

THIRTY-SIXTH DAY

Thursday, March 20, 2014

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2014, convened at 12:08 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Mr. Nicholas James Vujicic of Life Without Limbs, after which the Roll was called showing all Members present with the exception of Representatives Fale, Lowen, Souki, Takai and Wooley, who were excused.

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

INTRODUCTIONS

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

Representative Yamane introduced visitors from Mililani Middle School: Ms. Elynn Chung, Principal; Mr. Errol Hahn, Vice Principal; Ms. Hannah Chapman, Curriculum Coordinator; Mr. Jeff Horstman, Red Track Student Counselor and Track and Field and Cross Country Coach; Ms. Tracy Momohara, Fishing Club Instructor; Mr. Kory Aoki, Student Activities Coordinator; Mr. Zach Wood, Robotics Instructor; and *Kumu* Noelani Dabis, Hula and Tahitian Instructor.

Representative Fukumoto introduced Mr. S.J. Melendrez, member of Mililani Middle School PTSO.

Representative Matsumoto introduced students from Mililani Middle School, here today as part of the REACH initiative: Travis Afuso, Shawn Araki, Madeline Armstrong, Caitlin Barbour, Kanoekalani Dabis, Taylor Deerwester, Mika Domingo, Ian Eshelman, Kiana Espinueva-Manel, Kaelyn Estrada-Pao, Hunter Gentry, Carson Gipaya, Tabitha Hiyane, Seth Honda-Redro, Crystal Kanoa, Natalia Kojima, Samuel Melendrez, Ariana Miyamoto, Lucia Mumma, Allyson Munemitsu, Shadrack Nabea, Trent Nakata, Gabrielle Naniseni, Arianna Nonies-Ramos, Gia Seatriz, Victoria Shepard, Jenna Takano, Kailani Torres, Lynn Uehara, Devin Uyeda and Sydney Wilson.

Representative McKelvey introduced former Representative Lynn Finnegan.

Representative Nakashima introduced students from Honokaa High School: Andrew Boger, Kiana Chun, Cydne Correia, Chrysten Hardistry, Shaydrie Iaukea-Torres, Lee Ann Lawrence, Chyann Miguel, Jeanise Miller, Sharmaine Nobriga, Josh Sanborn and Shania Souza; their teacher, Mr. James Atkins and his daughter, Emily Atkins; and chaperone, Ms. Sydney Popovich.

Representative Saiki introduced visitors from the National Conference of State Legislatures: Ms. Corina Eckl, Director, State Services, and liaison to the Hawaii Legislature; and Ms. Irene Kawanabe, Director, Strategic Partnerships for the State Tribal Institute.

Representative Rhoads introduced Mr. Sam Mitchell, advocate for homeless rights.

Representative Takumi introduced directors and supporters of charter schools in the state: Hakiipu'u Learning Center New Century Public Charter School: Leilani Roth and Oliver Kalama; Halau Ku Mana New Century Public Charter School; Kamaile Academy Public Charter School; Kanu o ka 'Aina New Century Public Charter School; Ke Kula 'o Nawahiokalani'opu'u Iki Public Charter School: Kaleihoku Kala'i and Kehaulani Aipa; Ke Kula 'o Samuel M. Kamakau Laboratory Public Charter School: Meahilahila Kelling and Kalehua Kualii; Kona Pacific Public Charter School: Usha Kotner; Kua O Ka La Public Charter School; Lanikai Elementary Public Charter School: Ed Noh; Voyager Public Charter School: Mary Beth Barr; Wai'alaie Elementary Public Charter School: Wendy Lagareta; Waters of Life Public Charter School: Daniel

Caluya; West Hawai'i Explorations Academy New Century Public Charter School: Curtis Muraoka; Malamahōnua Learning Center; Ho'okako'o Corp.: Megan McCorrison; KALO: Taffi Wise; and Ms. Lynn Finnegan, Executive Director, Hawaii Public Charter Schools Network.

Representative Jordan also recognized Ms. Megan McCorrison with Ho'okako'o Corporation, the parent non-profit organization for Kamaile Academy.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 209) was announced by the Clerk and the following action taken:

H.R. No. 209, entitled: "HOUSE RESOLUTION CONGRATULATING MICHELLE KAY AS THE 2013 MILKEN EDUCATOR AWARD RECIPIENT, BRYAN RANKIE AS THE 2013 MILKEN EDUCATOR TEACHER OF PROMISE AWARD RECIPIENT, LAURA FUKUMOTO AND DAVE MORISHIGE AS THE RECIPIENTS OF THE 2012 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATH AND SCIENCE TEACHING, CHRISTEL COLLINS AS THE 2013 STATE LIBRARIAN OF THE YEAR, AND EDWIN KAMIKAWA AS THE 2013 LIBRARIAN OF EXCELLENCE," was jointly offered by Representatives Takumi and Ohno.

Representative Takumi moved that H.R. No. 209 be adopted, seconded by Representative Ohno.

Representative Takumi commended the outstanding educators in our schools for bringing their dedication and passion to their efforts to provide a tool that can help change the world, and introduced honorees seated on the Floor of the House:

Ms. Michelle Kay, Kalakaua Middle School, 2013 Milken Educator Award. She was accompanied by her mother, Wilma Bradley; Nicole Testa-Mara and Brian Mara; Principal, Lorelie Aiwoki; Treena Yeung; Jessica Aschettino; and *hanai* parents Henry and Susan Kusunoki, who were seated in the gallery; and

Mr. Bryan Rankie, Mauka Lani Elementary School, 2013 Milken Educator Teacher of Promise Award. He was accompanied by Olivia Roth, Sue Roth, Mark Roth and Nick White, who were seated in the gallery.

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

Ms. Laura Fukumoto, Aliamanu Elementary School, 2012 Presidential Award for Excellence in Math and Science Teaching, who could not be here today;

Mr. Dave Morishige, Mililani Mauka Elementary School, 2012 Presidential Award for Excellence in Math and Science Teaching. He was accompanied by his wife, Carlene Ozaki-Morishige; and family, Marjorie Morishige, Dennis Morishige, Casey Morishige and Korie Takemoto, who were seated in the gallery;

Ms. Christel Collins, Manoa Public Library, 2013 State Librarian of the Year. She was accompanied by Kimberly Funasaki and Hilda Comitini, who were seated in the gallery; and

Mr. Edwin Kamikawa, Hawaii State Public Library, 2013 Librarian of Excellence. He was accompanied by Susan Nakata, Susan Nakagawa, Grant Okazaki, Lawrence Cabating and Paul Mark, who were seated in the gallery.

Representative Har, on behalf of Representative Cullen and herself, congratulated and recognized Mr. Bryan Rankie as a positive, upbeat and selfless all-around educator making a significant impact on the lives of his students at Mauka Lani Elementary School.

The motion was put to vote by the Chair and carried, and H.R. No. 209 was adopted, with Representatives Fale, Lowen, Souki, Takai and Wooley being excused.

At 12:36 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:46 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1065-14) recommending that S.B. No. 2039, 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. 2039, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES COOPERATIVE EXTENSION SERVICE," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1066-14) recommending that S.B. No. 3077, 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. 3077, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAALAEA SMALL BOAT HARBOR," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1067-14) recommending that S.B. No. 2677, 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. 2677, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COUNTY OF HAWAII AS THE STATE'S SHARE OF JOINT FUNDING WITH THE COUNTY TO CONSTRUCT IMPROVEMENTS TO WAIMEA DISTRICT/REGIONAL PARK," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1068-14) recommending that S.B. No. 2517, 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. 2517, SD 2 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

Representative Say 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. 2517, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representative Say voting no, and with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1069-14) recommending that S.B. No. 2236, 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. 2236, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representatives Wooley and Tsuji, for the Committee on Agriculture and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1070-14) recommending that S.B. No. 3023, SD 2 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 3023, SD 2 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Mr. Speaker, just in strong support, comments to the Journal. Go 'ulu. Thank you."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, Senate Bill 3023, SD2 is poised to elevate Hawaii to become a potential new agricultural hub in production, processing and exporting. The 'ulu or breadfruit was one of the first plants brought to Hawaii and is intimately entwined with Hawaiian culture. So much so that when quilting arrived in Hawaii along with the missionaries and western fabrics in the 1820s, the 'ulu quilt was traditionally the first quilt made to ensure plentiful food and prosperity to the maker.

"The 'ulu has the potential to be a value added product through processing to become a base ingredient for a variety of products. 'Ulu is a gluten-free food and by developing this industry Hawaii can gain market shares of the gluten-free food market. Hawaii could become a Pacific regional hub to utilize and export this resource worldwide. Finally, the development of the 'ulu industry will contribute to our state's ability to have a stable and sustainable food staple, and I support this measure to improve Hawaii's agricultural resiliency."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 3023, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH, DEVELOPMENT, AND MARKETING OF THE ULU BREADFRUIT," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representatives Tsuji and Wooley, for the Committee on Economic Development & Business and the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1071-14) recommending that S.B. No. 2397, 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 Committees was adopted and S.B. No. 2397, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1072-14) recommending that S.B. No. 2729, 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. 2729, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, 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 Oshiro 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 Cachola 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2729, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOBILE ELECTRONIC DEVICES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1073-14) recommending that S.B. No. 2329, 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. 2329, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROVISIONAL LICENSES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representatives Yamane and Aquino, for the Committee on Transportation and the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1074-14) recommending that S.B. No. 2589, 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 Committees be adopted, and that S.B. No. 2589, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

Representative Cachola 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 Committees was adopted and S.B. No. 2589, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1075-14) recommending that S.B. No. 2968, 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. 2968, 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 Say rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2968, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM STIMULUS INITIATIVES," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representatives Hashem and Carroll, for the Committee on Housing and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1076-14) recommending that S.B. No. 2541, 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 Committees was adopted and S.B. No. 2541, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Hashem, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1077-14) recommending that S.B. No. 2442, 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. 2442, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1078-14) recommending that S.B. No. 2958, 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. 2958, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Cabanilla.

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

"Mr. Speaker, support with reservations. Just some brief comments. I supported this bill earlier and as it goes to Judiciary I'd like to just see it cleaned up a little bit. The language is a little vague. The way I read the bill, it would be illegal for me to purchase the domain site 'adolphitlersucks.com' because I'd be defaming a dead person. But I don't think anybody in here would object to that. But I wouldn't want a bureaucrat making that decision. And the other term is 'traffic in' domain name sites and things of that nature.

"So I'm sure that my good friend the Judiciary Chair will tighten up the language a little bit and then it'll be good to go. 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. 2958, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ONLINE PROTECTION OF INDIVIDUAL RIGHTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1079-14) recommending that S.B. No. 2368, 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. 2368, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF CHARITABLE ASSETS," passed Second Reading and was referred to the Committee on Judiciary, with

Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1080-14) recommending that S.B. No. 2343 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. 2343 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

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

Representative Say's written remarks are as follows:

"Mr. Speaker, in order for Hawaii's government to protect its people and land from invasive species, it must properly fund and support the resources that are in place to mitigate the effects of these foreign and destructive entities. The interagency Invasive Species Council (ISC) for each of Hawaii's islands has gone through great lengths to coordinate, mitigate and educate the public about plants and pests that can harm our islands.

"Senate Bill 2343 appropriates funds to the Hawaii Invasive Species Council for invasive species prevention, control, outreach, research and planning. It has been stated time and time again that invasive species, like the little fire ant, strawberry guava, coconut rhinoceros beetle, and the coqui frog are 'the single greatest threat to Hawaii's economy and natural environment and to the health and lifestyle of Hawaii's people.' Prevention and control of invasive species has cost Hawaii millions of dollars.

"Invasive species councils, each dedicated to their area of Hawaii's islands, are community-based and therefore pay special attention to the stewardship of their own backyards. After all, they are the first and most directly affected by an invasion, and often feel the greatest impact. As a Legislature, we must support our community-based and interagency organizations so that problems can be addressed in a more efficient and expeditious manner. We rely on our invasive species councils, we need to support them now with the funds they request.

"I for one do not want to be bitten by the little fire ant, and I am quite confident that my fellow legislators feel the same way. Therefore, let's nip this issue in the bud—before the little fire ants bite us in the behind!"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2343, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INVASIVE SPECIES PREVENTION, CONTROL, OUTREACH, RESEARCH, AND PLANNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1081-14) recommending that S.B. No. 2026, 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. 2026, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Cabanilla.

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

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

"A no vote for me with comments to be placed in the Journal. Also, I'll be hopefully talking to the Judiciary Chair. It's way out of whack in terms of the provisions of this bill. Thank you."

Representative Cachola's written remarks are as follows:

"Mr. Speaker, Senate Bill 2026, SD1, HD1 is well intentioned in addressing an issue that is important to many. However, I believe that the bill, if enacted into law, could extend the definition of cruelty beyond the scope of what the word implies and could have other unanticipated consequences. Current animal cruelty law in the penal code restricts the scope of illegality to what is done to the animal while it is alive, for example torture, mutilation, overdriving, or depriving the animal of sustenance.

"SB 2026, SD1, HD1 would redefine the cruelty to include things intended to be done by the offender after the animal is dead, even if the animal was killed in a manner that was humane. This legally blurs cruel intentions with cruel actions. Current animal cruelty law adequately addresses criminal conduct for this subject.

"The criminal conduct mentioned in the intent section of SB 2026, SD1, HD1 argues that existing laws did not allow offenders to be charged with animal cruelty based on the fact that they intended to eat the dog that they stole and subsequently killed. However, existing law makes it a Class C Felony to kill a pet animal owned by another person. This bill would make a new offense that is a lesser crime, a misdemeanor.

"Furthermore, it would amend the legal definition of a pet animal in Section 711-1100 of the Hawaii Revised Statutes by creating a special category for dogs and cats, thereby elevating the status of those species above the other named species defined as pet animals such as rabbits, guinea pigs, domesticated pigs or caged birds. This could have unintended consequences that affect other cruelty to animal and animal related offenses within Chapter 711. Such possible consequences have not been fully vetted in how this change would affect the existing penal code and the definitions of criminal conduct.

"It is for those reasons, Mr. Speaker, that I will vote no on this matter."

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

"Please note my strong opposition, Mr. Speaker."

Representative Tsuji 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."

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

Representative Say 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 Oshiro 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. 2026, 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 Cabanilla, Cachola and McDermott voting no, and with Representatives Lowen, Nakashima, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1082-14), recommending that H.R. No. 119 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 H.R. No. 119, entitled: "HOUSE RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE FEDERAL LEGISLATION TO PROVIDE THE KAHOO LAWE ISLAND RESERVE COMMISSION WITH FUNDING FOR THE LONG-TERM RESTORATION OF KAHOO LAWE," was referred to the Committee on Finance, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1083-14), recommending that H.C.R. No. 158 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 H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE FEDERAL LEGISLATION TO PROVIDE THE KAHOO LAWE ISLAND RESERVE COMMISSION WITH FUNDING FOR THE LONG-TERM RESTORATION OF KAHOO LAWE," was referred to the Committee on Finance, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented two reports:

(Stand. Com. Rep. No. 1084-14), recommending that H.R. No. 62 be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1085-14), recommending that H.C.R. No. 87 be referred to the Committee on Finance.

Representative Saiki moved that the reports of the Committee be adopted, and that H.R. No. 62; and H.C.R. No. 87 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 on both measures, and the Chair "so ordered."

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

"Thank you, Mr. Speaker. Regarding S.C.R. 1084 and 1085, I stand in strong reservations. Thank you, Mr. Speaker. If I just may add a few comments. As I'm looking at the Haiku Stairs, it dawned on me that part of it is owned by the Department of Transportation, the Board of Water Supply, and DHHL. Yet, in this resolution, it states that the Board of Land and Natural Resources is to convene and chair a working group to develop the means to allow public access to the stairs area.

"It just seems, although well intended by the good Representative from the Kahaluu area or Heeiea area, although well intended, I think that other departments need to be included in on this measure. Also, testimony was not provided by any of those other departments, but only the Department of Land and Natural Resources, in which it appeared they supported the measure. For those reasons, Mr. Speaker, I stand in strong reservations. Thank you."

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

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

Representative Har rose to speak in opposition to both measures, stating:

"In support of the Representative from the District, no vote."

Representative Tokioka rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

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

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

Representative Say rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 62, entitled: "HOUSE RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO CONVENE AND CHAIR A WORKING GROUP TO DEVELOP THE MEANS TO ALLOW PUBLIC ACCESS TO THE HAIKU STAIRS AREA," was referred to the Committee on Finance, with Representatives Carroll, Hanohano, Har, Ito, Say and Tokioka voting no, and with Representatives Lowen, Souki, Takai and Wooley being excused; and

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES TO CONVENE AND CHAIR A WORKING GROUP TO DEVELOP THE MEANS TO ALLOW PUBLIC ACCESS TO THE HAIKU STAIRS AREA," was referred to the Committee on Finance, with Representatives Carroll, Hanohano, Har, Ito, Say and Tokioka voting no, and with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1086-14), recommending that H.R. No. 89 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 H.R. No. 89, entitled: "HOUSE RESOLUTION REQUESTING COST-BENEFIT ANALYSIS OF INSTALLING NEW LANDSCAPE IRRIGATION SYSTEMS AT STATE FACILITIES," was referred to the Committee on Finance, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1087-14), recommending that H.C.R. No. 124 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 H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COST-BENEFIT ANALYSIS OF INSTALLING NEW LANDSCAPE IRRIGATION SYSTEMS AT STATE FACILITIES," was referred to the Committee on Finance, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1088-14), recommending that H.C.R. No. 38 be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

Representative Saiki moved that the report of the Committee be adopted, and that H.C.R. No. 38 be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, seconded by Representative Cabanilla.

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

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. 38, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NONEXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS LOCATED IN HEEIA, KOOLAUPOKO, OAHU, FOR THE USE, MAINTENANCE, REPAIR, AND REMOVAL OF AN EXISTING PIER," was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1089-14), recommending that H.C.R. No. 15 be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.C.R. No. 15 be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"*Kako'o 'ole*, in strong opposition."

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

"Thank you, please note the same."

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

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

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

"Mr. Speaker, in strong support. The reason why I am in strong support, to the Members of this Body, this is just another unit where it is part of an overall complex that is now being sold. There are a lot of other units within that complex that were previously sold, and the Hawaii Housing Finance and Development Corporation is trying to sell it off to those particular renters and lessees who are on these units, to give them the opportunity of owning their units in fee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-669 INOAOLE STREET, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1090-14), recommending that H.R. No. 74 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 H.R. No. 74, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR MEDICALLY NECESSARY TREATMENT OF OROFACIAL ANOMALIES," was referred to the Committee on Consumer Protection & Commerce, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1091-14), recommending that H.C.R. No. 100 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 H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR MEDICALLY NECESSARY TREATMENT OF OROFACIAL ANOMALIES," was referred to the Committee on Consumer Protection & Commerce, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1092-14), recommending that H.R. No. 107 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 H.R. No. 107, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR MEDICAL SERVICES FOR WOMEN WITH DENSE BREAST TISSUE," was referred to the Committee on Consumer Protection & Commerce, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1093-14), recommending that H.C.R. No. 149 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 H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR MEDICAL SERVICES FOR WOMEN WITH DENSE BREAST TISSUE," was referred to the Committee on Consumer Protection & Commerce, with Representatives Lowen, Souki, Takai and Wooley being excused.

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

(Stand. Com. Rep. No. 1094-14), recommending that H.R. No. 160 be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1095-14), recommending that H.C.R. No. 203 be referred to the Committee on Finance.

Representative Saiki moved that the reports of the Committee be adopted, and that H.R. No. 160; and H.C.R. No. 203 be referred to the Committee on Finance, seconded by Representative Cabanilla.

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

"Thank you very much, Mr. Speaker. On both resolutions, in support. I just want to flag for the Members that these are very important resolutions, along with the legislation that we are considering, because in talking with the nurses and others at the various hospitals, there are a lot of cost drivers going on, and I actually have been trying to introduce the hospital to companies that have successfully reduced electrical costs by over 60 percent. So I'm hoping that through these resolutions they will take these efforts seriously and address a lot of these cost drivers, which are causing these hospitals to run in the red. Thank you very much."

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

"Thank you, Mr. Speaker. In strong support. I'd just like to thank and acknowledge the good Representative from the Kahala, Kaimuki area who's been really attentive to this issue, both on the Finance Committee and the Health Committee on which he sits. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS

CORPORATION AND ITS REGIONAL BOARDS TO SUBMIT PLANS AND RECOMMENDATIONS FOR REDUCING ITS OPERATING DEFICITS," was referred to the Committee on Finance, with Representatives Lowen, Souki, Takai and Wooley being excused; and

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION AND ITS REGIONAL BOARDS TO SUBMIT PLANS AND RECOMMENDATIONS FOR REDUCING ITS OPERATING DEFICITS," was referred to the Committee on Finance, with Representatives Lowen, Souki, Takai and Wooley being excused.

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

(Stand. Com. Rep. No. 1096-14), recommending that H.R. No. 51 be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1097-14), recommending that H.C.R. No. 74 be referred to the Committee on Judiciary.

Representative Saiki moved that the reports of the Committee be adopted, and that H.R. No. 51; and H.C.R. No. 74 be referred to the Committee on Judiciary, seconded by Representative Cabanilla.

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

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING A SUNRISE REVIEW OF THE ESTABLISHMENT OF A SYSTEM OF REGISTERED DISPENSARIES WITHIN THE DEPARTMENT OF HEALTH TO DISPENSE MEDICAL MARIJUANA," was referred to the Committee on Judiciary, with Representatives Lowen, Souki, Takai and Wooley being excused; and

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE ESTABLISHMENT OF A SYSTEM OF REGISTERED DISPENSARIES WITHIN THE DEPARTMENT OF HEALTH TO DISPENSE MEDICAL MARIJUANA," was referred to the Committee on Judiciary, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1098-14), recommending that H.C.R. No. 141 be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF AN ACTION PLAN TO MITIGATE IMMEDIATE AND FUTURE CRITICAL SHORTAGES OF PHYSICIANS IN THE STATE OF HAWAII," was referred to the Committee on Higher Education, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1099-14), recommending that H.C.R. No. 186, as amended in HD 1, be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and H.C.R. No. 186, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON THE FEASIBILITY OF PROHIBITING SMOKING ON ALL OF HAWAII'S BEACHES," was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Lowen, Souki, Takai and Wooley being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1100-14) recommending that S.B. No. 2094, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2094, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER DAMAGE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Lowen, Souki, Takai and Wooley being excused.

ANNOUNCEMENTS

Representative Saiki: "Mr. Speaker, I'd just like to remind Members that the NCSL is holding a luncheon today in Room 325 until 2 p.m. Thank you."

At this time, the Chair stated:

"The Chair would like to remind committee chairs that today is second lateral filing deadline. For bills that need to move to their final committees, please file your committee reports and drafts with the Chief Clerk's Office by 9 p.m. this evening."

COMMITTEE REASSIGNMENTS

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

<u>H.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
46	Committee on Water & Land, then to the Committee on Finance
153	Committee on Finance
185	Committee on Finance
191	Committee on Water & Land, then to the Committee on Finance
<u>H.C.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
67	Committee on Water & Land, then to the Committee on Finance
193	Committee on Finance
235	Committee on Finance
242	Committee on Water & Land, then to the Committee on Finance
<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
2110, SD2, HD1	Committee on Agriculture, then to the Committee on Finance
2125, SD3	Committee on Finance
3074	Committee on Consumer Protection & Commerce

ADJOURNMENT

At 1:02 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, Friday, March 21, 2014. (Representatives Lowen, Souki, Takai and Wooley were excused.)