

THIRTEENTH DAY

Wednesday, February 6, 2013

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

The invocation was delivered by Representative Cindy Evans, after which the Roll was called showing all Members present with the exception of Representatives Cachola and Say, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 219 through 222) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 219, dated January 9, 2013, transmitting the Office of Information Management and Technology Procurement Report as of November 30, 2012, pursuant to Act 222, SLH 2012.

Gov. Msg. No. 220, dated January 25, 2013, transmitting the Hawaii Women's Military Veterans Task Force Summary Report, prepared by the Department of Defense, Office of Veterans Services, pursuant to S.R. No. 6, S.D. 1 (2012).

Gov. Msg. No. 221, dated January 31, 2013, transmitting the Rental Motor Vehicle Customer Facility Charge Report, prepared by the Department of Transportation pursuant to Act 226, SLH 2008.

Gov. Msg. No. 222, dated January 31, 2013, transmitting the Government Operations Report, prepared by the Department of Transportation pursuant to Act 100, Section 7, SLH 1999.

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

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

*"Mahalo ho'omalu 'ōlelo,
Ka hua 'ōlelo o ka lā – 'Āina.
'Āina – Land.*

'Ai is food, nā is the pluralization of words in the Hawaiian language, so when you translate 'many foods,' it translates to 'land,' because it's the land that sustains us with our food.

Mahalo."

INTRODUCTIONS

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

Representative Lee introduced Mr. Joe Tassill and his wife visiting from Waimanalo.

Representative McKelvey introduced his constituent from West Maui: Mr. Garrett Marrero, President of the Maui Brewing Company.

Representative Takayama introduced Ms. Carroll Cox, environmental watchdog and advocate.

Representative Kawakami introduced visitors from Kauai: Mr. Thomas Hashimoto, Kauai Aha Moku Advisory Council Member; his wife, Mrs. Annie Hashimoto; and daughter, Ms. Dancett Hashimoto.

Representative Hanohano recognized Aha Moku Council representatives from Kauai, Niihau and Maui, here for the Aha Moku Council confirmation and reception.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 1087, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1087, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 725, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 725, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 750, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ISLAND TECHNOLOGY EXCHANGE INSTITUTE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 255, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 255, 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 Cachola and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No. 363, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 363, HD 1 pass Second Reading and be referred to the Committee on Health, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I am in support and I just want to thank the members of the Committee for recognizing the needs of my district. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 363, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Health, with Representatives Cachola and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 369, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 369, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 651 pass Second Reading and be referred to the Committee on Health.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 651, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Second Reading and was referred to the Committee on Health, with Representatives Cachola and Say being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 948, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT ORDERS TO PROVIDE MEDICAL TREATMENT FOR INMATES AND DETAINEES IN CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representatives Cabanilla and Carroll, for the Committee on Housing and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 518, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representatives Choy and Takumi, for the Committee on Higher Education and the Committee on Education, presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 719, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 486 pass Second Reading and be referred jointly to the Committee on Education and the Committee on Higher Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 486 pass Second Reading and be referred jointly to the Committee on Education and the Committee on Higher Education, seconded by Representative Awana.

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

"Mr. Speaker, I wanted to state that I stand in strong support of this bill. As a fourth generation farmer, it is so important that our young farmers have the ability to know that they can thrive in our current climate here in Hawaii. If the average age is sixty-five for our farmers, we really need to encourage the young ones.

"I want to tell a story about Emma Bello. She is 22 years old, she was with the FFA Program at Leileihua High School. She just started a goat farm on 80 acres and she just got her goats in on Saturday. That is what we need to encourage and it's because of the FFA program that she learned all the skills that she needed. 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. 486, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred jointly to the Committee on Education and the Committee on Higher Education, with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 502, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 502, 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 Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 503, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

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

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

The motion was put to vote by the Chair and carried, and report of the Committee was adopted and H.B. No. 503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance, with Representative Har voting no, and with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 1148, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1148, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 478, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 478, HD 1 pass Second Reading and be referred to the Committee on Education, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 478, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Education, with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 487, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 127) recommending that H.B. No. 737, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 737, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST AGRICULTURAL ENTERPRISES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 128) recommending that H.B. No. 154, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 154, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'm rising to speak in strong support of House Bill 154, Relating to Industrial Hemp. I wanted to just draw Members attention to the House Bill before you.

"It states in there that hemp is a superior phytoremediator because it grows quickly and can extract toxins without the need to remove any of the contaminated topsoil. Factors that make hemp a superior phytoremediator are its ability to grow unaffected by the toxins it accumulates, its fast rate of absorption, and its ability to bind compound contaminants from the air and the soil.

"The State's extensive operations in the past, as many of us know, have left toxins in vast tracts of land. Phytoremediation can remove those toxins. This bill calls for a two-year industrial hemp remediation pilot program. And let me just say this, for those who voted with reservations on this measure, it's required that the project occur with the United States Drug Enforcement Administration issuing a permit for this project. In other words, the DEA has to say, 'okay State, you can go ahead and use industrial hemp to clean contaminants from the soil.'

"We've had an industrial hemp research project before and the Speaker knows about that from 1999. That project ran for about three and a half years out in Wahiawa and with the support of the Dole Company, where they gave the land to the project for \$1 a year. That project was very successful, it had a DEA permit. So, the DEA permit can be obtained, it's been done before in Hawaii and can be done again.

"I wanted to just note for people that think that hemp is a radical issue and are kind of afraid of that because it is related to cannabis or to marijuana. Hemp is very different from marijuana. Hemp grows to the height of 15 to 18 feet high, and in Hawaii we get three crops a year. You go out and take the leaves or buds or whatever you take from that plant and smoke them, you are going to get diarrhea and a headache, and you won't do it again.

"Hemp has a very low THC content, and in fact the marijuana growers don't like to see hemp come to town because the plant cross-pollinates with marijuana and lowers the THC content in the marijuana crops. And we learned that from Canada, where they have full scale industrial hemp planting now up there, where the farmers are making money, doing a great job exporting the crop to America because we can't grow it. But the pot growers had to move indoors with sophisticated air systems because of the cross-pollination.

"Now going back to the liberal approach that industrial hemp is a dream of liberal Members of this Body. First of all, I note I'm a Republican. But I want to note this press release from US Senate Republican Leader, Mitch McConnell, who made the following statement regarding industrial hemp and its impact on Kentucky. This was stated January 31st this year. 'After long discussions with Senator Rand Paul and Commissioner James Comer on the economic benefits of industrialized hemp, I am convinced that allowing its production will be a positive development for Kentucky's farm families and economy.'

"He goes on to talk about how industrial hemp can produce everything from clothing to paper, and if there is a capacity to center a new domestic industry in Kentucky that will create jobs in these difficult economic times, that sounds like a good thing to me.

"Thirty-one states are moving ahead with industrial hemp legislation. Let me just tell you why. It is economic development."

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

Representative Thielen continued, stating:

"Here's a bag of tortilla chips that you can find on your local grocery store shelves. What's the first ingredient in here? Hemp, because it is so nutritious. I'll pass those around. I would have bought a package for everyone just so you could try it, but the problem is they are a little over \$3 a bag.

"Here's your paper. You all know about hemp paper. The Declaration of Independence was written on hemp paper and that's why it still exists.

"You have fabrics of course, hemp hats. They've done studies at the University of California and they've determined that hemp fabric will keep you protected from the sun so you will be less likely to get skin cancer. It's the best fabric for doing that. So, when Members go door-to-door, wear a long sleeve hemp shirt and you won't get those problems.

"Hemp wine, I hope no one has a wine opener in the Body, that's being made as well. And our own little snack shop here in the Capitol, for those Members that are afraid of this product, this is an iced tea, but it is hemp iced tea. Right here, in this building, don't be scared.

"The other thing is, anyone that's ever gone camping, you use Dr. Bronner's soap, of course you do because it lathers in cold water. It's hemp soap. And then of course my favorite, the shopping bags. When you are going to be billed ten cents a bag, carry your hemp bag to the store. It washes, it's reusable, and this fabric will last four to five times as long as cotton. No fossil fuel in this, like in your plastic bags. And it's really good.

"The other reason that I feel this is so important for Hawaii, in addition to the phytoremediation, hemp is a superior building material. They are building with it all over Europe, in the United Kingdom, and they are doing it in some states in the United States. North Carolina, California. You can pull a little bit of this material off and try to smoke it, good luck. You won't get 'high' if you ingest too much, you'll get diarrhea and a headache.

"This is termite-proof and they have done the studies and know it has lime content in it, which we produce locally. Termite-proof. And this is something that we can do, we can grow our crops here, we can process them into building materials, we can keep the money and the jobs here in our economy. This is a plant that is perfect for Hawaii with our three crops a year, versus places like Canada where they're making a lot of money but only from one crop a year, versus Kentucky which is going to breakthrough with Republican leadership, and they're going to start making a lot of money.

"We've got to stop being afraid of a plant, people. And the people that voted with reservations on this measure, learn what is out there, learn what we can do for Hawaii. Why are we importing building materials? This is fire retardant. You're going to have a material that we could produce on each island from crops in the ground, and it will be excellent for our economy.

"The phytoremediation project is just one thing that the hemp plant can do. They're using it in Chernobyl to clean-up the waste from the atomic accident there. It's something that can clean-up our agricultural land, but more than that, we need to join the other thirty-one states that are saying, enough to this hysteria about a crop that won't get anyone 'high' and that is so good for everyone's economy in the United States.

"So, I would encourage all Members; if they are afraid of this, come see me. I have automobile parts in my office, they were a little big to bring down here, but it's replacing fossil fuel based plastic in cars. And the cars are safer, they don't catch on fire, the material is stronger, it's lighter weight, so the car requires less gasoline.

Vice Speaker Mizuno addressed Representative Ward, stating:

"Representative Ward, would you like to yield your time?"

Representative Ward rose to yield his time, stating:

"Chair, I would yield my time, but not some of the reservations I have from the federal level, so I would give the esteemed Member from Kailua the time, except the truth in labeling, it doesn't say on the side of it, that it actually has hemp in it. Unless I don't know the French. Thank you."

Representative Thielen continued, stating:

"The automotive industry recognizes this, and probably for about almost 10 years now, have been replacing some of the fossil fuel parts of their automobiles with hemp-based material. Guess who makes the money on that? Canadian farmers, English farmers, German farmers, you name it, but not our American farmers and certainly no one right here in Hawaii.

"Mr. Speaker, I know I have taken up everyone's time. I would just like to encourage those 'with reservation' voters to come see me. I have more things in the office. Buy hemp shoelaces, they won't break; they'll last four to five times longer than any other shoelaces. People know this. Come see me, I would be glad to educate you. We have another measure that's going to be heard today, which is asking Congress and the President..."

The Chair addressed Representative Thielen, stating:

"Representative Thielen we're going to focus on the merits of this bill. Focus on the merits of this bill only."

Representative Thielen continued, stating:

"Oh, we shouldn't go on to that. Alright, I won't go on to that, but come to the hearing in CPC at 3:30 and we'll have the automobile part there for you all to see.

"Anyway, I encourage all of you to vote in favor of this measure and let's move ahead and clean-up our contaminated soil in Hawaii with a crop that can do wonders for our economy. Thank you."

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

"Thank you, Mr. Speaker, with reservations. Strong reservations. Thank you."

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

"Mr. Speaker, I stand in strong support. I just want to give some background. The Representative from Kailua is correct, we did have the first test plot of hemp in Hawaii in my backyard in Whitmore Village over several years. I stand in strong support and in the interest of bipartisan support of this measure, ask that her words be adopted as my own. Thank you," and the Chair "so ordered." (By reference only.)

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

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

"*Ka ko'o*. Strong support and I know the hemp pilot program was supposed to be on Hawaii Island and then it got moved to Oahu. I am in really strong support because it is a good industry and there are lands that can be used for this industrial crop. *Mahalo*."

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

"Mr. Speaker, I earlier mentioned with reservations, but I will gladly vote for this bill as soon as the feds pull back on their objection to it."

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

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

"Thank you, Mr. Speaker. Strong support and may I ask that the words of Representative 'hemp' be adopted into the Journal as my own," and the Chair "so ordered." (By reference only.)

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

"Reservations, Mr. Speaker. And I am hoping hemp doesn't turn into cacao."

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

"Thank you, Mr. Speaker. In strong support and I would like the words of the speaker from Wahiawa entered into the record as if they were my 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. 154, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Har voting no, and with Representatives Cachola and Say being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 129) recommending that H.B. No. 330, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 130) recommending that H.B. No. 870 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 870, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE INTERIM ASSISTANCE REIMBURSEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 131) recommending that H.B. No. 869 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 869, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 227, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS," passed Second Reading and was referred to the Committee on Housing, with Representatives Cachola and Say being excused.

Representative Cabanilla, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 1117 pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1117 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Awana.

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

"Mr. Speaker, I rise against this measure. I'm not on the Committee and I do not see it coming before me at this time. I'm not a lawyer but this appears to be an unconstitutional tax increase. It is to tax housing that's built on military lands, homes for our Marines, soldiers, sailors and airmen that are currently being refurbished. Pearl Harbor in particular, they're maintaining the historic structure of many of these homes which makes the process much more expensive than just going in and razing the facility or the dwelling. But they're actually going in, keeping the outside structure and as much of the time period as possible. These are beautiful homes and this would make this process much more expensive for the taxpayer.

"Again, it goes to a concern I have about us constantly looking for new ways to grab more and more money. I was away for 10 years but nothing has changed. A fee here, a dollar here, twenty dollars there, fifty dollars here, and now this could be a huge windfall for the State in the sense that we're going to get all this new tax revenue. But I don't think the Federal Government will allow it because I believe it's unconstitutional. I'm not a lawyer, so I have a degree of ignorance on that issue, but I have serious concerns how this will impact the military and their ability to build more and a sufficient number of housing for these younger, enlisted sailors, soldiers, airmen and Marines. Thank you."

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

"Mr. Speaker, a no vote and may the words of the former Marine Captain from Ewa Beach be entered into the Journal as my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in strong support. Let me just share this with the Members. We will never have enough affordable housing in the State. But the reason for this, and let me just share some history on this matter. This building, the Legislature, gave developers on federal lands, about 10 years ago, an exemption to entice them to come and build in Hawaii. This exemption is for the GE Tax for the purchase of building materials. So, if it's an act of the Legislature to give them an exception, it's also an act of this Legislature to repeal it.

"So, Members, this is not something that this Body hasn't done. This Body gave that exemption and I'm sure this Body can repeal it as well. Thank you."

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

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

"Thank you, Mr. Speaker. I rise in support with some reservations. I just wanted to address our minority member from Ewa Beach, and assure him that what this bill does, does not violate the US Constitution. In fact, what's interesting about this particular exemption, if people take note of the history, is we did do it about 10 years ago. That's about when military privatized housing started. But it was an executive order done by former Governor Linda Lingle at the urging of US Senator Daniel Inouye that we have before us today an exemption from the GET for these particular projects.

"However, at the time, the basic housing allowance for military service members was much less. There was a need to exempt the GET in order for these developers to build the number of homes that they committed, not only to the Congress and United States but also committed to us in the State. Since then, the basic housing allowance has increased tremendously. And for a few years now, there have been discussions about possibly taking a look at the GET exemption and considering it for other uses. In fact, when current Governor Abercrombie was in Congress I had a lengthy discussion about this particular exemption for GET, and at the time he supported the removal of the GET exemption.

"I stand here with reservations because I do believe, and I do support, the removal of this particular exemption. However, I do believe that the intent of the measure should include possible support to DOE school facilities on our bases, as we all know there are facilities that we own and control as the State on military bases. And it was, I think, the intent of both Senator Inouye and everybody in Congress that when we embarked on this privatized military housing initiative, that some of the profits made by these organizations, like Hunt and Actus, and for city would in turn go to help and support other facilities on military bases.

"And I do believe that that support has not come up to the level that we had hoped in the past. So, if they're not going to do it the way that we had hoped that they would, then let's remove the exemption, but let's put it back into facilities and projects directly benefiting military families that are under the jurisdiction of the State of Hawaii. Thank you, Mr. Speaker."

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

Representative McDermott rose to respond, stating:

"Mr. Speaker, second time. Good people can disagree, Mr. Speaker, and we have good people. I hold the Representative from Aiea in extreme respect and certainly my colleague from Ewa Beach as well.

"But based on my figures, I'm going to use low numbers because these are government contracts. Let's say the average dwelling is \$150,000. So now you are talking about \$7,500 in GET taxes. And if they finance it over thirty years, each additional unit will probably cost \$12,000, just to pay for the taxes – the tax and the financing of the tax. That's one issue.

"Second issue is, these budgets at the federal level, I can assure you in my discussions with the contractors, because I have them not quite daily but several times a week. They are feeling the pinch and the squeeze and they're looking to save every dollar. And I think you're going to see less money available to build these dwellings.

"Finally, third, the two big ones, Forest City and Hunt, have been tremendous community partners. They give to a myriad of activities and charities. You will see Steven Colon from Hunt at every charitable function in town. He understands it, he gets it. Forest City, much larger, doesn't have the same mentality as 'playing outside the fence,' but still gives, and gives generously.

"So, those are the final comments I'd like to add."

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

"Mr. Speaker, I'd like to register a no vote on this. I would like to keep every incentive intact to keep this industry and what it supports in the State of Hawaii alive and give them every reason to stay here. Thank you, Mr. Speaker."

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

The House of Representatives reconvened at 12:43 o'clock p.m.

Representative Takai rose to respond, stating:

"Thank you, Mr. Speaker. I rise again with reservations. The point that the Minority Representative from Ewa Beach made is a good one. Forrest City, Hunt, and Actus have been tremendous supporters of our community. That is not what I'm talking about. And I do encourage them to continue. What I'm talking about is that in the past we discussed a partnership with these private developers to help in our repair and maintenance of our schools and other types of facilities like that, and we continue to need the help.

"If you take a look at school facilities, let's say, Fort Shafter, Mokulele, Solomon Elementary, Hale Kula, these are on-base facilities that we struggle with each and every year to find adequate funding for renovations and construction. All I say is that if these guys are in business to develop communities, that the least they could do is help us in our schools on bases for their children as well. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Fale, McDermott and Ward voting no, and with Representatives Cachola and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 851 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 851, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 852 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 852, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 224, as amended in HD 1, pass Second Reading and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Cachola and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 237, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES INVOLVED IN THE JUSTICE SYSTEM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 744 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 744, entitled: "A BILL FOR AN ACT RELATING TO STUDENT BIAS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 569 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 569 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO A TAX CREDIT FOR AFTER-SCHOOL PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representative Choy voting no, and with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 151, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 435 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 436, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 578, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 918 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 918, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 920, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 920, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, a no vote on this one. It appears to be a new fee and that's why I'll be voting no. Thank you."

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

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

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

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

"Mr. Speaker, for the same reasons, as it appears to be a fee increase, can I have a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale and McDermott voting no, and with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 922, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 922, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 923, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 923, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, another no vote. This appears to be another new fee. Starting off with \$10, it is another fee. I guess the concern is, people wonder why they pay taxes. It's for their government, to sustain their government. But when they go to use something, in a general sense whatever that may be, we hit them again. So they're saying, why am I even paying taxes? And so we hit them with fees. Thank you, Mr. Speaker."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 923, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISABILITY COMPENSATION DIVISION SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale, McDermott and Ward voting no, and with Representatives Cachola and Say being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 1177 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 1177, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 848, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cachola and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 844 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 844, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cachola and Say being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 847, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 847, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT TOOLS TO IMPROVE PATIENT SAFETY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cachola and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 152) recommending that H.B. No. 139 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 139, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS TRANSFERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 153) recommending that H.B. No. 206 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 206, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY ETHICS TRAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 154) recommending that H.B. No. 238 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 238, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representatives Evans and Hanohano, for the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 155) recommending that H.B. No. 550 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND

LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 156) recommending that H.B. No. 998 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 216, as amended in HD 1, pass Second Reading and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A FINANCIAL REVIEW BY THE OFFICE OF HAWAIIAN AFFAIRS OF COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006," passed Second Reading and was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Cachola and Say being excused.

Representatives Evans and Hanohano, for the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 933, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 933, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL SHORELINE ENCROACHMENT EASEMENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Say being excused.

Representatives Belatti and Carroll, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 872 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 872, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FROM THE NURSING FACILITY SUSTAINABILITY PROGRAM SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

At 12:50 o'clock p.m., Representative McDermott requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

Representatives Belatti and Carroll, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 879, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 879, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representatives Belatti and Carroll, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 880, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.B. No. 880, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola and Say being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 364, as amended in HD 1, be recommitted to the Committee on Transportation.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 364, HD 1 be recommitted to the Committee on Transportation, seconded by Representative Awana.

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

"Mr. Speaker, I rise with reservations. Mr. Speaker, this is a bill that has very huge fiscal implications for the mass transit rail project and for the state coffers. This is essentially a ten percent take to administer the GE Tax increase of five percent that came in a number of years ago, which now there's probably a few hundred million dollars that is sitting there. Even though I know this would be proactive, this has major implications for the City and County of Honolulu and it has major implications for the State treasury.

"I just think this needs to be contemplated, discussed, massaged and looked at very, very seriously before we proceed ahead. And that's why I think the recommittal is probably the best thing that we could ever do."

At 12:53 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:55 o'clock p.m.

Representative Ward rose, stating:

"Mr. Speaker, I am now procedurally accurately saying I withdraw those remarks, but hopefully they will be coming up later when we do get into the Committee where this bill will be in short form, shortly inserted with those various issues. 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. 364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was recommitted to the Committee on Transportation, with Representatives Belatti, Cachola, Say and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 115, as amended in HD 1, be recommitted to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was recommitted to the Committee on Higher Education, with Representatives Belatti, Cachola, Say and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 164) recommending that H.B. No. 18 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 18, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM

ELECTRONIC LEGAL MATERIAL ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Cachola, Say and Souki being excused.

SUPPLEMENTAL CALENDAR #1

REPORTS OF STANDING COMMITTEES

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 942, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water & Land and the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 942, HD 1 pass Second Reading and be referred jointly to the Committee on Water & Land and the Committee on Finance, seconded by Representative Awana.

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

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

"Mr. Speaker, I rise in opposition with brief comments. Mr. Speaker, if the PLDC is a bad bill, this is even worse. Because this is the PLCD morphed or written in a different way, in the same way. If people are against the PLDC I don't see how they can be for this bill, because basically it just crosses out some of their language and inserts harbors and parks development.

"So, what are we trying to do? We're trying to fix PLDC as part of the purpose and the goals and the vision of this session. But, if we sneak in one that says, well, we can do it very narrow, cast as harbors and parks, what have we done. We've kind of pulled a fast one. So, just for the sake of what many people have said they are being against PLDC, this is one of those issues that test it. Thank you, Mr. Speaker."

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

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

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

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

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

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

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

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

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

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

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

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

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

364, HD1 Committee on Transportation, then to the Committee on Finance

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

632 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

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

1186 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS AND PARKS DEVELOPMENT," passed Second Reading and was referred jointly to the Committee on Water & Land and the Committee on Finance, with Representatives Fale, Hanohano, Ing, Thielen and Ward voting no, and with Representatives Belatti, Cachola and Say being excused.

1255 Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs

1327 Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs

1443 Committee on Consumer Protection & Commerce, then to the Committee on Finance

At 1:00 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

ADJOURNMENT

At 1:01 o'clock p.m., on motion by Representative Awana, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 7, 2013. (Representatives Belatti, Cachola, Har, Ito and Say were excused.)

The House of Representatives reconvened at 1:00 o'clock p.m.

ORDINARY CALENDAR

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 36 and 37) were referred to Printing and further action was deferred:

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CREATE A REDEVELOPMENT MASTER PLAN AND MORE HOUSING UNITS FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," was offered by Representative Rhoads.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NONEXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS LOCATED IN KAPAHULU, HONOLULU, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF AN EXISTING SEAWALL AND STEPS," was offered by Representative Evans.

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. If anyone would please return the wine and the tea, and I think we ate the chips and that's fine. Because I need the wine and the tea for this afternoon's hearing. Thank you. No questions asked."

Representative Ward: "Mr. Speaker, just to note, there will be a fellowship luncheon immediately after the session. It will be in Room 437, and we will be having hemp wine communion. This is the fellowship luncheon, for those people are so inclined for spiritual things, regardless of whether they're Buddhist, Atheist, Christian, Jewish, Muslim or otherwise. And we will not have hemp wine there."

COMMITTEE REASSIGNMENTS

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

H.B.

Nos. Re-referred to:

115, Committee on Higher Education, then to the Committee on
HD1 Finance