

SIXTEENTH DAY

Friday, February 10, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Faye P. Hanohano, after which the Roll was called showing all Members present with the exception of Representatives C. Lee, M. Lee and Wooley, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 211 through 215) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 211, dated February 8, 2012, requesting immediate consideration and passage of House Bill No. 2547, Making an Emergency Appropriation to the Department of Human Services, which appropriates funds to address the budget shortfall for General Support for Health Care Payments (HMS 902), and requesting that the Legislature amend this measure to appropriate funds to address the budget shortfall for the General Assistance Program (HMS 204).

Gov. Msg. No. 212, dated January 26, 2012, transmitting the 2011 Environmental Council Annual Report, prepared by the Department of Health, Office of Environmental Quality Control, pursuant to Act 45, SLH 2011.

Gov. Msg. No. 213, dated February 2, 2012, transmitting the Annual Report for the Pesticide Use Revolving Fund for Fiscal Year 2011, prepared by the Department of Agriculture, pursuant to Section 149A-13.5(f), HRS.

Gov. Msg. No. 214, dated February 6, 2012, transmitting the Hawaii Brownfields Cleanup Revolving Loan Fund, Annual Report for Fiscal Year 2011, prepared by the Department of Business, Economic Development and Technology, Office of Planning, pursuant to Section 201-18(e), HRS.

Gov. Msg. No. 215, dated February 8, 2012, transmitting the Annual Report for FY2011 of the Hawaii Health Systems Corporation, pursuant to Section 323F-22(a), (b) and (c), HRS.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 12 and 13) were received and announced by the Clerk:

Sen. Com. No. 12, transmitting S.B. No. 2216, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PROPERTY," which passed Third Reading in the Senate on February 9, 2012.

Sen. Com. No. 13, transmitting S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," which passed Third Reading in the Senate on February 9, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives C. Lee, M. Lee and Wooley were excused.)

S.B. No. 2216, SD 1
S.B. No. 2518, SD 1

INTRODUCTIONS

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

Representative Nishimoto introduced his friend and constituent, Mr. Joshua Sweet with the Christian Homeschoolers of Hawaii, along with other homeschool students and advocates.

Representative Hanohano introduced members of her staff: Office Manager, Ms. Julia Peleiholani, and Ms. Kahikina Kaawaloa.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 247-12) recommending that H.B. No. 2806, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2806, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Ke kū nei au me ke kako'o loa. He pila maika'i kēia. 'O kēia pila e pili ana ka ha'i 'ōlelo no ke kaia 'āina no ka pae 'āina 'o Hawai'i nei. 'O kēia kona ha'i 'ōlelo. No nā waiwai like 'ole 'o Hawai'i nei e wili 'ia no ka noho ana 'o nā lehulehu. 'O nā ola ana no nā po'e O Hawai'i e pili ana ka hana no ke komike Aha Moku, Aha Kūka 'I nā waiwai like 'ole. 'Oia ka mea nui no kākou 'ola ana me ka'āina, ke kaim nā meakanu like 'ole a me nā mea like 'ole. Mahalo."

Representative Hanohano provided the following translation:

I rise in strong support. This is an excellent bill. This bill is the essence of the Governor's speech. Here is the quote from his speech. "Every aspect of lives is intertwined with the natural resources of our islands. Our survival is literally dependent on proper stewardship. A strong economy is not one based on unfettered consumption of our natural resources, but instead one that is sustainable over time.

Representative Souki rose to a point of order, stating:

"Mr. Speaker. Point of order. My good friend, the Representative on my left is speaking in the Hawaiian language. I do know that it's the first language in the State of Hawaii, it's a primary language, but unfortunately I don't understand it. I would like if the Representative would make, after she is finished, she could explain very briefly in English as to what the content of her remarks is about. Or maybe provide us some lessons at the end of the Session so we all can learn Hawaiian. I'm willing to learn Hawaiian even at this age, but at this point I really don't understand what my good friend is saying. So maybe if she could help us a little bit along the way. Thank you, very much."

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

"Mr. Speaker, I am in support. From my understanding, the Representative from the Big Island said she was rising in strong support of this most excellent bill. And then she seemed to indicate that the bill is the essence of the Governor's speech, and then quoted the Governor, "Every aspect of lives is intertwined with the natural resources of our islands. Our survival is literally dependent on proper stewardship." *Ke kū nei au me ke kako'o loa.* And she ended that with, the strong economy is not one based on unfettered consumption of our natural resources. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 248-12) recommending that H.B. No. 2807, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2807, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 249-12) recommending that H.B. No. 2808, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2808, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

"Ke kū nei au me ke kako'o loa. Makemake au e komo ko'u mana'o i loko o ka puke luna maka'ānana. Mahalo."

Representative Hanohano provided the following translation:

I rise in strong support. I am requesting to submit comments in the House of Representative Journal.

'O kēia pila he mea nui no nā kupa 'o ka 'āina ma ka ahupua'a 'O Kalapana, Puna, Hawai'i. Mahalo iā Kokubun Kane, ke kenekoa mai ka 'apana 'elua mai ka Moku 'O Keawe, i kona hana no kēia kukulu kauhale hou, nō nā po'e e nalo wale kō lākou home mai ka lua'i pele. Nā ka pomaka'i iā kā kākou. He pila maika'i loa kēia. Mahalo pihā.

This bill is very dear to the residents of Kalapana, Puna, Hawai'i. Thank you to former Senator Kokubun, District 2 for working to rebuild the community for the people who lost their homes from the lava flow. Blessings to all of us. This is an excellent bill. Much gratitude to all.

The Chair addressed Representative Hanohano, stating:

"Would you please enlighten us with your comments?"

Representative Souki rose to a point of order, stating:

"Yes. Mr. Speaker. Can we have a point of order? If we could have Representative Bower now interpret that for us, please."

At 12:16 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:17 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2808, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives C. Lee and M. Lee being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 250-12) recommending that H.B. No. 2875, pass Second Reading and be referred to the Committee on Education.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2875, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

"Mahalo Ho'omalū 'ōlelo. Ke kū nei au me ke kako'o loa no kēia pila. E ola mau ka 'ōlelo Hawai'i. Mahalo."

Representative Hanohano provided the following translation:

Thank you, Mr. Speaker. I rise in strong support. Long live the Hawaiian Language. Thank you.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2875, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Education, with Representatives C. Lee and M. Lee being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 251-12) recommending that H.B. No. 1707, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1707, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I stand in support, however I do have reservations with this matter. When it passed out of my Committee I was contacted by professionals in the industry from Maui who had major concerns about the bill. Some of it has been noted in the Committee report already. I'd like to reference this email with the concerns and note it in the record. Thank you, very much."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 252-12) recommending that H.B. No. 2859, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2859, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Higher Education, with Representatives C. Lee and M. Lee being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 253-12) recommending that H.B. No. 2573, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2573, entitled: "A BILL FOR AN ACT RELATING TO APPRENTICESHIP," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 254-12) recommending that H.B. No. 2062, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2062, entitled: "A BILL FOR AN ACT RELATING TO MUSIC THERAPY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 255-12) recommending that H.B. No. 2407, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2407, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Second Reading and was referred to the Committee on Education, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 256-12) recommending that H.B. No. 2435, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives C. Lee and M. Lee being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 257-12) recommending that H.B. No. 2650, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2650, HD 1, pass Second Reading and be referred to the Committee on Transportation, seconded by Representative Evans.

Representative Souki rose, stating:

"Mr. Speaker, may I have a short recess so I can ask the maker of this bill if this Culture and Arts Special Fund is being deleted or not."

At 12:19 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

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

"Mr. Speaker. I wish to vote against this measure. The Culture and Arts Special Fund has been with us for many years. It was begun during the era of Governor John Burns when he asked 'Pundy' Yokouchi, from Maui, who was quite an icon in his day, to set up a special fund on Culture and Arts, so that we may provide and preserve the art and the culture of the State of Hawaii.

"And by this measure, this bill, I may be wrong, but if you're going to delete it, then it means that we won't have it. Someone is shaking their head, but the maker has told me that it's going to be deleted. I will leave it up to her to explain that, and then I may change my vote at the end. Thank you."

At 12:21 o'clock p.m., Representative Wooley requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

Representative Souki rose, stating:

"Mr. Speaker. I have been educated and elucidated as to the nature of this bill, and I wish to change it from a no to a yes. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2650, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Transportation, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 258-12) recommending that H.B. No. 2421, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEED MILLS," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 259-12) recommending that H.B. No. 2431, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL POLICY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 260-12) recommending that H.B. No. 2433, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2433, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK FEED," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 261-12) recommending that H.B. No. 2703, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2703, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SELF-SUFFICIENCY," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 262-12) recommending that H.B. No. 1884, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives C. Lee and M. Lee being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 263-12) recommending that H.B. No. 2507, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 264-12) recommending that H.B. No. 1746, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1746, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker. On Standing Committee Report No. 264, may I request a ruling on a potential conflict? At my law firm I represent AOAOS," and the Chair ruled, "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 265-12) recommending that H.B. No. 2097, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 266-12) recommending that H.B. No. 2116, as

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

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2116, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 267-12) recommending that H.B. No. 1926, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1926, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in strong support and ask for permission to insert written comments on the Assault on Medical Service Providers. There are 2,637 non-fatal assaults that occurred from 1999, a rate of 8.3 assaults per 10,000 workers. We need to protect our medical service people. Those that protect us, we must protect them. Thank you."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 1926-Relating to assaults against medical service providers, which would expand the offense of assault in the second degree to medical services providers while on-duty.

"We must look to testimony provided by the Healthcare Association of Hawaii, where it states that, "The rate of assaults and violent acts against health care workers is more than 10 times the average rate." The testimony continues by saying up to 80% of hospital staff have been "physically assaulted at least once" while on duty. Numbers like these do not encourage new medical providers to join the workforce, where there is currently a shortage.

"The importance of this bill goes beyond the medical facility. This bill protects service providers, who not only spend years in study to practice their profession, but are additionally pre-disposed to potentially hazardous work environments. We must keep doctors and nurses safe from violence. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 268-12) recommending that H.B. No. 2848, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 269-12) recommending that H.B. No. 2601, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SERVICE

OF PROCESS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 270-12) recommending that H.B. No. 2474, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISON LITIGATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 271-12) recommending that H.B. No. 2226, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 272-12) recommending that H.B. No. 2514, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2514, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 273-12) recommending that H.B. No. 2515, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2515, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 274-12) recommending that H.B. No. 2780, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2780, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Rhoads, for the Committee on Human Services and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 275-12) recommending that H.B. No. 1994, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1994, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 276-12) recommending that H.B. No. 2115, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representatives Mizuno and Aquino, for the Committee on Human Services and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 277-12) recommending that H.B. No. 1917, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1917, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker. On Stand. Com. Report. No. 277-12, I would like to cast a vote with reservations. Please allow me a brief moment to explain my reservations. Thank you. Mr. Speaker, I applaud the intent of the bill to protect and fight against domestic violence. My reservation is in regards to the fact that there are other professions, not only law enforcement, that have individuals that engage in domestic violence. And so targeting only law enforcement officers, I think, might characterize them as being perceived as having a higher incidence of domestic violence.

"Members, you know our law enforcement work with us on catching and penalizing these types of individuals and so we would not want them to be perceived as being part of the problem, but rather to know that they're part of the solution."

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

"Thank you, Mr. Speaker. On the measure before us, in support. Thank you, Mr. Speaker. The Honolulu Police Department reports that up to half of their calls relate to domestic violence. I want to thank Public Safety for recommending an amendment to this measure, to broaden the scope. Law enforcement are the first ones on the scene at a domestic violence situation. They need to have a proper policy in place. I think this is a good measure and I ask all Members to support it. Thank you, Mr. Speaker."

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

Representative Keith-Agaran rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of this measure with reservations.

"I recognize the seriousness of domestic violence problems in our community and for this reason feel compelled to move this measure forward. However, I am concerned that this bill singles out law enforcement officers who have already received training regarding domestic violence and who already face the sanction of losing their jobs under the requirements of the Lautenberg Amendment.

"This bill is likely unnecessary. This bill proposes law enforcement agencies adopt and implement a written policy for officers charged with domestic violence. The police department has already established internal rules and regulations on the matter.

"Since the Lautenberg Amendment already applies, law enforcement officers who lose use of their weapons also lose their jobs as a result (they no longer meet the qualifications of police officers who must be able to use firearms)."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1917, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representatives McKelvey and Cabanilla, for the Committee on Economic Revitalization & Business and the Committee on Housing presented a report (Stand. Com. Rep. No. 278-12) recommending that H.B. No. 2103, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2103, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, I rise in opposition. Thank you, Mr. Speaker. Mr. Speaker, this is the real thing. This is not a study. Remember we talked about the State Bank last week, and said, 'Look it's only a study.' This is the real McCoy. This is the bank that will be established as the State of Hawaii Bank and quite frankly, I don't want to repeat what I said last time so we've done a little bit of homework. We've looked into it. We don't want to reinvent the wheel, so we've looked at other states and what they're doing.

"In Massachusetts, lo and behold, they actually went through a few months ago what we are going through now. They did some research and I want to cite a couple of things that they found out.

"First of all, they found out that publicly-owned banks are really not a phenomenon that are in developed countries. It's usually in third world countries that the state owns the banking. Our good friend from Downtown Honolulu mentioned that China is the leading state bank successful example. Right now, there's not been even a consideration of a state owned bank since 1970, and the bank of North Dakota actually began in 1919. And they Mr. Speaker, started out with a \$2 million capitalization. And in the Massachusetts' study it says, 'The original capitalization, if put in today's dollars for a similar start up would be \$3.2 billion.'

"I ask my colleagues, do you want to get a state bank with \$3.2 billion? Because you see the model of North Dakota and you want to make this the State Bank of Hawaii, when we don't even have a funded liability for our pensions, for our trust funds, for our health program.

"Another revealing statistic was that the State Bank of North Dakota has \$4 billion in assets. Guess what? The Bank of Hawaii has \$4 billion in assets. Guess how many years Bank of Hawaii's been around to get \$4 billion in assets. And almost 100 years of the Bank of North Dakota. We are not going to get an immediate return on this unless we really put a lot of money into it. I know the intention of getting the money into it is to buy these foreclosed mortgages. I ask my colleagues, do you want your constituents to bail out the banking industry that has already been bailed out, and the mortgage industry that owes a lot of money to the taxpayers already?

"In addition to that, it is not the FDIC that the deposits are insured by in the Bank of North Dakota. It's the taxpayers of North Dakota. So this is another reminder that the burden of proof of the viability of this is not on the organizers of the bank, but those who are the taxpayers in the State of Hawaii. I know some people took a little bit of umbrage when I said, do you know who they've got on the first Bank of Hawaii? It's the Governor's political appointees who are going to be the board of directors. Well guess who runs the Bank of North Dakota. It's run and overseen by three commissioners. The first primary commissioner is the Governor, the second is the Attorney General, then there's an agricultural commissioner.

So do you see a little bit of political stuff mixed in to this? I think it's as we had predicted.

"The other thing about the Bank of North Dakota that we have to realize is that it was really put in place for farming and now, it's not even doing farming loans. 50% of its loans are actually buying the loans of small banks. North Dakota is rural and they have a lot of small banks. So basically half of their business is simply buying up loans from small banks. Hawaii has a handful of banks, but do you see any hue and cry for small banks to say, 'We need you, Bank of the State of Hawaii to buy loans from us.' There's no hue and cry from our small bankers.

"Another interesting point I think that which we forget thinking is that North Dakota by its bank has been successful. It mentions in the Massachusetts' study, and this is not me saying it. It's saying North Dakota has fared exceptionally well during the recent national recession. People have to be mindful that North Dakota's overall performance is mostly attributable to oil and natural gas extraction and high commodity prices. And it is me when I say it's also run by Republicans who are conservative, fiscally responsible people. And that's another reason why this thing works. It's because of the economy there, and who's running it, as well as the oil and the extraction industries that are driving it.

"Mr. Speaker, I should also add that the small business loans ..."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Ward continued, stating:

"My goodness. And this is not even Third Reading yet, but this is important stuff. Again, I am not speaking. It's the study that Massachusetts that did, because it said that there were like 18 other states that were considering to do this bank and Massachusetts says, 'We're out of here. After this study we have decided not to do it.' So I say that as a way to say, we don't have to reinvent the wheel because Massachusetts gathered all this information.

"Basically what they said was the burden of proof of loans to our small businesses should be the federal government, not just the state bank. Two-thirds of the profits of the State Bank of North Dakota actually do go back to the State, but that also says that one-third of their costs are administration. And whenever you're in a business that takes 33 1/3% just to run it, that's rather high. What they do put in the coffers is \$30 million so the benefit is substantial. \$30 million a year is substantial, but remember that this is a bank that's been in business almost 95 years. We're talking about starting from scratch, and it's going to be an elixir because we're going to make money on buying mortgages at 75 cents on the dollar.

"The other thing we need to know is that the state bank is liable, or the state is liable for any of the bank's losses. And I think I mentioned that in terms of our own constituents. One of the kickers here in addition is the fact that the DCCA Director has noted as follows: "Arguably, the soundness of Hawaii's financial institutions may be compromised and jeopardized by transferring state moneys to a state owned bank."

"The point is Mr. Speaker, that we have two of the healthiest banks in the nation. They have fared very well. There's no shortage of capital. They're not in just to bail out the mainland banks that have primarily cheated a lot of our residents or stonewalling our residents. And to say that we should put this burden on our constituents is what I'm basically arguing against. That's the bottom line.

"And finally, do we really want to pony up \$3 billion to do what the Bank of North Dakota did? I think it's a resounding no. I think if we asked our constituents, if we ask ourselves, can we afford to do a bank, to do high-risk loans with the state of the economy the way it is today, I think it's obvious, Mr. Speaker.

"Thank you, for your indulgence. And I hope everybody sort of starts changing their thinking. Perhaps maybe government is not the best to get into the banking industry. Maybe we should rethink what we're good at and stick to our knitting, in those areas, and not go too far out on a limb as

North Dakota did, and did well 100 years ago in an entirely different climate. Thank you, Mr. Speaker."

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

"Thank you Mr. Speaker. In opposition as well, and I'd like to ask that the remarks of the Minority Leader be entered as my own. I just wanted to recap just a few comments, distilling it down to what I think is my concern.

"In understanding how we prosper and how we provide excellent service, and the way that in general I feel that our system of government and system of business works is that when you have competition, when you have a monopoly there is a real chance of people saying, 'Well come to me, or you don't come to me.' That's life. You know. Whether it's a gas situation, or the only place you go to a super market, competition brings out work, and people wanting to be the best. They want to work hard. They want to do the best they can, because they know if they're Bank of Hawaii, but First Hawaiian Bank is doing something. Hey, great. But when you enter into the mix an uneven playing field where basically you have the illustrious and credible, never-ending taxation of the people. We just keep saying, 'Well, you know this is your money and we're going to do this.' When you don't have an even playing field the problem is that you discourage people.

"And you discourage people from working and doing what's best, good ideas, new ideas. That sort of thing. How can I do this better? And so to me, the real pitfall when I distill it down, and I know you can say North Dakota and this and that. And I agree with the Minority Leader. You always have to look in the environment. Just like a patient. Not every patient is all the same. Look at independent uniqueness. Hawaii is not North Dakota. I think that when we don't encourage competition, we don't encourage an even playing field, you hurt the young people. Because if they don't think they're going to have a fair shake, they're not going to stay. We want people to want to stay because I know that through their merit, through their merit they can do well. Thank you, Mr. Speaker."

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

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

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

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

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

Representative Johanson's written remarks are as follows:

"I rise in support with reservations on HB 2103. The creation of a state-owned bank is an incredibly complex undertaking in relatively unknown territory for the State of Hawaii. Taxpayers should be assured the bank will possess the necessary expertise to properly operate. The State already struggles to balance and effectively govern its existing bureaucracies and I fear it may prove unwise to further burden a state government already stretched thin. I also believe the creation of a state-owned bank has potential to create unintended consequences and burdens for the taxpayers of Hawaii, particularly if it lacks the necessary operational mechanisms to achieve its ultimate goal. While I do honor the intent of the measure and want to help those in our community who are threatened with foreclosure, I have reservations as to whether or not the State of Hawaii is equipped to tackle a venture of this size and scope. For those reasons, I will be voting with reservations."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Ching, Fontaine, Marumoto, Riviere and Ward voting no, and with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 279-12) recommending that H.B. No. 2267, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CLEARCOM, INC., IN THE DEVELOPMENT OF BROADBAND INFRASTRUCTURE IN HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 280-12) recommending that H.B. No. 2872, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2872, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 281-12) recommending that H.B. No. 2324, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2324, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2324, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 282-12) recommending that H.B. No. 2645, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2645, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I will rise in opposition to this measure. This bill would regulate professional employer organizations. They're also called employer-employee leasing organizations. These entities assist small businesses in payroll services, and making sure they pay their correct amount of payroll taxes, and assist in businesses acquiring various insurance that is required.

"I do not see any need to regulate this industry. I have not heard about any complaints from small businesses in this regard. I think before we enact such legislation, we should be requesting a sunrise study, especially since this bill calls for penalties up to \$2,500. I don't think our businesses should be regulated by the Department of Labor. I feel that it should be perhaps, if we decide it should be regulated, it should be in the Department of Commerce and Consumer Protection. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Marumoto voting no, and with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 283-12) recommending that H.B. No. 2161, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2161, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOGS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 284-12) recommending that H.B. No. 2325, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2325, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2325, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BROADBAND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 285-12) recommending that H.B. No. 2524, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2524, HD 1, pass Second Reading and be

referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 286-12) recommending that H.B. No. 2653, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2653, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. In my private job I work for the hospitality division of Oceanic Time Warner. And Mr. Speaker, could I make this request for Stand. Com. Rep. Nos. 281, 284, 285 and 286," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives C. Lee and M. Lee being excused.

Representatives Souki and Aquino, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 287-12) recommending that H.B. No. 2615, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2615, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, with reservations and just brief comments. I'm just not sure. This bill would possibly shut down the fireboat in Honolulu Harbor. And it's not clear to me what it would be replaced with, and that raises some questions in my mind."

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

"Thank you, Mr. Speaker. In support. In the Committee Report it notes that it is not the intent to shut it down. This is just to give flexibility to the DOT."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HARBORS FIREBOAT," passed Second

Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 288-12) recommending that H.B. No. 1667, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1667, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support of H.B. 1667-Relating to Taxation. This bill authorizes a state income tax credit for certain expenses paid or incurred by a school teacher during the taxable year.

"This bill reduces the out-of-pocket expenses for teachers that strive to provide an excellent learning environment.

"Many teachers incur out-of-pocket miscellaneous expenses to ensure that students have the best tools to learn. Our goal is to provide the best educational experience for our children. The amount of money teachers spend out of pocket is substantial. This is a measure that will help our teachers. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives C. Lee and M. Lee being excused.

ANNOUNCEMENTS

Representative Yamane: "Mr. Speaker, I rise to request a moment of silence. Former legislator and spouse of our current Representative Marilyn Lee passed away this morning at 12:45 a.m. Samuel served with some of you here today. He is survived by our colleague, Representative Marilyn Lee, as well as four children: Andrew, John, Mary and Thomas. Mr. Speaker, from Marilyn's discussion this morning, he passed away peacefully, and we would like to express our deep-felt thoughts and prayers to the family. Thank you."

Representative Ward: "Mr. Speaker, may I also share the disappointment and the sadness of hearing of his passing. Sam and I were friends. Sam was probably the lead international voice in the House for a number of years. He and I basically had a coalition, sometimes even against my colleague from Kailua, who didn't always champion the international. So hearing of Sam's passage is a blow as a friend, as a person, and as someone who really helped Hawaii and the nation by his career as a Foreign Service officer. He will be greatly missed and I'm happy that we're going to honor him as we close this session."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late former Representative Samuel S.H. Lee.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
22	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance

23	Committee on Labor & Public Employment, then to the Committee on Education
24	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education
25	Jointly to the Committee on Tourism and the Committee on International Affairs

**H.C.R.
Nos. Referred to:**

42	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
43	Committee on Labor & Public Employment, then to the Committee on Education
44	Committee on Water, Land, & Ocean Resources, then to the Committee on Higher Education
45	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
46	Jointly to the Committee on Tourism and the Committee on International Affairs

**S.B.
Nos. Referred to:**

2216, SD1	Committee on Judiciary
2518, SD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1893	Committee on Finance
1896, HD1	Jointly to the Committee on Economic Revitalization & Business and the Committee on Health, then to the Committee on Finance
2047	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2324, HD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2325, HD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2412	Committee on Finance
2638	Committee on Judiciary, then to the Committee on Finance
2653, HD1	Committee on Economic Revitalization & Business, then to the Committee on Finance
2874	Committee on Economic Revitalization & Business, then to the Committee on Finance

ADJOURNMENT

At 12:50 o'clock p.m., on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 13, 2012. (Representatives C. Lee and M. Lee were excused.)