

THIRTY-SECOND DAY**Friday, March 15, 2013**

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:06 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Ms. Isabel Quintero of Head Start, after which the Roll was called showing all Members present with the exception of Representatives Kawakami, Mizuno, Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirtieth and Thirty-First Days was deferred.

INTRODUCTIONS

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

Representative Thielen introduced her cousin Ms. Virginia Odgaard and husband Mr. Peder Odgaard, visiting from California.

Representative Yamane introduced Students and Faculty of the Social Work Programs at University of Hawaii, Hawaii Pacific University and Brigham Young University; Social Work Legislative Planning Committee Members: Mr. Kiai Lee, Mr. Michael Paeste, Ms. Renae Balentine, Ms. Stephanie Batzer, Ms. Karissa Kinney and Mr. William Maemori; and Members of the National Association of Social Workers, Hawaii Chapter: Executive Director Mr. Marty Oliphant, and Mr. Victor Voth.

Representative Takumi introduced parents, supports and members of the Hawaii Community Action Program – Head Start: Ms. Isabel Quintero, President; Ms. Racquel Dizon-Ikei, Vice President; Ms. Tianni Kawa'a, Treasurer; Ms. Sheri-Ann Cabinatan, Secretary; Ms. Lynn Cabato, Head Start Executive Director.

Representative Cheape introduced Miss Hawaii 2010, Mrs. Jalee Palompo.

Representative Fale recognized his rugby-playing 'brother' visiting with the Social Work students from BYUH.

ORDER OF THE DAY**REPORTS OF STANDING COMMITTEES**

Representatives Wooley and Evans, for the Committee on Agriculture and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 951) recommending that S.B. No. 5, SD 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 S.B. No. 5, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 952) recommending that S.B. No. 965, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 965, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 953) recommending that S.B. No. 506, SD 2, 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 S.B. No. 506, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 954) recommending that S.B. No. 886 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 S.B. No. 886, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES," passed Second Reading and was referred to the Committee on Finance, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 955) recommending that S.B. No. 102, SD 2 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 S.B. No. 102, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 956) recommending that S.B. No. 390, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 390, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Education, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 957) recommending that S.B. No. 815, SD 2 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 S.B. No. 815, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai 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. 958) recommending that S.B. No. 1007, SD 2 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 S.B. No. 1007, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND

LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 959) recommending that S.B. No. 1168, SD 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 S.B. No. 1168, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY FOR MOUNTAIN CLIMBING, ROCK CLIMBING, RAPPELLING, AND BOULDERING ON GOVERNMENT LAND," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 960) recommending that S.B. No. 1106, SD 2 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 S.B. No. 1106, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 961) recommending that S.B. No. 1169, SD 2 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 S.B. No. 1169, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOO LAWE ISLAND RESERVE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 962) recommending that S.B. No. 10, SD 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 S.B. No. 10, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 963) recommending that S.B. No. 1087, SD 2, 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 S.B. No. 1087, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

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

"Mr. Speaker, with reservations regarding this measure, with the following comments. I'm very concerned that there's going to be a statewide increase in fees but only a certain group of people will have access to those facilities to have put on their homes. So until it's clear who will qualify for those loans and the process in which they will receive the

loans to put this infrastructure, to have access to this infrastructure, Mr. Speaker, I still have some serious concerns and reservations with this measure."

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

"Mr. Speaker, thank you. In support. Very briefly, this measure is going to be a game changer for the State of Hawaii. It raises no fees, it places no further burden on our constituents, rather it empowers them to be able to reduce costs in their electric bills over time and will provide for the first time the ability to put upfront financing forward so that they can put photovoltaic and other renewable energies on their rooftops, for renters, for middle and low income folks. It leverages the existing capital we have to bring in outside capital, private investment capital into the state with no liability on the state to do this.

"It's going to be something that I think will allow us in the long term to meet our goals of renewable energy here in Hawaii and at the same time reduce cost for all our homeowners. Thank you very much."

Representative Fale rose to respond, stating:

"Mr. Speaker, again with reservations. In regards to what the previous speaker just said. In the language of the bill it actually does say that there will be a green infrastructure fee that will be assessed. I'm concerned with some of the testimony that was offered, especially by the Hawaii Electric Company, which did say that this will have a significant impact on the consumption of electricity within the State of Hawaii. He said that it actually would raise the cost per kilowatt-hour of production of electricity.

"So until further clarification is actually given in regards to whether it's going to cause electric rates to increase, once again, having this fee that's going to apply statewide but only a certain few will be selected to have access to those loans. Mr. Speaker, I think there are still a number of concerns that have to be addressed in regards to this measure."

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

"Mr. Speaker, in favor. The mantra of my office has been solar on every roof for the last five, six years since I've returned to the Body here. We have 1% of our lights coming from PV now. We've got to try all the different ways, this is a creative way. We have to try all ways of financing because nobody's going to prepay their light bill for 10 years. We don't know what the interest rates are, this gives that option hopefully to make it low.

"But the gentleman from the North Shore is correct. It says a fee, and I think, given what has been said and the selling and the marketing of this, there shouldn't have to be a fee for this. These are to have bonds sold and low interest rates to pay them back and then as you have on-bill payments, you shouldn't have to do it. But the goal of getting off of fossil fuels of the \$6 billion that we export every year, we've got to do it. This is a good attempt at trying it and hopefully it's going to succeed, but I think this is a measure, so far and so good. Thank you."

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

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

"Thank you very much, Mr. Speaker. In support. Never let it be said that there is no love between Hawaii Kai and West Maui. I would like the

words of the previous speaker from Hawaii Kai entered in the record as if they were my own."

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

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

"In strong support. I think this measure will benefit our working class and middle class families and make renewable energy accessible to them. On top of that, if you think about the big picture and the long term, we can expect that the cost of fossil fuels will continue to increase. So, this is actually, it will reduce cost over the long term by transitioning us to more renewable energy."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1087, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREEN INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representative Cabanilla, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 964) recommending that S.B. No. 1112 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 S.B. No. 1112, entitled: "A BILL FOR AN ACT RELATING TO DELETING STATE PUBLIC HOUSING DELINQUENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Cabanilla, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 965) recommending that S.B. No. 507, SD 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 S.B. No. 507, SD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. May I have a ruling on a potential conflict. At my law firm I represent community associations. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, requesting a ruling on a potential conflict. I sit on a homeowner association as a director. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 507, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representatives Lee and Belatti, for the Committee on Energy & Environmental Protection and the Committee on Health, presented a report (Stand. Com. Rep. No. 966) recommending that S.B. No. 1135, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1135, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker, I'm going to rise in opposition to this measure with just some brief comments. Mr. Speaker, this does address a problem of, I didn't hear the bill, so if I'm wrong or mistaken I welcome any critique or correction. It addresses a problem of things like laptops, CTVs, televisions, electronics. These are a real problem. Anybody who's seen the *60 Minutes* program over in China has seen the vast wasteland of all these things that are collected by US recyclers and they put them in containers, ship them over there and then they just pick through what they want and throw the rest out. So, there is a real issue there.

"I'm not Nostradamus, Mr. Speaker, but occasionally I make a prediction. I'm not going to bring it up now, but going back to 2000 in the Journal I made a prediction on some things and they actually came to fruition. But what I see is going to happen with this, and I've always wondered, Mr. Speaker, why the folks who propose recycling and all this. This is 5 cents, it's about 10% of the cost of the water. Why they've never put a fee on this computer. Why we don't have a \$50 fee on laptops, \$100 fee on desktops. I mean, after all, this is made out of an evil petroleum product. It's terrible, it's filled with poisons. Why don't we have that fee?

"Mr. Speaker, what I see here is we're laying the groundwork for that because we're going to charge the collector. Whoever is going to stand alongside the road with a container, he's going to collect these things. There is some stuff of value in there, some precious metals. \$250. But then we're going to charge the manufacturer \$5,000. So, guess who they pass that cost on to. I'm not sure the mechanics of how the collector would recoup it, because if he's going to charge you to take your computer back, you're just going to throw it in your trash can. That's what you're going to do. At least that's what people in the real world do.

"The manufacturer is undoubtedly going to pass it on to the vendor, *Circuit City*, whatever they are, *Sears*, whoever they are that sells these electronic devices, they're going to add \$2 or \$3 in the cart. But this lays the groundwork and the mechanics for coming back a few years from now, which we undoubtedly will, and start saying okay, there's going to be a \$5 charge on every laptop to recycle. \$5 isn't much and then \$2 or \$3 on your handheld device. Mark my words, prediction number two from Bob 'Nostradamus' McDermott, that we are going to see a fee, I'm not suggesting that we do this by the way, but we're going to see a fee on these laptops for recycling. I hope I didn't give anybody a bad idea, but thank you."

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

"Mr. Speaker, with strong reservations. As stated by the previous speaker, this measure would further drive up the cost of a lot of electronic equipment. One of the greatest things that helps to raise people out of poverty, Mr. Speaker, is the access to technology. Now this measure would further increase the cost of the technology and as the previous speaker noted, that cost is going to get added on to the consumer.

"This measure would push that technology a little further out of the reach of the most disadvantaged in our communities, Mr. Speaker. Because it pushes that technology and the opportunity for those members of the community to further rise out of poverty, Mr. Speaker, I have very serious concerns with this measure."

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

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. SB 1135, SD 2, HD 1 addresses the issue surrounding electronic waste. As the Representative of a district

where solid municipal waste is deposited, I see this measure as a step in the right direction. This bill provides a method of reusing and recycling electronic devices such as appliances, computers, televisions and other waste which in the long run, will mean that this waste can be kept out of our landfills – aiding our environment.

"There are other types of waste that also needs to be addressed and we have done so with the recycling programs with cans and bottles. In addition, the City and County of Honolulu has been initiating curbside recycling to include other plastics and cardboard. Addressing these additional items through SB 1135, SD 2, HD 1 allows us to think about trash a little smarter, reusing it a little wiser in hopes of sustaining ourselves a lot longer. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1135, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Judiciary, with Representative McDermott voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 967) recommending that S.B. No. 652, SD 2, 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 S.B. No. 652, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 968) recommending that S.B. No. 665, SD 1 pass Second Reading and be referred to the Committee on Higher Education.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 665, SD 1 pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Awana.

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

"Mr. Speaker, may I have a ruling on a possible conflict. My spouse represents the John A. Burns School of Medicine. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 665, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 969) recommending that S.B. No. 1240, SD 2 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 S.B. No. 1240, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PEDIATRIC DENTAL HEALTH COVERAGE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 970) recommending that S.B. No. 654, SD 1, 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 S.B. No. 654,

SD 1, 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 Mizuno, Oshiro and Takai being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 971) recommending that S.B. No. 1238, SD 2, 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 S.B. No. 1238, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 972) recommending that S.B. No. 693, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 693, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker, I rise in opposition to this. Mr. Speaker, you and I have been here before. We've done this dance once before and it occurs to me that two of these van cams, if you will, will be in the Ewa area. I love my constituents, Mr. Speaker but I'd rather not be fielding angry calls from them based on this. It sounds good, it's a safety measure, it improves safety and we know that. I'm not disputing that, Mr. Speaker. But the public does not want it. We felt the wrath the last time. We heard it. And we quickly reversed course.

"So, I would suggest as it goes on to the esteemed Chairman of Judiciary that we consider the past history and what we went through and how we reversed course within 12 months of implementing this. So that's all I'd like to say. Thank you."

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

Representative Jordan rose and asked that the Clerk record an aye vote with reservations 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:

"Mr. Speaker, I rise with reservations on SB 693, SD 2, HD 1. This bill establishes a three-year pilot photo red light imaging detector system program in all counties. While the bill has an admirable goal of improving the safety of both passengers and drivers, as well as reducing traffic related injuries, there are a number of unintended consequences of this legislation that are worth noting. The bill restricts the rights of individuals to contest the violation and does not cover all forms of vehicles. For these reasons, I will be voting with reservations."

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

"Mr. Speaker, with reservations and a brief comment. Number one, Mr. Speaker, we don't need a pilot the last three years. If you don't know what's happening after a year, you're blind. I think we can narrow it down so the sting of those who don't think we should be catching speeders and accident makers to alleviate that fear.

"Number two, I think we should put it in communities that want it. I know there are many people here or on Maui that would want this and welcome it.

"Number three, Mr. Speaker, I think we should put it where the most deaths occur. Either by running the red light or having the speeding of the red light. But those dangerous intersections so you can show unequivocally with data, not just impressions that we've been using for the last 10 years to talk about this stuff. But to show that here's what it is and here's what it's done.

"But it should take two years and it should be where it's wanted and where the data is where it's really dangerous so it can show the difference. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker, in regards to the five noted intersections, to rebut what was stated earlier. Mr. Speaker, part of the five intersections includes the number one and two identified highest traffic accident intersections on the island of Oahu. As well as, Mr. Speaker, we will be continuing to work with our colleagues on Maui because that was an identified intersection, at the request to help alleviate some traffic issues in that sector of Maui. Again, requested.

"As well as Mr. Speaker, if you notice that there are two areas in Ewa Beach, which is where we felt the community who has expressed an interest through their State Senator, we put those identified intersections in the bill, Mr. Speaker.

"Also to address some of the concerns that were brought up in past measures including van cams, we made the program a nonprofit, tickets will be issued by county police officers as well as we added more time for summons and response. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support with a slight reservation. It says the purpose of the act is to establish a three-year pilot photo red light imaging detector system programmed to improve enforcement of the traffic signal laws in all counties. I think it would be nice to have one in East Hawaii and one in West Hawaii, because if this law becomes effective it will affect Hawaii County. So I think putting it there and seeing how effective it is, given that the intent of this is to become a statewide program, I think that should be looked at. 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 Fukumoto rose to speak in support of the measure with reservations, stating:

"With reservations, just slight reservations, because I do think that the Chair of Transportation did a very good job limiting the scope of this measure. So just in an abundance of caution, reservations. Thank you."

Representative McDermott rose to respond, stating:

"Mr. Speaker, second time, still in opposition and certainly a no vote on this. I certainly appreciate what the Transportation Chair said. He is absolutely right, this will increase safety, there is no question about that. I wasn't asked about it, so maybe the State Senator was, but no one asked me.

"We do many things that will increase safety, we could require everyone who's driving a car to wear a bicycle helmet. That would certainly increase safety, but we don't do it."

"Mr. Speaker, government is a nonprofit. It doesn't mean people like paying tickets or giving us money or doing things. The point is that people feel that this is intrusive. Whether it's a stationary thing, and I haven't

heard the bill yet so I'm not an expert, but whether is a stationary thing or a camera, boy they don't like it and they let us know.

"We've done this once before. It could improve safety but so could stationing a police officer standing right there or having more vehicles. When you see a police car on the street you slow down. That would be a better way to do it. Thank you, Sir."

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

"Ruling on a potential conflict, Mr. Speaker. The Senator and I live on that corner, Fort Weaver and Kolowaka Drive," and the Chair ruled, "no conflict."

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

"I would like to support this measure. I know it's a pilot project and we are willing to be the guinea pig to see if this is a good measure for the rest of the people of our state. Thank you."

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

"Thank you very much, Mr. Speaker. In support. However, I have to apologize to the Chair of Transportation. When this issue came up we had a walkthrough with parents at the intersection that's named in the bill because right now the Lahaina bypass under the safe routes offset, they have a police officer there to watch the kids that are crossing the street. And the parents wanted me to come up and walk with the kids to school to see how dangerous it is with people flying down the road where a child was nearly hit right in front of us.

"The Safe Routes to School funding will run out when the highway project is complete, there will be no officer at that area anymore. However, when I was back on Maui, my light bulb in my head went off and realized that it's a red light camera program not a traffic camera program and the intersection that we've identified doesn't have any lights. So, whoops.

"So, we want to work with the Chair of Transportation on this, however that is a fatal flaw for that location. But it doesn't undercut the seriousness of what I witnessed personally and what the parents are really upset about, especially when the officer leaves because the Safe Routes to School funding will not be there when the bypass is completed. Thank you very much."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 693, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McDermott and Thielen voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 973) recommending that S.B. No. 1161, SD 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 S.B. No. 1161, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," passed Second Reading and was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 974) recommending that S.B. No. 495, SD 2, 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 S.B. No. 495, SD 2, 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 Mizuno, Oshiro and Takai being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 975) recommending that S.B. No. 1340, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1340, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker. I rise in support of this measure. As my colleagues know, I've been a foster parent and an adoptive parent. And too often, and I hate to say this, I say negative things. But this is a really good measure and it helps kids in that gap group before they're fully adults. So I want to commend the Body and the Chair for doing a great job. A lot of wisdom and discernment went into this. So, thank you so much, Mr. Speaker."

Representative Fale rose in support of 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.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1340, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 532, SD 1, 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 S.B. No. 532, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE WORKPLACE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 510, SD 2, 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 S.B. No. 510, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

Representative McDermott 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 S.B. No. 510, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 1084,

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

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1084, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

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

Representative Ohno's written remarks are as follows:

"Access to early education prepares students to be successful from day one. I support SB 1084 because Hawaii needs to step up to provide families the opportunity to attend a preschool focused on education with qualified staff and curriculum. It is our responsibility as legislators to ensure children statewide are presented with the tools to thrive in our education system."

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

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

Representative Fale's written remarks are as follows:

"Mr. Speaker, I rise with reservations regarding Senate Bill 1084, SD 1, HD 1. This bill is a constitutional amendment with the title: 'PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 1, OF THE HAWAII STATE CONSTITUTION TO PERMIT THE APPROPRIATION OF PUBLIC FUNDS FOR PRIVATE EARLY CHILDHOOD EDUCATION PROGRAMS.'

"It should be noted that HSTA submitted testimony in opposition to any measure that supports public funds to be used for 'any privatization or subcontracting program' that will expend public funds to be used in a private educational institution. The HSTA feels this would reduce resources that would go towards public education and that it would also blur the lines between public education and private faith-based educational institutions.

"Mr. Speaker, for these reasons I rise with reservations regarding Senate Bill 1084, SD 1, HD 1."

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

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

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

Representative McDermott rose and asked that the Clerk record an aye vote with reservations for him, 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 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:

"Mr. Speaker, I rise with reservations on SB 1084, SD 1, HD 1. This bill proposes a constitutional amendment to permit the appropriation of public funds for private early childhood education programs. While the bill has a noble goal of helping expand access to educational programs, I am concerned about the potential impact on schools that may have a religious affiliation, such as many of the schools in my district, including the Aiea Hongwanji Preschool. Because I support the autonomy of private schools, I will be voting with reservations."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1084, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 1, OF THE HAWAII STATE CONSTITUTION TO PERMIT THE APPROPRIATION OF PUBLIC FUNDS FOR PRIVATE EARLY CHILDHOOD EDUCATION PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 1093, SD 2, 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 S.B. No. 1093, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, this is a very good program because it prepares primarily families, which have the most influence over students and their achievement in the future.

"What I find ironic about this is that right now kindergarten is not mandatory. Kindergarten is optional. If we want to drill down into the age groups and do these services I think we should at least make it mandatory that kindergarten in Hawaii, even though I think 97% according to DOE do attend kindergarten, 3% are being overlooked. HSTA however says it's in the 60 percentile that attended.

"The notion is, if we're going to get early learning, we're going to get all of these readiness things going, it shouldn't be an option for kids to go to kindergarten just before they go into the first grade. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1093, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL READINESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No. 1095, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1095, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

Representative Ohno's written remarks are as follows:

"There is no investment more wise than early education. This program would allow those students most in need the opportunity to attend

preschool at no cost and provide financial assistance to our middle class families. The neediest students have demonstrated benefits such as higher employment and lower incarceration rates among adults after attending preschool. Beyond a test score, these are the outcomes we should be focused on. By shifting our focus and resources to our youth population, we guide them toward positive choice in adulthood which, in turn, saves our state resources."

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

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

Representative Lowen 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 S.B. No. 1095, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 46, SD 2, 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 S.B. No. 46, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

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

"May I have a ruling on a potential conflict? My wife is a consultant with HPU. Thank you," and the Chair ruled, "no conflict."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 46, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 635, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 635, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'm standing in support with slight reservations. My reservations are contained in line 4 on page 4 of the bill, Mr. Speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 635, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 74, SD 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 S.B. No. 74, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 69, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 69, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

Representative McDermott rose and asked that the Clerk record a no vote 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 Fale rose to speak in support of the measure with reservations, stating:

"With strong reservations, Mr. Speaker."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 69, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary, with Representative McDermott voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 1179, SD 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 S.B. No. 1179, SD 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 Mizuno, Oshiro and Takai being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 986) recommending that S.B. No. 509, 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 S.B. No. 509, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO RIGHTS OF CRIME VICTIMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai 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. 987) recommending that S.B. No. 1170, SD 2 pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1170, SD 2 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker, with reservations and a brief comment. Mr. Speaker, when this went through committee they moved it out as is, but there was information placed in the Committee Report that is very pertinent to the bill's action going forward. So, I just wanted to alert the Judiciary Chair. Thank you, Mr. Speaker."

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

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

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

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

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

"Serious, serious reservations on this one, Mr. Speaker. We have a system that's called the Judiciary to handle this type of thing. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1170, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF VIOLATIONS BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 623, SD 2, 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 S.B. No. 623, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

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

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

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

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

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

"Mr. Speaker, reservations with a brief comment. Mr. Speaker, I said earlier that nobody wants to prepay their light bill for 10 years or 5 years or anything by putting up a lot of upfront money. If we dis-incentivize this PV program, my fear is this nascent industry, which I call a zygote, not even born yet, is going to either wither away or die off rather quickly. It will un-realize our potential as a nation model as well as an international model taking advantage of the climate that we're blessed with.

"I always, case in point, cite the fact that for over two decades we have had incentive for solar water heating but to this day only 27 – 29% of our over 435,000 homes have solar water heating. You can see this cycle of the solar water heating goes up and down according to the incentives.

"Mr. Speaker, the people out there are not foolishly withholding their money. They know when there's a deal and if we don't incentivize it, it's not going to happen. If we tinker too strongly with these numbers and dis-incentivize it, we're going to lose our opportunity to be a world leader in renewable resources. Thank you."

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

"Thank you. Just briefly, in support. I will note that up to this point this bill has actually increased the incentives for, in particular, solar water heaters, as well the bill as it currently stands is blanked out so that we can continue to push it forward so that we can continue to provide incentives for all the renewable energy technologies that this would cover. Thank you."

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

"Mr. Speaker, I request a ruling on a potential conflict. I'm a partner in a solar project. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 623, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Mizuno, Oshiro and Takai being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 1133, SD 2, 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 S.B. No. 1133, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

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

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

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

"Mr. Speaker, in opposition. Mr. Speaker, this measure I am quite certain which group in our community would be affected the most. This is the good working families that we have in the State of Hawaii that are up 4:00, 5:00 in the morning headed to work. This measure would further increase their cost of living, Mr. Speaker. For those reasons I must be opposed to this measure."

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:

"Mr. Speaker, I rise with reservations on SB 1133, SD 2, HD 1. This bill removes the exemption for liquid dietary supplement containers in amounts greater than one ounce from the deposit beverage container program. Senior dietary supplements, such as *Ensure*, may now be made less affordable with the passage of this measure. My worry is that this bill would have the most impact on those who are least equipped to handle increased fees."

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

"Thank you, Mr. Speaker. In support. Just very briefly, this is really a housekeeping measure. We've had a loophole built into our deposit beverage container law for some time and it's been exploited by a number of companies. While some voluntarily make sure that they properly label their drink bottles so that they fall within the program, others have exploited this loophole, labeling all sorts of different stuff as dietary supplements despite the fact that in fact are not. So this would close that loophole and allow all the folks in the beverage container industry a level playing field to compete fairly. Thank you very much."

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

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

"Thank you, Mr. Speaker. This is more of a flagging for CPC, but with reservations and the concern is that, while we understand the intent is to close a loophole we feel that this could inadvertently target those types of supplements that our seniors in particular need as part of their dietary regiment. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1133, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Fale, Fukumoto and McDermott voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

Representatives Hanohano and Evans, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water &

Land, presented a report (Stand. Com. Rep. No. 990) recommending that H.C.R. No. 46 be adopted.

Representative Saiki moved that the report of the Committees be adopted, and that H.C.R. No. 46 be adopted, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and , the report of the Committees was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LANIKAI, KOOLAPOKO, OAHU, FOR SEAWALL AND REVETMENT PURPOSES," was adopted, with Representative Jordan voting no, and with Representatives Mizuno, Oshiro and Takai being excused.

At 12:59 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:59 o'clock p.m.

ANNOUNCEMENTS

Representative Har: "Thank you, Mr. Speaker. Members, on behalf of Senator Suzanne Chun-Oakland and myself, we would like to invite the Members of this Body, along with their staff, to please join us on Monday, March 18, from 2:00 to 3:00 in Conference Room 312, where we will meet and welcome Congressman Patrick Kennedy who's a Representative from Rhode Island, 1st Congressional District, along with Kevin Sabet and John Redman who are also from Smart Approaches to Marijuana, for all Legislators and staff. It will be a very informative briefing as we continue to deal with many of these marijuana issues. Thank you, Mr. Speaker."

COMMITTEE REASSIGNMENTS

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

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
345, SD1	Committee on Economic Development & Business, then to the Committee on Finance
506, SD2, HD1	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Consumer Protection & Commerce
803, SD2	Jointly to the Committee on Water & Land and the Committee on Transportation, then to the Committee on Finance
965, SD1, HD1	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Consumer Protection & Commerce

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, Monday, March 18, 2013. (Representatives Mizuno, Oshiro and Takai were excused.)