVELOP A UNIFIED STATE MENTAL HEALTH DELIVERY SERVICE," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1307), recommending that H.C.R. No. 215, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 215, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A HAWAII MENTAL HEALTH COMMISSION TO DEVELOP A UNIFIED STATE MENTAL HEALTH

DELIVERY SERVICE," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representatives Hanohano and Chang, for the Committee on Hawaiian Affairs and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1308), recommending that H.C.R. No. 114, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 114, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE REPAIR OF CULTURALLY SIGNIFICANT PLACES ON THE GROUNDS OF 'IOLANI PALACE," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representatives Hanohano and Tsuji, for the Committee on Hawaiian Affairs and the Committee on Agriculture presented two reports:

(Stand. Com. Rep. No. 1309), recommending that H.R. No. 153, as amended in HD 1, be referred to the Committee on Education; and

(Stand. Com. Rep. No. 1310), recommending that H.C.R. No. 177, as amended in HD 1, be referred to the Committee on Education.

Representative B. Oshiro moved that the reports of the Committees be adopted, and that H.R. No. 153, HD 1; and H.C.R. No. 177, HD 1, be referred to the Committee on Education, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of HR153, HCR177. *Poi*, the fermented paste of the taro corm (from the taro plant) is an ancient and sacred life-giving food. *Poi* is hypoallergenic, naturally gluten free and contains plant-based microorganisms that have been validated by research to be safe and highly beneficial. *Poi* is also considered to be one of the most digestible foods on earth and has been recently shown in research to kill cancer cells in the colon, as well as prevent diabetes.

"Given the high rates of obesity among our island children, school lunch programs and other related food programs need to incorporate our own local foods. There is no reason why *poi*, *kalo*, and *kalo* derived products should not be a substitute for French fries and other unhealthy starch items. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 153, HD 1, entitled: "HOUSE RESOLUTION REQUESTING EACH SCHOOL WITHIN A REGIONAL ADMINISTRATIVE DISTRICT WHERE TARO FARMS ARE LOCATED TO SERVE POI OR OTHER TARO PRODUCTS, AND REQUESTING THE DIRECTOR OF THE AGRICULTURE EDUCATION PROGRAM TO ARRANGE FOR WORK, VOLUNTEER, OR STUDY OPPORTUNITIES ON TARO FARMS," was referred to the Committee on Education, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused; and

H.C.R. No. 177, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH SCHOOL WITHIN A REGIONAL ADMINISTRATIVE DISTRICT WHERE TARO FARMS ARE LOCATED TO SERVE POI OR OTHER TARO PRODUCTS, AND REQUESTING THE DIRECTOR OF THE AGRICULTURE EDUCATION PROGRAM TO ARRANGE FOR WORK, VOLUNTEER, OR STUDY OPPORTUNITIES ON TARO FARMS," was referred to the Committee on Education, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1311), recommending that H.R. No. 258, be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 258, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR AND REQUESTING THE REMOVAL OF THE TERM "TREATY OF ANNEXATION" CAST IN BRONZE ON THE STATUE OF PRESIDENT MCKINLEY ON THE GROUNDS OF MCKINLEY HIGH SCHOOL," was referred to the Committee on Education, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1312), recommending that H.C.R. No. 293, be referred to the Committee on Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 293, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR AND REQUESTING THE REMOVAL OF THE TERM "TREATY OF ANNEXATION" CAST IN BRONZE ON THE STATUE OF PRESIDENT MCKINLEY ON THE GROUNDS OF MCKINLEY HIGH SCHOOL," was referred to the Committee on Education, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented two reports:

(Stand. Com. Rep. No. 1313), recommending that H.R. No. 116, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1314), recommending that H.C.R. No. 136, be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 116; and H.C.R. No. 136, be referred to the Committee on Legislative Management, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE DIFFERENT TYPES OF CLOSED PRIMARIES CONDUCTED BY OTHER STATES AND THE CORRESPONDING EFFECT ON VOTER TURNOUT," was referred to the Committee on Legislative Management, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused; and

H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE DIFFERENT TYPES OF CLOSED PRIMARIES CONDUCTED BY OTHER STATES AND THE CORRESPONDING EFFECT ON VOTER TURNOUT," was referred to the Committee on Legislative Management, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1315), recommending that H.R. No. 117, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 117, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ASSESS THE IMPACT OF DIVERTING DRUG POSSESSION OFFENDERS FROM THE CRIMINAL JUSTICE SYSTEM TO DRUG TREATMENT PROGRAMS," was referred to the

Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1316), recommending that H.C.R. No. 137, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ASSESS THE IMPACT OF DIVERTING DRUG POSSESSION OFFENDERS FROM THE CRIMINAL JUSTICE SYSTEM TO DRUG TREATMENT PROGRAMS," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representatives Tsuji and Nishimoto, for the Committee on Agriculture and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1317), recommending that H.R. No. 77, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 77, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, IN COOPERATION WITH THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, TO CONVENE A WORKING GROUP TO EVALUATE THE CURRENT LAWS, RULES, AND STANDARDS OF PRACTICE REGARDING HIGH RISK PLANTS REQUIRING INTERVENTION," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representatives Tsuji and Nishimoto, for the Committee on Agriculture and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1318), recommending that H.C.R. No. 84, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 84, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, IN COOPERATION WITH THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, TO CONVENE A WORKING GROUP TO EVALUATE THE CURRENT LAWS, RULES, AND STANDARDS OF PRACTICE REGARDING HIGH RISK PLANTS REQUIRING INTERVENTION," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representatives Nishimoto and Wooley, for the Committee on Higher Education and the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1319), recommending that H.C.R. No. 120, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS TO ESTABLISH A MASTER'S DEGREE PROGRAM IN ETHNIC STUDIES IN THE ETHNIC STUDIES DEPARTMENT AT THE UNIVERSITY OF HAWAII AT MANOA," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1320), recommending that H.C.R. No. 261, as amended in HD 1, be referred to the Committee on Culture & the Arts.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 261, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CATALOGUE

ALL TREES OF HISTORIC VALUE AND ADOPT A PROCEDURE FOR BUILDING DESIGN, CONSTRUCTION, AND EXPANSION THAT PERMITS THE PRESERVATION OF SUCH TREES," was referred to the Committee on Culture & the Arts, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1321), recommending that H.R. No. 112, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 112, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO REVIEW CONFIDENTIALITY LAWS PERTAINING TO COURT INVOLVED, MULTI-AGENCY YOUTH," was referred to the Committee on Judiciary, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1322), recommending that H.C.R. No. 132, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO REVIEW CONFIDENTIALITY LAWS PERTAINING TO COURT INVOLVED, MULTI-AGENCY YOUTH," was referred to the Committee on Judiciary, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1323), recommending that H.R. No. 136, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 136, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A SPECIALIZED DOMESTIC VIOLENCE UNIT WITHIN THE CHILD WELFARE SERVICES BRANCH OF THE DEPARTMENT OF HUMAN SERVICES," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1324), recommending that H.C.R. No. 155, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A SPECIALIZED DOMESTIC VIOLENCE UNIT WITHIN THE CHILD WELFARE SERVICES BRANCH OF THE DEPARTMENT OF HUMAN SERVICES," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1325), recommending that H.R. No. 61, be referred to the Committee on Consumer Protection & Commerce; and

(Stand. Com. Rep. No. 1326), recommending that H.C.R. No. 68, be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 61; and H.C.R. No. 68, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative M. Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of these measures. We must keep up with the changing times by updating Hawaii's health insurance policies and showing compassion. Palliative care means patient and family centered care that optimizes quality of life by anticipating, preventing and treating suffering.

"Let's not forget those with incurable or chronic diseases or worsening medical conditions that are left to fend for themselves financially. Palliative care can ease the transition for families with a plan of how to proceed with their illness addressing the physical, intellectual, emotional, social and spiritual needs.

"Standards need to be established and improvements can be made."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 61, entitled: "HOUSE RESOLUTION REQUESTING HEALTH INSURERS IN HAWAII TO PROVIDE COVERAGE OR REIMBURSEMENT FOR SERVICES RELATED TO PALLIATIVE CARE," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused; and

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HEALTH INSURERS IN HAWAII TO PROVIDE COVERAGE OR REIMBURSEMENT FOR SERVICES RELATED TO PALLIATIVE CARE," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1327), recommending that H.R. No. 48, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1328), recommending that H.C.R. No. 55, be referred to the Committee on Finance.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 48; and H.C.R. No. 55, be referred to the Committee on Finance, seconded by Representative Evans.

Representative M. Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of these measures. Standards related to the Patient's Bill of Rights apply to specific situations and need to be established. Pain is a common, subjective experience for many patients, and can worsen with chronic conditions, surgery or ongoing treatment.

"Progress has been made, although evidence continues to suggest that pain is often poorly assessed and poorly managed. Education plays an important role for patients and their families.

"Palliative care helps patients transition from curative treatment to end-of-life care. It helps patients cope with the different thoughts and emotional issues that arise, such as: worries about leaving loved ones behind, reflections about their legacy and relationships, or reaching closure with their life.

"No one should suffer from unbearable pain and suffering. Rehabilitation services are provided for infants, children, mothers and adults, let's not neglect our *kupuna*."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A PAIN AND PALLIATIVE CARE POLICY," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused; and

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A PAIN AND PALLIATIVE CARE POLICY," was referred to the Committee on Finance, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1329), recommending that H.C.R. No. 25, be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 25, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support to this measure. Mandating coverage for palliative care will facilitate further discussions in the community and further health insurance coverage. This measure will accomplish the twin goals of eliminating financial barriers to access for individuals and incentivizing the inclusion of palliative care in mainstream healthcare, therefore eliminating structural barriers to its provision.

"There is a need to examine reimbursement in this area as physician consultations often include advanced practice nurses, licensed clinical social workers, chaplains and other disciplines that are labor intensive. There is also a need for family discussions regarding treatment options, goals of care and value-based decision making.

"There is room for improvement in the delivery of palliative services in this State."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN IMPACT ASSESSMENT REPORT ON LEGISLATION. MANDATING COVERAGE OF PALLIATIVE CARE," was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 1330), recommending that H.R. No. 283, as amended in HD 1, be referred to the Committee on Agriculture; and

(Stand. Com. Rep. No. 1331), recommending that H.C.R. No. 318, as amended in HD 1, be referred to the Committee on Agriculture.

Representative B. Oshiro moved that the reports of the Committee be adopted, and that H.R. No. 283, HD 1; and H.C.R. No. 318, HD 1 be referred to the Committee on Agriculture, seconded by Representative Evans.

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

"Yes, Mr. Speaker, I stand with strong reservations on these measures. I'm concerned about the language about developing an 'arena.' While I understand there's a necessity of perhaps checking our backyard flocks for avian disease, I'm not exactly sure why the language of 'arena' was inserted in this legislation other than for cockfighting and that's why I have reservations. Thank you."

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

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

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

The Chair then stated:

"These measures will go to the Committee on Agriculture so Chair Tsuji, if you have a hearing, please understand the interpretation of 'arena.'"

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 283, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONVENE A TASK FORCE TO STUDY THE FEASIBILITY OF DEVELOPING AN ARENA AND TESTING AND INSPECTION FACILITY ON HAWAIIAN HOME LANDS ON MOLOKAI FOR THE PURPOSE OF TESTING BACKYARD POULTRY FLOCKS FOR AVIAN DISEASES," was referred to the Committee on Agriculture, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused; and

H.C.R. No. 318, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONVENE A TASK FORCE TO STUDY THE FEASIBILITY OF DEVELOPING AN ARENA AND TESTING AND INSPECTION FACILITY ON HAWAIIAN HOME LANDS ON MOLOKAI FOR THE PURPOSE OF TESTING BACKYARD POULTRY FLOCKS FOR AVIAN DISEASES," was referred to the Committee on Agriculture, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1332) recommending that H.R. No. 174, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 174, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII SUPREME COURT STANDING COMMITTEE ON THE RULES OF EVIDENCE TO STUDY AND REPORT ON THE IMPLEMENTATION OF THE HAWAII UNIFORM COLLABORATIVE LAW ACT," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1333) recommending that H.C.R. No. 202, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT STANDING COMMITTEE ON THE RULES OF EVIDENCE TO STUDY AND REPORT ON THE IMPLEMENTATION OF THE HAWAII UNIFORM COLLABORATIVE LAW ACT," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1334) recommending that H.R. No. 72, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 72, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXAMINE FEDERAL LAWS AND REGULATIONS TO ALLOW STATES TO MORE READILY ENACT

UNEMPLOYMENT COMPENSATION-RELATED LAWS THAT ALLOW FEAR OF DOMESTIC OR SEXUAL VIOLENCE TO BE A VALID REASON FOR NOT ACCEPTING SUITABLE WORK," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1335) recommending that H.C.R. No. 80, HD 1, as amended in HD 2, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 80, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXAMINE FEDERAL LAWS AND REGULATIONS TO ALLOW STATES TO MORE READILY ENACT UNEMPLOYMENT COMPENSATION-RELATED LAWS THAT ALLOW FEAR OF DOMESTIC OR SEXUAL VIOLENCE TO BE A VALID REASON FOR NOT ACCEPTING SUITABLE WORK," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1336) recommending that H.R. No. 180, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 180, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER AS WOMEN'S HEALTH MONTH," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1337) recommending that H.C.R. No. 209, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS WOMEN'S HEALTH MONTH," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1338) recommending that H.C.R. No. 4, as amended in HD 1, be adopted.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.C.R. No. 4, HD 1, be adopted, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just brief remarks in favor of this resolution. It might seem pretty innocuous in designating May as Lupus Awareness Month in Hawaii, but this is a very mysterious disease. 90% of the people it attacks are women, so this is a Women's Caucus issue.

"It is an autoimmune disease. It attacks the internal organs and various other parts of the body. Generally, you just experience a lot of fatigue and malaise, and many doctors can't diagnose it. In fact even experts, it takes them some time to diagnose it. People are telling women, 'Well you just have too much stress. Try to take it easy.' But it is a very serious disease and we want to educate people about it. It still has no cause and no cure that we know of. So this is a very serious disease and I hope that you will learn something about it. Thank you."

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

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. Lupus results from an immune system that is unbalanced and can become destructive to any organ in the body. Lupus is unpredictable and potentially fatal, yet no satisfactory treatment exists.

"Lupus disproportionately affects Native Hawaiian, Pacific Island, Asian, African American, Hispanic, Latina, and Native American women, a health disparity that remains unexplained. Recent data show that ninety percent of people with lupus are women, yet eighty percent of women know little or nothing about the disease of lupus.

"Unfortunately, lupus is a difficult disease to properly diagnose. We need to bring more education and awareness to this topic for the women in Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 4, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF MAY AS LUPUS AWARENESS MONTH IN HAWAII," was adopted, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

THIRD READING

S.B. No. 1533, SD 1, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 1533, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Third Reading by a vote of 46 ayes, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

S.B. No. 105, SD 2, HD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 105, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH," passed Third Reading by a vote of 46 ayes, with Representatives Carroll, M. Oshiro, Takai and Tokioka being excused.

At 1:16 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1533, SD 1, HD 1
S.B. No. 105, SD 2, HD 1

ANNOUNCEMENTS

Representative Ching: "Mr. Speaker, we are having some Chinese food in Room 312, and everyone is welcome to stop by to congratulate Mun Lun School."

LATE INTRODUCTIONS

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

Representative Aquino introduced his friend and a long time Waipahu resident, Mr. John Cannell.

ANNOUNCEMENTS

Representative Cabanilla: "Yes, Mr. Speaker. I would like to invite you and our Members for a lunch in Room 329 provided by the caregivers that we honored today. Thank you."

Speaker Say: "Before we close, Members of the House, the Chair would like to remind all Committee Chairs and Vice Chairs of today's filing deadline for the First Lateral for Concurrent Resolutions. Please do your best to file your Committee Reports and drafts with the Chief Clerk's Office by 6:00 p.m. this evening. Again, this is for the Concurrent

Resolutions to meet the First Lateral deadline for referral to the last Committees."

ADJOURNMENT

At 1:17 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 5, 2011. (Representatives Carroll, M. Oshiro, Takai and Tokioka were excused.)