

THIRTY-FOURTH DAY

Tuesday, March 18, 2014

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2014, convened at 12:10 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Pastor David "Waxer" Tipton of One Love Ministries, after which the Roll was called showing all Members present with the exception of Representatives Cachola, Say and Takai, who were excused.

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

INTRODUCTIONS

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

Representative Johanson introduced staff and participants from TeenPact Hawaii Leadership School.

Representative Belatti introduced students from the University of Hawaii at Manoa School of Nursing: Tyler Eickholt, Becca Reed, Joanna Vendiola, Moani Amerino, Nathan Johnson, April Abutin, Keesha Thomas, Mericris Neyra and Becca Governale; and Professor Michele Bray.

Representative Kawakami introduced Ms. Talia Abrams, author of the Community Food Forests bill.

Representative Har introduced former Representative Jerry Chang, Director, University Relations, UH Hilo; and her constituent, an eighth grader with TeamPact, Emily Kim.

Representative Ito introduced his friend, Mr. Guy Shibayama, Sheet Metal Workers Union.

Representative Ward introduced former Representative Cam Cavasso.

Representative Cullen introduced his former public administration classmate, Ms. Billie Lueder, Executive Assistant to the Chancellor and Director of Communications & External Affairs, Honolulu Community College.

Representative Matsumoto recognized Ms. Billie Lueder as a former Miss Hawaii.

Representative Onishi introduced his friend, Ms. Deborah Shigehara, Interim Director of Continuing Education & Training, Hawaii Community College.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 206) was announced by the Clerk and the following action taken:

H.R. No. 206, entitled: "HOUSE RESOLUTION RECOGNIZING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGE SYSTEM FOR 50 YEARS OF EDUCATIONAL EXCELLENCE AND FOR THE LEADERSHIP ROLE IT PERFORMS IN OFFERING EDUCATIONAL AND EMPLOYMENT OPPORTUNITIES FOR ALL," was jointly offered by Representatives Choy and Ichiyama.

Representative Choy moved that H.R. No. 206 be adopted, seconded by Representative Ichiyama.

Representative Choy recognized University of Hawaii Community Colleges for their 50 years of educational excellence, offering education and employment opportunities for all, and gaining national and worldwide attention with award-winning achievements in STEM, Culinary Arts and Design.

Representative Ichiyama congratulated and introduced honorees seated on the Floor of the House:

Mr. John Holzman, Chair, UH Board of Regents;
Mr. David Lassner, Interim President, UH System;
Mr. John Morton, Vice President, UH Community Colleges;
Mr. Michael Unebasami, Associate Vice President for Administrative Affairs, UH Community Colleges;
Mr. Peter Quigley, Associate Vice President for Academic Affairs, UH Community Colleges;
Ms. Erika Lacro, Chancellor, Honolulu Community College;
Mr. Leon Richards, Chancellor, Kapiolani Community College;
Mr. Manuel Cabral, Chancellor, Leeward Community College;
Mr. Douglas Dykstra, Chancellor, Windward Community College;
Ms. Helen Cox, Chancellor, Kauai Community College;
Mr. Clyde Sakamoto, Chancellor, Maui Community College; and
Ms. Noreen Yamane, Chancellor, Hawaii Community College.

Representative Ward thanked the UH System for all they do and for continuing to push for a world class institution.

The motion was put to vote by the Chair and carried, and H.R. No. 206 was adopted, with Representatives Takai and Tokioka being excused.

At 12:29 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:39 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 986-14) recommending that S.B. No. 2634, SD 1, 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. 2634, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Mr. Speaker, I just needed to request a ruling on a potential conflict. My wife is a registered lobbyist. Thank you," and the Chair ruled, "no conflict."

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. 2634, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 987-14) recommending that S.B. No. 2330, SD 1 pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B.

No. 2330, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KANEOHE BAY REGIONAL COUNCIL," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 988-14) recommending that S.B. No. 2678, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2678, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT CULTURAL RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 989-14) recommending that S.B. No. 2822, SD 1 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2822, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR REAL ESTATE APPRAISERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 990-14) recommending that S.B. No. 2229, SD 2 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2229, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM POWER OF ATTORNEY ACT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Takai and Tokioka being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 991-14) recommending that S.B. No. 2682, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2682, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Takai and Tokioka being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 992-14) recommending that S.B. No. 2195, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2195, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 993-14) recommending that S.B. No. 2756, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2756, SD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE PROCESSING OF SEWAGE INTO SEWAGE DERIVED FUEL," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 994-14) recommending that S.B. No. 3008, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 3008, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ANAERGIA INC.," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 995-14) recommending that S.B. No. 2749, SD 1, 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. 2749, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2749, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 996-14) recommending that S.B. No. 2288, 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. 2288, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

Representative Jordan 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. 2288, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 997-14) recommending that S.B. No. 2424, SD 2 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. 2424, SD 2 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"I stand in support, Mr. Speaker. This is not a perfect bill, but it is a good departure point for discussions to continue. I hate to say this, I sound

like a politician, 'the discussion', so we can maybe fund some of these hot air schools. Obviously, the schools in the Ewa area are so hot, they actually have taken temperature in there over 100 degrees in the classrooms. After lunch in the afternoon, children just can't concentrate. It's tough enough with the hormones raging, and then you add 100 degree heat, they just fall asleep. So, to continue the discussion I support this. 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. 2424, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR CONDITIONING IN PUBLIC SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 998-14) recommending that S.B. No. 2134, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2134, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 999-14) recommending that S.B. No. 2423, SD 2 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. 2423, SD 2 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Mr. Speaker, I'd like to cast a no vote on this and some brief comments. A wonderfully well intended bill, and we all want to support charities. In fact, Mr. Speaker, as an Executive Director of a 501(c)3, this is something I know a little bit about. And I want to say thank you to the Education Chair, because we just had a brief discussion on this. And as usual, we agree on nothing, as he'll be the first to say.

"But, Mr. Speaker, my concern is that charities, 501(c)3s, can have a political agenda, whether it be left or right. And something you might find pleasant, Mr. Speaker, I might find objectionable and vice versa. And so, although through the years they've been done for benign charities like American Heart Association, Jump Rope for Heart, and things of that nature, consensus charities, no one is going to complain about that.

"But there is the opportunity, because it's left up to the school and the teacher, and it might be a situation where there is an organization, like even the one I work for, that supports the military. Some parents may not like that. And then you go into, well this is giving a lot of power to the teacher or the principal to decide what charities to support. So who's to say the Heart Association is more important than the Leukemia Foundation or more important than American Diabetes Association, *et cetera, et cetera*. And so, that is problematic.

"Now this, if we leave it as is, it will still not stop the schools for fundraising for themselves. Where the kids come around and bring a little card and it's pay \$10 and you get this gift card, and if you go to a certain restaurant on Tuesdays you get an extra sandwich. That would still be allowed. But what wouldn't be allowed is Jump Rope for Heart and things of that nature.

"So what you run into, Mr. Speaker, particularly in my neck of the woods, is that every time you turn around it seems that kids are coming home with a book-a-thon or some sort of fundraising opportunity. It teaches life skills, I understand that. It teaches us to give back, I understand that. But I would rather have that time spent on the basics and accomplishing the learning objectives.

"Again, as I said, I work for a nonprofit, so I'm kind of familiar with this sort of stuff. And we don't go into the schools, nor would we. We don't think it would be appropriate for us. So I would say, let's not move this forward. There's not a hue and cry from the community. And I'm going to vote no on this. Thank you, sir."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Takai and Tokioka being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1000-14) recommending that S.B. No. 2977, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2977, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Hashem, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1001-14) recommending that S.B. No. 2337, SD 1, 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. 2337, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

Representative Jordan 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. 2337, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1002-14) recommending that S.B. No. 2057, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2057, SD 2, 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 Takai and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1003-14) recommending that S.B. No. 149, 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. 149, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 149, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed

Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1004-14) recommending that S.B. No. 2545, 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. 2545, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

Representative Jordan 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. 2545, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1005-14) recommending that S.B. No. 2477, SD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2477, SD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Cabanilla.

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

"*Mahalo ho'omalū 'ōlelo.* Thank you, Mr. Speaker. *Ke ku nei au me ke kaka'o 'ole loa.* I rise in strong opposition. *'Ehā makahiki i hope ka hana no kēia ke'ena, ho'opololei pala pala 'aina.* The agency is four years backlogged. *A'ohe lawa ka po'e no kēia hana.* There aren't enough people to do the work. *'Oia ko'u mana'o.* These are my thoughts. *Mahalo ho'omalū 'ōlelo.*"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2477, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Hanohano voting no, and with Representatives Takai and Tokioka being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1006-14) recommending that S.B. No. 2877, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2877, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT HARBOR FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Takai and Tokioka being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1007-14) recommending that S.B. No. 2391, 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. 2391, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

Representative Hanohano rose and asked that the Clerk record a no vote for her, 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 Fale rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana 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. 2391, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance, with Representative Hanohano voting no, and with Representatives Takai and Tokioka being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1008-14) recommending that S.B. No. 2233 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2233, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Takai and Tokioka being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1009-14) recommending that S.B. No. 3121, SD 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. 3121, SD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Mr. Speaker, I rise in strong opposition. Mr. Speaker, this bill threatens democracy, the democratic process. It says when there's a land exchange, instead of the existing statute that says it should be a two-thirds majority, it says, well let's ratchet it down to just a simple majority.

"Mr. Speaker, whenever you're dealing with land and power, as nations have transits, well just recently the Crimea, for example. Whenever land is involved, it's very, very volatile. Whenever power is involved, whether it's from apartheid to democracy, *et cetera*, things need to have a consensus.

"Mr. Speaker, our political culture in Hawaii is consensus. The model that we use in this Body is a consensus model. This flies in the face of our political culture. This flies in the face of land, that is the most sacred and the most limited thing that we've got in the State of Hawaii. And it says, 'Hey, all you got to do is flip it off with a simple majority.' I think that's damning with faint praise and disrupting what otherwise is what land use has been, is a very, very wide, and a very sophisticated nuance system which now we're making simple, and we're damning it with faint praise.

"For these reasons, Mr. Speaker, this is a bad bill. I would ask whoever is the origins, or the backers of this, explain why should we do this, why is this step backward, in my opinion, and I think in the opinion of others, something that we should be doing as the State of Hawaii. So why, Mr. Speaker? And that's why I have a no vote. Thank you."

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

"Thank you, Mr. Speaker. I rise in support. Thank you. I've been here at the Legislature for many years, and this discussion about should there be the current process, which is you have to get disapproval. What that means is that the exchange has already gone, possibly, in front of a board and gotten approvals, they're ready to proceed, they give a notice to the Legislature. I'm not sure any of us get that report, but someone does here. Someone, at that point, has to decide if maybe we should disapprove it, then there needs to be action taken by the Legislature to disapprove it.

"I think many times over the years, people are going, 'Why wouldn't we want to know what they're doing ahead of time and actually approve it?' That discussion has been going on for many, many years. I think it's time for this Body, this particular Legislature, to decide if they like the idea of disapproving someone's actions or would they rather know in advance and approve people's actions. Thank you."

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

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

"Mr. Speaker, a no vote. I agree with the sentiments from the Representative of the Big Island. But modifying that, go from just a simple majority to a two-thirds vote. That would be more appropriate. Thank you, sir."

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

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

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

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

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

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

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

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

"Thank you, Mr. Speaker. With reservations and I'd like to incorporate the words of the good Representatives from Hawaii Kai and Ewa into the Journal as if they were my own, and just a small comment. Members, look at the committee report. It was a really, really tight vote. So I think then and there, it's a tell-tale sign. And hopefully, as we go ahead and move forward, I know it still has to go to Finance, perhaps some better changes can be made to the measure. Thank you."

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

"Thank you, Mr. Speaker. In support. We have an obligation, we should be transparent. When we talk about selling public lands, I think everybody should be in on that decision, and not say, 'we disapprove', after it's already been transacted. Mr. Speaker, I've been here, this is my fourth year, and I've seen many parcels leave our state ownership. The state is only holding these for the future nation, and we all must be cognizant of it. This is just another way of making more transparency when our state or officials are making decisions on selling public trust lands. And I hope people will understand that this is what this is talking about. Thank you very much, Mr. Speaker."

Representative Thielen rose, stating:

"Mr. Speaker, I'd like to change my 'with reservations' to a 'no', please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3121, SD 1, entitled: "A BILL

FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Choy, Fale, Hanohano, Kawakami, McDermott, McKelvey, Oshiro, Thielen and Ward voting no, and with Representatives Takai and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1010-14), recommending that H.C.R. No. 65 be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.C.R. No. 65 be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Thank you. In opposition and brief comments. I just have a concern that this would establish a group to advise DLNR on rulemaking about our ocean resources that will come from the top down and be political and Oahu-centric. A better approach might be to have groups at the community level, if we're looking at advisory groups. So, I think there's some concern about what this would mean for the West Hawaii Regional Fisheries Council that's been acting in that capacity in West Hawaii."

Representative Jordan 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.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO ASSIST WITH THE DEVELOPMENT OF RULES TO ENSURE GREATER PROTECTION OF THE STATE'S OCEAN RESOURCES," was referred to the Committee on Finance, with Representative Lowen voting no, and with Representatives Takai and Tokioka being excused.

ANNOUNCEMENTS

Representative McKelvey, for the Committee on Consumer Protection & Commerce, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Wednesday, March 19, 2014, at 2:10 p.m. in Conference Room 325, and the Chair "so ordered."

S.B. No. 1043, SD 1, HD 1, Relating to Electricity Producers;
S.B. No. 2054, SD 3, HD 1, proposed HD 2, Relating to Health;
S.B. No. 2031, SD 2, HD 1, proposed HD 2, Relating to Health;
S.B. No. 2227, HD 1, Relating to Provider Orders for Life-Sustaining Treatment;
S.B. No. 2365, SD 2, HD 1, Relating to Insurance Claims;
S.B. No. 2469, SD 2, HD 1, Relating to Telehealth;
S.B. No. 2472, SD 2, HD 1, Relating to Occupational Therapy Practice;
and
S.B. No. 2820, SD 2, HD 1, Relating to Insurance.

Representative Belatti, for the Committee on Health, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Wednesday, March 19, 2014, at 8:30 a.m. in Conference Room 329, and the Chair "so ordered."

S.B. No. 2194, Relating to Health.

ADJOURNMENT

At 1:00 o'clock p.m., on motion by Representative Cabanilla, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 19, 2014. (Representatives Takai and Tokioka were excused.)