

## THIRTY-THIRD DAY

Friday, March 18, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:15 o'clock p.m., with the Speaker presiding, after which the Roll was called showing all Members present with the exception of Representative Wooley, who was excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 184 and 1106) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 184, dated March 17, 2011, transmitting a letter pursuant to Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of H.B. No. 1066, Making Emergency Appropriations for the Department of Human Services, to appropriate funds for general assistance, cash support, work program services and maintenance of effort contracts in the Department of Human Services for fiscal year 2010-2011.

Gov. Msg. No. 1106, informing the House that on March 17, 2011, the following bill was signed into law:

H.B. No. 1034, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS." (ACT 006)

## DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 68) was received by the Clerk and was placed on file:

Dept. Com. No. 68, dated January 26, 2011, from Kalbert K. Young, Interim Director of Finance, Department of Budget and Finance, transmitting the Summary Program Reports for the FB 2011-13 Executive Budget for the Departments of Business, Economic Development and Tourism and Labor and Industrial Relations; BJ details for The FB 2011-13 Executive Budget for these departments; current lease payments for the Departments of Accounting and General Services and Hawaiian Home Lands; and BJ details for all departments for Act 180, SLH 2010.

## INTRODUCTIONS

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

Representative B. Oshiro introduced members of the Aiea community, Ms. Claire Tamamoto and Ms. Mary Kop who accompanied Rev. Arthur Kaufmann of the Aiea Hongwanji Mission.

Representative Tokioka introduced friends from Kauai: Mr. Larry Dill, Kauai County Engineer; Mr. Jan TenBruggencate, formerly of the *Honolulu Advertiser*; and Mr. Roy Oyama of the Kauai County Farm Bureau.

Representative McKelvey introduced Mr. Milton Kwock of the Department of Business, Economic Development and Tourism.

Representative Takai, on behalf of the former University of Hawaii at Manoa ASUH members, 'President' Sylvia Luke, 'President' Scott Nishimoto and 'Senator' Corinne Ching, introduced current ASUH members:

Mr. Andrew Itsumo, President of ASUH; and  
Ms. Anna Koethe, Vice President of ASUH.

Representative Awana introduced and thanked the many participants at today's International Day at the Capitol:

Qikeng Li and The Confucius Institute;  
Martin Motooka and Chaminade University of Honolulu;  
Kelsey Soma and the Japan-America Society of Hawaii;  
Kyle Ferries and the eGlobal Family;  
Roger Fong and the ELS Language Center;  
Tamara Swift and the Global Village Hawaii English Centres;  
Lilian Hallstrom, Lindsey Garbenis, Carlos E. Juarez, PhD, and Hawaii Pacific University;  
Chad Schempp and the Hawaii Pacific University - Graduate Degree Program;  
Shannon Mark, Masami Konrai and the Hawaii Tokai International College;  
Earl Okawa and the i-Lion School;  
Joseph Overton and the Kapiolani Community College/ Honda International Center;  
Barbara Bancel and the International Hospitality Center;  
Doua Kue-Morris and the Pacific and Asian Affairs Council;  
Becky George and the Leeward Community College;  
Todd Shumway and the UH-Hilo/Center for Global Education & Exchange;  
Dr. Hye-ryeon Lee and the UH-Manoa College of Arts & Humanities;  
Song Choi and the UH-Manoa College of Engineering;  
Dr. Charles Kinoshita and the UH-Manoa College of Tropical Agriculture & Human Resources;  
Joel Weaver and the UH-Manoa Hawaii English Language Program;  
Pattie Dunn and the UH-Manoa School of Pacific & Asian Studies;  
Dolly Omiya and the UH-Manoa Shidler College of Business; and  
Cathy Iwashita and the UH-Manoa Travel Industry Management School.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 285) was announced by the Clerk and the following action taken:

H.R. No. 285, entitled: "HOUSE RESOLUTION COMMENDING THE STATE OF HAWAII FOR WINNING THE 2010 SECRETARY OF DEFENSE EMPLOYER SUPPORT FREEDOM AWARD," was jointly offered by Representatives Cabanilla and Takai.

Representative Cabanilla moved that H.R. No. 285 be adopted, seconded by Representative Takai.

Representative Cabanilla recognized the State of Hawaii for the support shown to our military personnel and their families, and introduced the honorees seated on the Floor of the House:

Maj. Gen. Darryll Wong, Adjutant General of the Hawaii National Guard receiving today's certificate on behalf of the State of Hawaii;

Brig. Gen. Ann Greenlee, Asst. Adjutant General of the Air National Guard;

Brig. Gen. Michele Compton, Commander of the 9th Support Command, Army Reserve represented by Col. John Ellis, Chief of Staff;

Maj. Gen. (ret) Albert 'Putt' Richards, Former Chairperson of the Employer Support for the Guard and Reserves; and

Mr. Robert Borek, Chairperson of the Employer Support for the Guard and Reserves.

Representative Cabanilla then introduced guests seated in the gallery:

P. Pasha Baker, US Army Reserve Ambassador; and  
Command Chief Master Sgt. Robert Lee.

Representative Takai noted that the Freedom Award is the highest recognition that an employer can receive for their efforts on behalf of their employees, and thanked the State of Hawaii and the Employer Support of the Guard and Reserve.

The motion was put to vote by the Chair and carried, and H.R. No. 285 was adopted, with Representatives McKelvey, Nakashima and Wooley being excused.

The following resolution (H.R. No. 286) was announced by the Clerk and the following action taken:

H.R. No. 286, entitled: "HOUSE RESOLUTION CONGRATULATING KRISTEN BRUMMEL AS THE 2011 HAWAII STATE TEACHER OF THE YEAR, AND MICHELLE COLTE, ALISA BENDER, DEBORAH YASUDA, SANDY CAMELI, SCOT KIYONAGA, AND ALTHEA ARINAGA AS THE 2011 HAWAII STATE DISTRICT TEACHERS OF THE YEAR," was offered by Representative Takumi.

Representative Takumi moved that H.R. No. 286 be adopted, seconded by Representative Belatti.

Representative Takumi commended and congratulated the 2011 Teacher of the Year, and the District Teachers of the Year.

Representative Choy then introduced the first honoree who was seated on the Floor of the House:

Ms. Kristen Brummel of Noelani Elementary School, the 2011 Hawaii State Teacher of the Year.

Representative Choy then read a letter of congratulation and appreciation from his daughter, Ms. Ashley Choy, Ms. Brummel's former student.

"Dear Ms. Lum,

CONGRATULATIONS! on your **Hawaii State Teacher of the Year** award! Although 5th grade was a long time ago, I still remember all the memories we've made. Our 5th grade class wasn't a normal class but was a combo class of both 5th and 6th graders. It was a great atmosphere for me and it was nice to have upperclassmen as classmates and friends. Also, since the class size was smaller than usual, it was easier to get you know you. 5th grade was my last year at Noelani, and you truly made it a very great year.

Not to say you favored me, but I always thought our love for UH Men's basketball brought us a lot closer than a usual teacher-student relationship. As my grandma and I would walk to our seats, I always hoped to run into you. I'd look for you in your section in the arena and would sit next to you during half time. I used to talk to you about my favorite player, J.C.[Jason] Carter, and about my new puppy Tanner. You told me how you knew J.C. and I thought you were the luckiest person in the entire world. I will never forget the day you gave me an autograph from J.C. Carter. I was probably the happiest ten-year-old girl in the world. I couldn't stop smiling and read his note over and over again. At one point, I even memorized his letter by heart. To this day, I still have his letter in my room at home.

Getting J.C.'s autograph wasn't your only act of kindness towards me. One game night, you handed me a little stuffed animal that looked exactly like Tanner. You told me how it reminded you of my little puppy and that you just had to buy it for me. I named my new stuffed animal Tanner Jr. and love it just as much as my real dog. Now every time I'm away from home, I take Tanner Jr. with me. I even brought Tanner Jr. to college with me. Together we stay up late, writing papers and finishing homework I procrastinated to do.

One of my favorite memories of you in the classroom is when you taught us sex education. Teaching sex education must be every teacher's nightmare. It's a little awkward and I commend you for doing such a good job teaching us everything. I remember you told the class to be totally serious and not laugh at the video we were about to watch. As we were watching the video, I looked over to see you covering your mouth trying to stop from laughing. Eventually, you walked to the back of the room and watched the video from there. I'm not sure why this is one of my favorite memories, but it does make me smile a lot.

Once again, congratulations on your well deserved award. Your influence in my life has made me the person I am today. Your kindness has rubbed off on me and I always try to go out of my way to help others just like you. You always focus on the happiness of your students and this is just one of your many wonderful quality. In my future, I hope I can positively impact others just how you've impacted me. Teachers like you are the reason why I'd like to go into education. Occupations like doctors and lawyers are important, but teachers like you are the foundation to every job in the entire world.

Thank you for everything you've done for me. The future kids of Hawaii are lucky to have a teacher like you.

Love,  
Ashley Choy"

Representative Belatti then introduced the 2011 District Teachers of the Year who were seated on the Floor of the House:

Ms. Michelle Colte of Hale Kula Elementary School, the 2011 Central District Teacher of the Year;

Ms. Alisa Bender of James Campbell High School, the 2011 Leeward District Teacher of the Year;

Ms. Deborah Yasuda of Puohala Elementary School, the 2011 Windward District Teacher of the Year;

Ms. Sandy Cameli of Konawaena Middle School, the 2011 Hawaii District Teacher of Year;

Mr. Scot Kiyonaga of Maui Waena Intermediate School, the 2011 Maui District Teacher of the Year; and

Ms. Althea Arinaga of Kapaa Elementary School, the 2011 Kauai District Teacher of the Year.

Representative Belatti then recognized the family and friends of the honorees seated in the gallery:

Guests of Ms. Kristen Lum Brummel:

Husband, Mr. Matthew Brummel; and son, Daniel Brummel;  
Parents, Mr. Richard Lum and Mrs. Noreen Lum;  
Grandmothers, Mrs. Ruby Choy and Mrs. Betsy Lum;  
Students, Geethanjali Annamalai, Ashley Takenami, Rylan Dunn, Jensen Dunn;  
Parents, Ms. Cheryl Takabayashi, Ms. Mulai Subbiah, Ms. Helen Lau, and Mr. Rick Dunn; and  
Friend, Ms. Mae Tsukiyama.

Guests of Ms. Michelle Colte:

Son, Mr. Ethan Colte; and  
Daughters, Ms. Olivia Colte and Ms. Lily Colte.

Guests of Ms. Alisa Bender:

Husband, Mr. Michael Lee Bender; and daughter, Ms. Christa Bender;  
Mother, Ms. Beverly Lynch; and  
Friend, Mr. John Hamilton.

Guests of Ms. Deborah Yasuda:

Mother, Ms. Winnet Takafuji;  
Daughters, Ms. Kelly and Ms. Chelsea Yasuda; and  
Kelly's Fiancé, Mr. Randall Yeung.

Guests of Ms. Sandy Cameli:  
Mr. Dominic Cameli.

Guests of Mr. Scot Kiyonaga:  
Parents, Mr. Richard Kiyonaga and Mrs. Gail Miyata;  
Family and Friends, Ms. Holly Kiyonaga, Ms. Nicole Kiyonaga, Mr. Steven Lo, Mr. Don Tsuha, Ms. Shauna Tsuha, and Ms. Lori Yatsushiro.

The motion was put to vote by the Chair and carried, and H.R. No. 286 was adopted, with Representatives Coffman, Ito, Keith-Agaran, McKelvey, Nakashima and Wooley being excused.

At 12:50 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:01 o'clock p.m.

### REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 970) recommending that S.B. No. 1493, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1493, SD 1, HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support of Stand. Comm. Report 970. I just wanted to add that on this bill, relating to light pollution, this is a new up-and-coming issue because not only are we reliant on the clarity for our astronomy there on Mauna Kea, and apparently the light is traveling. But what I wanted to bring up is that they're finding more and more that there is light pollution, and that the human body can detect light, certain kinds of blue light, and it's actually affecting people's health. So at night even though you might be having a curtain, etc. it actually is related to health. We need to start thinking differently about light pollution and making sure that they're shaped downward and not upward. Thank you."

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

"Strong support with written comments, please. Thank you."

Representative Jordan's written remarks are as follows:

"I speak in support of SB1493, SD1, HD1, Relating to Light Pollution. Artificial lighting is critical to providing public safety and security, and in maintaining our life activities. However, it also has many negative impacts on biological and cultural resources.

"It affects native wildlife populations, like turtles and marine birds, who are often disoriented and disrupted by the glare from unshielded outdoor lighting.

"It also affects Hawaii's astronomical observatories, impeding the viewing of the stars, which is important for Native Hawaiian cultural practices and "astro-tourism." The use of shielded lights will reduce light above the horizontal plane and direct it toward populated areas, where it is needed. This will improve energy efficiency and reduce light pollution.

"There is a duty of protection for natural areas that attract native wildlife at locations such as Kaena Point, Oahu and Kaneilio Point, Oahu which house habitats for Newell Shearwaters and Hawaiian Sea Turtles and this legislation is just one step toward that protection."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1493, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," passed

Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 971) recommending that S.B. No. 921, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 921, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Yes, Mr. Speaker, I rise in strong support of this measure. I think everyone here is concerned about the health and welfare of minors, especially those that are running away from an abusive situation and need to have shelter over their heads. I just encourage all the Members to vote up on this one. This one really will help out in protecting the minors in our community that are in abusive situations. 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. 921, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 972) recommending that S.B. No. 957, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 957, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 973) recommending that S.B. No. 77, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 77, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, in support, and in particular of the part about the anonymous filing portion. We did have a House Bill which got lost in the shuffle. But this is really an important bill and I hope to see it move forward. 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. 77, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 974) recommending that S.B. No. 595, SD 2, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 595, SD 2, pass Second Reading and be referred

jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

"May I please ask for a ruling on a possible conflict of interest? My husband is a physician, a family physician. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 595, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representatives Yamane and Aquino, for the Committee on Health and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 975) recommending that S.B. No. 1458, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1458, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

"Yes, Mr. Speaker, I'm rising in opposition to this measure. There are a number of flaws with this bill, but inherently if we look at the experiment that happened in California with these dispensaries and all of the problems that law enforcement has had with this, I just don't think the State of Hawaii should be going there with this.

"In addition to that, there are pieces of this which include a live video feed to law enforcement. It's no closer than 600 yards to any day care facility or school. This should be miles not yards and 600 yards is fairly close to any of these and I think all of these things need to be amended and maybe we should just step back and not do it at this time. Maybe we can have this bill go the way that the gambling bill went. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. I rise in opposition to the Stand. Comm. Report 975. I'd like to ask that the comments made by the Representative from South Maui be entered as my own. Thank you.

"While I really appreciate some of the amendments made by our, I very much respect him, our Health Chair. I think he put in some good amendments in there. I just disagree with the direction that this goes in because as we well know, as mentioned by the previous Representative, California is now trying to change their ways on this. And I just think it's a bad direction. There are other alternatives and I think that we need to reconsider going this direction. Thank you."

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

"Thank you, Mr. Speaker, I'm rising in support. Thank you, Mr. Speaker, I think I've told this story to some of you a few years ago in this Chamber, but I would like to share this with the new legislators. My oldest son Dave lives in Colorado, which fortunately is a state that does a medical

marijuana program that actually works. He had throat cancer. He's a non-smoker, but he had very, very serious throat cancer. We did not think he was going to live. And he went through a horrible time with chemotherapy, radiation. I flew back there several times to help with the care of Dave. He couldn't keep anything down. It was just an awful situation.

"The one thing that could provide some relief for him was medical marijuana. Not the Marinol, that synthetic thing, but medical marijuana. So why would you say to someone that is so sick, so traumatized, why would you say to someone, 'You can't have access, safe access, to this kind of natural plant.' We're not talking about a drug. We're talking a plant that grows, has grown for centuries, has been used for centuries. Why are we saying that you could not have access to that? I think it would be cruel to prohibit that.

"The way we have it now, a very ill person has to go find a drug dealer to be able to buy it. Now tell me, does that make sense? We have a medical marijuana program that says, 'Yes, you can have this, but you have to get it illegally.' What sense is there to that?"

"So this program is a baby step, and I really say it's a baby step. But at least it's a step. The toddler took a step and because of that I can support it. I think we ultimately should have a program that really works a lot better and follows other states that do that.

"What we're talking about is compassion for people that are ill. Some who are terminally ill and don't want to be drugged out of their senses. Sure you can get the things that are true drugs that will just knock you practically unconscious, but why do that when a person does not want to go that way. They want to have a natural product that will provide some relief. I would say that we should be compassionate and make it so they can get it legally and get it safely, and go ahead with this.

"So I strongly support it. I hope next year that the toddler begins to step a little faster and begins to run a little better, but at least we will have a trial project on Maui and then we can say, 'Okay this is working Let's do it in a better way.' Thank you."

Representative M. Lee rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with strong reservations and I'd like to put some written comments in the Journal related to professional issues and issues of the experience of other states. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise with strong reservations to this measure because of professional issues, and also the history of marijuana or "Compassionate Care" dispensaries across the mainland of the United States.

"As a registered nurse for over 40 years, I have cared for many patients with terminal, life threatening and painful conditions. Years ago, there was little available to ease severe pain and nausea. Patients suffered greatly. Today, the administration of pain medications is a science that is quite advanced. It is not unusual for patients to be ambulatory in the community with such devices as a morphine pump which keeps them comfortable during their daily routine. Medications which control nausea have advanced as well. These are given in controlled amounts and in doses that do not render the patient unable to function.

"Marijuana has been a popular alternative to traditional medicine; however smoking it has both safety and regulatory concerns attached. Smoking cannabis is similar to smoking tobacco—there may be damage to the lungs, potential for severe burns if the patient falls asleep in bed while smoking, property damage from fires, loss of capacity to drive and carry out ADLs and exposure of family members to second hand smoke. Marijuana is also widely used as a recreational and street drug. Some feel it is a gateway drug, and from all reports, the strength of what is available is increasing.

"I have other concerns related to the proliferation of dispensaries in states such as California, Colorado and Montana. For the most part, these establishments are simply "restaurants" which offer a wide variety of doses, flavors and prices to their clients. The "scene" on the Internet is quite colorful and many ads clearly proclaim the virtues of marijuana use for recreational purposes.

"Cities have found that organized crime loves these establishments, which often have more than marijuana on the menu. In Montana, on March 11, 2011, a major raid was conducted by federal law enforcement agents on many of these establishments, despite the fact that the Obama Administration has stated they would not seek to punish marijuana users.

"Mr. Speaker, the bill before us is complicated and flawed. It makes use of resources we can't afford such as monitoring by police, expensive photocopying requirements, a data base, live video feed to police station, and on and on. It almost seems as if this draft is asking to be killed.

"No one wants to take away a remedy from people who really need it. I believe, we need to find another way to make the substance available to truly needy patients, but this is not the way. This is a medical issue; the Department of Health and prescribing physicians should be involved to set a standard of care, dosing recommendations. Organizations like the Cancer Society and the Lung Association need to come out of their safe zones and make recommendations as well.

"Even though this is just a pilot, I believe we risk seeing rows of marijuana "shops" in the near future in Waikiki if we should we pass this bill."

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

"Thank you, Mr. Speaker. I'm standing in support. I thought I would be bipartisan, and I've never done this before, but I would like the words of the Representative from Kailua inserted as my own, except for the issue about having a son living in another state.

"Mr. Speaker, this measure again as has been highlighted is a baby step. This measure has been worked on for a long period of time in looking at both sides of the issue. Trying to incorporate the needs of the patient, as well as the concerns of law enforcement.

"It has a long way to go, Mr. Speaker. As we move forward, as we look at these issues, we really wanted to highlight the fact that the Committee did look at ongoing concerns and the development of states like California, Colorado, and others that have encountered some problems with implementing their compassion centers. And so again, Members, to highlight, this is one facility with the active involvement of law enforcement. And as this measure moves forward as we look at it, it is a potentially revenue driven measure. Thank you."

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

"I just want to note my reservations with a couple of comments. Right now you can get medical marijuana for a headache. And so I think that is a flaw in our law currently, because anyone can go to a doctor and say they have a headache.

"I know that the bill was amended just for Maui and it changes a few things. I hope as we move forward, we make sure that we change that part where it's so easy to get medical marijuana. It's not for the serious illnesses that were talked about before."

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

"I rise in strong support and would like to have the words from my colleague from Waipio Gentry-Mililani entered as my own in the Journal."

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

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

"Mr. Speaker, I'm in opposition to this particular measure and I'd like to make a few points. Thank you. Just to remind everyone that this still is illegal on the federal level. In speaking to some doctors, I've been told that they just have no idea what the strength of certain marijuana plants are, the THC content. They have no idea of what the proper dosage should be. I suppose if it's ever legalized clinical trials could be performed, but it is not yet so.

"Yes, it's like an herb, something organic, but marijuana has some harmful effects. I would remind those that tobacco is also a plant and could offer some people some highs. But we have found tobacco to be very bad for our health and smoking as a whole, and smoking marijuana I would assume would also have some dilatory long term effects. We spend millions on preventing smoking and we've all heard about the bad effects of second hand smoke. So I just don't see this as a viable bill at this time. Thank you."

Representative Ward rose and stated:

"Mr. Speaker. May I just have one second, please. I didn't intend to speak on this but my colleague from Kaimuki-Kahala prompted this because it is a very important point. I just saw Hina Mauka the other day and I said, 'I've been speaking on this because marijuana nowadays is not what it was in the old days,' and I said, 'It's 25 times stronger.' He said, 'No, Representative Ward. You're wrong. It's 100 times stronger.'

"So we're not talking, sit back and be cool guy. We're talking about really heavy drugs. And the way the hydrologists have gone through the hybrid and the other seeds, this is pretty strong stuff. So as long as we don't know, it's a nice, naïve plant. But talk to Hina Mauka and he'll tell you how strong it is. Thank you."

Representative Aquino rose in support of the measure and asked that the remarks of Representatives Yamane and Thielen be entered into the Journal as his own, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered." (By reference only.)

Representative Aquino's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of the current draft of SB 1458. Mr. Speaker, in 2000, the Hawaii State Legislature passed Act 228 to allow the medical use of marijuana. Currently, State law allows the limited possession, use and cultivation only for individuals who have certain exigent and closely monitored medical conditions with the Department of Public Safety's Narcotic Enforcement division providing enforcement oversight.

"Mr. Speaker, I understand and am aware of the concerns regarding this measure. But please be assured that the current amendments provided by your Committees on Health, and Public Safety & Military Affairs are try to address these concerns. We proposed and passed the following amendments:

- Reducing the scope to include licensure for one center on the island of Maui as a five-year pilot program;
- Fees collected to be allocated for Maui County;
- Requiring all food and consumable products to be regulated by the State Department of Health and the federal Food and Drug Administration;
- Requiring the Center to maintain photocopies of all filled prescriptions in a database which would be available for review by all law enforcement agencies;
- Establishing a 30 percent tax on all products sold under the pilot program which would be deposited into the State's general fund;

- Requiring the Center to be responsible for costs incurred for security and providing a live 24/7 video surveillance feed of its operations which would be provided to law enforcement;
- Requiring the Center to be located no closer than 600 yards of any childcare facility, preschool, or public or private school;
- Prohibiting the use of medication on the premises of the facility; and
- Prohibiting the medication from the Center to be transported out of Maui County.

"Mr. Speaker, I think these amendments are reasonable and should be further discussed. 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. 1458, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Ching, Fontaine, Johanson, Marumoto and Ward voting no, and with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 1348, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1348, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH INSURANCE EXCHANGE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 1453, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1453, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION MEDICATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 150, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 150, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 1506, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1506, 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 Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No. 414, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 414, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 934, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 934, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BULLYING AND CYBERBULLYING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 1385, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1385, SD 2, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

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

"With reservations. Also I would like to note that public school lands are ceded lands, and this measure did not come to the Committee on Hawaiian Affairs. Mahalo."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1385, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL LANDS," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 1274, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1274, SD 2, HD 1, pass Second Reading and be

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

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. I'd like to ask for a ruling on a potential conflict. My law firm does a lot of representation for external review procedures before the DCCA. 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. 1274, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 591, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 591, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGEMENT COMPANIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 239, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 239, SD 2, HD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

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

"Thank you, Mr. Speaker, ruling on a potential conflict. My grandson is at the Medical School. Thank you," and the Chair ruled, "no conflict."

Representative Takai rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"I rise with reservations to this measure. I would first like to applaud the Higher Education Chair and Committee members for holding JABSOM to the promises made over ten years ago and taking confident strides forward in addressing Hawaii's doctor shortage.

"For too long, we have provided funding to JABSOM without documenting our conditions or their promises as part of the law. For too long, we have let JABSOM siphon the Hawaii Tobacco Settlement Fund of critical funding that should have gone towards community tobacco cessation programs.

"The addition of the Hawaii Medical Doctor Loan Program will provide incentives for medical students to practice in our rural areas – places where families are in dire need of quality medical care.

"Along with the mandatory three-month rotation of medical students to the outer islands, the Hilo Medical Center Residency Program will provide more residency opportunities for JABSOM graduates to give back to our islands especially in the areas least likely to attract doctors seeking to join or build their own practices.

"However, I would like to remind this Body that JABSOM still has an issue to address: that of the incorporation of an Office of Smoking and Health into the medical school. Currently there is no such office of smoking and health at JABSOM.

"This Office could serve as a trailblazer in the state in terms of studying and promoting research in smoking cessation and sharing the latest treatment options and programs with the medical students and the community.

"The public expects the Legislature to be accountable for the taxes we collect and the services we provide. We should do no less to those that receive our approval and funding as well.

"JABSOM will go a long way in providing the next generation of healers with the knowledge and support to serve the people of Hawaii. But we cannot send them forward on the basis of broken and empty promises. Thank you."

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

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, just noting the blank appropriation to the School of Public Health."

Representative Ching 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. 239, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Rhoads and Takai voting no, and with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 986) recommending that S.B. No. 1498, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1498, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 987) recommending that S.B. No. 590, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 590, SD 1, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Evans.

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

"Thank you. May I have a ruling on a potential conflict? I previously served as a member of this Commission. 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. 590, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE FEDERAL

ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION," passed Second Reading and was referred to the Committee on Legislative Management, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 776, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 776, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 1213, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1213, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMITTING," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 990) recommending that S.B. No. 1161, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1161, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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. 1161, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 991) recommending that S.B. No. 1522, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee be adopted, and S.B. No. 1522, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOGS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 992) recommending that S.B. No. 298, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 298, SD 3, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, I stand with the reservations on this. Mr. Speaker, just to flag a couple of things before it goes to CPC. It sounds like it's got very good intentions, but when we have directors and we have officers without any fiduciary responsibility, no legal liabilities, it kind of puts up a red flag. Maybe we've got profits and we've got nonprofits. People who run those have character also, but how is the character of somebody who runs a sustainable business corporation not going to be subject to the same frailties of human temptation, greed, envy, whatever all the things are. So the fact that they're immune I think is a dangerous precedent.

"I hope CPC will look at it and dissect it and discern it. What it means and what it doesn't mean. Because it's really blurring the line between the profit and the nonprofit sector. And once you get beyond the warm and fuzzy *kumbayas*, I hope we really get to the substance of this. Because if it's real and it's needed, let's go for it. But if it's not and we're just doing something like an ingenuity corporation, excuse me for saying that, we probably shouldn't proceed with it. Thank you."

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

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

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I would like to express my reservations on SB 298, SD3, HD1. I do not have an argument with the goals of this "sustainable business corporation". The objectives are beneficial, and the transparency it will require is meritorious.

"However, from the outset the Business Registration Division of the Department of Commerce & Consumer Affairs expressed concerns that the proposed entity would require a new registration framework and massive software changes. My understanding is that the draft before us reflects an agreement worked out without the DCCA. I vote with reservations to flag out the need to retain the consent of the Department."

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

Representative Ching 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. 298, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 993) recommending that S.B. No. 1, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

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

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



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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE RECOGNITION OF THE NATIVE HAWAIIAN PEOPLE, THEIR LANDS, ENTITLEMENTS, HEALTH, EDUCATION, WELFARE, HERITAGE, AND CULTURE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 994) recommending that S.B. No. 101, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 101, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Health, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 995) recommending that S.B. No. 333, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 333, SD 3, HD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of S.B. 333 - Relating to Historic Preservation, which requires that 1% of all State fund appropriations designated for construction and renovation of State buildings to be deposited into the Hawaii Historic Preservation Special Fund.

"As a lead advocate for heritage and historic preservation efforts, this bill will expand the use of these funds to preserve and enhance those historic monuments, buildings, and places that make Hawaii so unique. I believe architecture is in fact the largest, most utilized, most recognizable form of art in our daily lives. I encourage you, my colleagues, to similarly support this initiative, as it is incumbent upon us as legislators to protect our precious historic resources."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 333, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 996) recommending that S.B. No. 981, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 981, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 997) recommending that S.B. No. 1130, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1130, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 998) recommending that S.B. No. 1520, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1520, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1520, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

Representatives Hanohano and Aquino, for the Committee on Hawaiian Affairs and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 999) recommending that S.B. No. 986, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 986, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley being excused.

## ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker, I have two announcements. I have one announcement that there shall be tomorrow a Japan Disaster Relief Benefit Concert. It's called *Unshakably Yours and Hands Across the Ocean*. It's a nonprofit event with the American Red Cross as the benefactor of the fundraiser because Hawaii has a long history with Japan and many personal ties. And this event is to bring the people of Hawaii together to support our 'ohana in Japan and provide much needed help in relief efforts. It is an evening for the family with Willow Chang is helping to produce this. Willow Chang will perform. Jeff Peterson, Kenny Endo Taiko, Kamuela Kahoano. It is tomorrow at 4:00 p.m. to 10:00 p.m. at Restaurant Row with a \$10 entrance fee, a silent auction and children under 12 are free.

"My second announcement, if there could be perhaps a moment of silence. Evanita Sumner Midkiff was born June 8th, and died February 25. She was the granddaughter of Anita Alejandra Neumann Focke Lloyd who was the great granddaughter of Paul Neumann who was the Attorney General for King Kalakaua and Queen Liliuokalani. He served as their personal representative and helped to make sure they had their pendant.

"She was the director of the Garden Club. She was the Regent of the Daughters of Hawaii. And it's interesting that her grandmother also was

the subject of a Robert Louis Stevenson poem when he saw her at one of King Kalakaua's balls.

"But she is Robert Midkiff's wife. She was an excellent golfer, and an incredible athlete at Punahou. Went on to go to college at Vassar and was actually a champion golfer. And she was the Co-Chair of the Aliiolani Hale History Center restoration. The President of the Junior league, and helped to make a number of publications for the Daughters of Hawaii. So at the appropriate time I would like to ask for a moment of silence. Her services will be tomorrow across the street at 10:00 a.m. at St. Andrews."

Representative Tokioka: "Thank you, Mr. Speaker. Our office in Room 322, is going to be collecting blankets and jackets on behalf of Aloha for Japan. This is in conjunction with the National Women's Construction League. I just wanted to make that announcement to the Members, staff and whoever's watching us so we can help out friends in Japan. Hawaii Air Cargo will be helping us ship these items to Japan. Thank you, Mr. Speaker."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late Mrs. Evanita Sumner Midkiff.

**COMMITTEE REASSIGNMENTS**

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

**S.B.**  
**Nos.**

**Re-referred to:**

- 4, SD1 Jointly to the Committee on Economic Revitalization & Business and the Committee on Judiciary, then to the Committee on Finance
- 101, SD1, HD1 Committee on Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce
- 150, SD2, HD1 Committee on Health, then to the Committee on Finance
- 209, SD1 Committee on Finance
- 219, SD1 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health
- 333, SD3, HD1 Committee on Hawaiian Affairs, then to the Committee on Finance
- 414, SD3, HD1 Committee on Health, then to the Committee on Finance
- 741, SD1 Committee on Finance
- 892, SD2 Committee on Health, then to the Committee on Finance
- 1213, SD1, HD1 Committee on Economic Revitalization & Business, then to the Committee on Finance
- 1382, SD2 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

- 1385, SD2, HD1 Committee on Education, then to the Committee on Finance

**ADJOURNMENT**

At 1:27 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 21, 2011. (Representatives Chang, Coffman, Herkes, Keith-Agaran, Nakashima and Wooley were excused.)