

## NINETEENTH DAY

**Wednesday, February 15, 2012**

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:08 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all Members present with the exception of Representatives C. Lee, M. Lee, Luke and Say, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 216 and 217) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 216, dated January 27, 2012, transmitting the Temporary Assistance for Needy Families (TANF) Report, prepared by the Department of Human Services pursuant to Section 346-51.5, HRS, and Act 164, Part VII, Section 127, SLH 2011.

Gov. Msg. No. 217, dated January 27, 2012, transmitting the Temporary Assistance for Needy Families (TANF) Financial Plan Report, prepared by the Department of Human Services pursuant to Act 164, Part VII, Sections 126 and 128, SLH 2011.

## DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 70) was received by the Clerk and was placed on file:

Dept. Com. No. 70, dated February 10, 2011 [*sic*], from M.R.C. Greenwood, President, University of Hawaii System, transmitting the Quarterly Report on Expenditure of Funds from the Tobacco Settlement Agreement for University Revenue Undertakings FY2012, as required by Act 164, Section 23, SLH 2011.

## INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Cullen introduced family and friends of today's honoree, Army Specialist Edward Barut:

Ms. Filomena Buncayao, mother;  
Mr. Edwin Barut, father;  
Ms. Michelle Cacho, sister;  
Ms. Ana Calvillo, fiancé;  
Mr. Ben and Mrs. Tina Marquez, uncle and aunt;  
Mr. Jarett Marquez, cousin; and  
Mr. Alex and Mrs. Inga Mogote, uncle and aunt.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 29) was announced by the Clerk and the following action taken:

H.R. No. 29, entitled: "HOUSE RESOLUTION HONORING ARMY PRIVATE FIRST CLASS EDWARD BARUT, RECIPIENT OF THE PURPLE HEART MEDAL AND COMBAT ACTION BADGE, FOR HIS ULTIMATE ACT OF SERVICE AND VALOR IN SERVING OUR NATION," was offered by Representative Aquino.

Representative Aquino moved that H.R. No. 29, be adopted, seconded by Representative Cullen.

Representative Aquino, on behalf of the people of Hawaii, expressed great gratitude to Army Specialist Edward Barut for serving our country, and honored him for receiving the Purple Heart Medal and Combat Action Badge in recognition of his bravery, acts of sacrifice and highest distinction of service while on a NATO Training Mission in Afghanistan.

Representative Cullen also honored SPC Barut, and recognized and thanked members of his family.

Representative Cabanilla, on behalf of the Filipino Caucus, thanked SPC Barut for making the Filipino and Waipahu communities proud.

Representative Takai also congratulated SPC Barut on his recent promotion to Army Specialist.

Representative Pine, on behalf of the Minority Caucus, expressed her appreciation to SPC Barut for his service.

Representative Ward, on behalf of the Veterans Caucus, thanked the members of the Armed Forces for protecting our sea lanes, our skies, and our freedoms.

At this time, Representative Aquino presented to the Body, Specialist Edward Barut.

The motion was put to vote by the Chair and carried, and H.R. No. 29, was adopted, with Representatives C. Lee, M. Lee and Luke being excused.

At 12:23 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

## SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representatives Ito, C. Lee and M. Lee were excused.)

## UNFINISHED BUSINESS

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 296-12) recommending that H.B. No. 2438, HD 1, as amended in HD 2, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2438, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just a request to be excused from this vote as previously granted."

The Chair responded, stating:

"So ordered. You will be excused from this vote."

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Same request."

The Chair responded, stating:

"So ordered. You will be excused from this vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2438, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Third Reading by a vote of 46 ayes, with Representatives Belatti, Keith-Agaran, C. Lee and M. Lee being excused.

At 12:34 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2438, HD 2

#### REPORTS OF STANDING COMMITTEES

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 381-12) recommending that H.B. No. 2478, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2478, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 382-12) recommending that H.B. No. 2736, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2736, entitled: "A BILL FOR AN ACT RELATING TO PROMOTION OF CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 383-12) recommending that H.B. No. 1398, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1398, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 384-12) recommending that H.B. No. 1883, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1883, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker. I'm standing with reservations on Stand. Com. Rep. No. 384-12, relating to House Bill No. 1883. Mr. Speaker, just a real brief comment. I understand the intent of trying to make sure that people don't get charged increased fees, however the fees are spread out through all the association for every homeowner. Sometimes if some individuals don't pay and the rest of the people pay for those charges and fees, they get spread out and it'll actually require others to pay more. Thank you."

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

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict? At my law firm I represent planned community associations although I do not have any active cases right now. Thank you," and the Chair ruled, "no conflict."

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

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

Representative Ching 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:

*"Ho'omalu 'olelo, Ke kū nei au ke kako'o me ke kanalua."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

Representative McKelvey 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."

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

"Thank you, Mr. Speaker. In support. I would like to explain the intent of this measure. It's just to make sure that the late fees for any arrears in association fees to be not more than 10%, if the arrear is less than 30 days.

"The average association fees for the State of Hawaii are from \$500 to \$700. There are some associations that charge up to 40% in late fees after the 10th of the month. So this prohibition of not more than 10% applies if you didn't pay your fees anywhere from the 11th day to the 30th day.

"So after the 31st day, if you didn't pay your association fees, those associations still have the leverage to charge whatever the percentile they might want. But it's just for late fees anywhere from the 11th until the 30th day. And asking the association to not extend it more than 10%, I think is reasonable, Mr. Speaker. Thank you."

Representative Riviere 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 Takai 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 H.B. No. 1883, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 385-12) recommending that H.B. No. 2143, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2143, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 386-12) recommending that H.B. No. 1794, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1794, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 387-12) recommending that H.B. No. 1971, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1971, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"I just want to note my reservations. I think this is a well-intended bill and I certainly want to support the goal to provide more affordable housing. However, I think that the way that this bill does it could possibly prevent us from building more affordable housing because we won't have the higher income people to supplement the building of it. I just want to monitor this as it goes through the Legislature."

Representative Fontaine 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."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1971, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 388-12) recommending that H.B. No. 1950, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1950, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

*"Ho'omalū 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

"Thank you, Mr. Speaker. I'd like to register a no vote and make a few brief remarks. Thank you, Mr. Speaker. My opposition to this measure is based upon the testimony of the Department of Land and Natural

Resources and the Office of Hawaiian Affairs, and I would like to point out to you, as well as to the rest of this Body, their testimony which in particular identifies this legislation as unnecessary. The Department of Land and Natural Resources is opposed to this bill because statute and administrative rules already exist to prohibit hunting on private lands without the permission of the land owner and because the measure would prohibit the legitimate use of firearms for natural resource protection and public safety.

"Also I would like to point out that in the Office of Hawaiian Affairs testimony that this measure is particularly anti-Hawaiian and anti-cultural practitioners where it says that although the Constitution broadly protects these activities, cultural subsistence hunting for example, practitioners in the field could still experience a chilling effect by this measure. For those reasons Mr. Speaker, I'm in opposition to this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1950, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 389-12) recommending that H.B. No. 2420, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2420, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support. Just some real brief comments. I would first like to thank the Chair of Water, Land and the Vice-Chair for their work on this measure. I believe this is one of those 'enigma key' bills that you'll be seeing which we can do economic stimulation and revitalization through incentives that are fiscally responsible and prudent.

"So again, I'm very happy with the work they've done to make this a fiscally responsible measure, but at the same time it will have benefits not only protecting our historical structures, but also stimulating the construction and remodeling industry as well. Thank you, again."

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

"Thank you. Just in support. I echo the words of Representative of Maui and ask that they be entered as my own. And I ask for additional written comments."

Representative Ching's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this bill. This bill is in line with tax credits offered by other States that showcase their history, such as Savannah, Georgia, Historic Charleston, South Carolina and the Gas Light District of San Diego, California - these communities recognize the need to support the mission of the National Trust for Historic Preservation, and they see their efforts translated to tourism dollars.

"1) Historic homes contribute to unique since of place that Hawaii offers visitors from the mainland United States and around the world. These homeowners have maintained their homes with pride. Grass roots efforts like Manoa o Malama have provided models for other grass roots organizations to be formed that are authentic to Hawaii and our heritage. Our Heritage includes monarchy that traveled to Europe to provide the finest examples of building techniques to the people of Hawaii.

"2) Missionaries who shipped homes from the East Coast of the mainland United States when the United States was still struggling for its own identity and Hawaii was serving the Pacific as a center for education of future political leaders who went on to change the world.

"3) Our Heritage reflects self studies of architecture in Europe by David Kalakaua that are reflected in the architecture of the Historic Post Office Downtown and the Judiciary Building across the street.

"4) Beautiful Japanese Temples, such as the Liliha Shingon and Sanju Pagoda reflect the multicultural heritage of the islands.

"5) Homes in the Historic Nu'uano Valley have been preserved by family members and passed down by generations. These homes are in danger of being lost forever if the descendants of the original families do not have some incentive for keeping the homes in pristine condition. The Philippine Consulate is a perfect example of homes that once stood in areas of the islands that are gone however and can never be replaced. Other grand homes are now symbols of Hawaii's ability to host other nations and the people who represent them as well as serve as presidents for universities. If smaller home are allowed to be torn down and replaced with less historic structures the overall beauty of the neighborhood is gone and the values of all the homes will be lost.

"6) Historic Hawaii Foundation offers support and guidance for these home owners and have done so with the help of volunteers and dedicated board members who continue to support the quality of life of our friends on the Neighbor Islands who may not have the means to maintain a home that was owned by their plantation working grandparents, but remain in the homes. Offering them incentives for maintaining Hawaii's unique history of immigration will help the world understand the success and failures of a Hawaii that helped to provide better lives for immigrants seeking a better life.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2420, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC STRUCTURES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 390-12) recommending that H.B. No. 2819, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2819, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 391-12) recommending that H.B. No. 2881, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2881, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENWAYS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 392-12) recommending that H.B. No. 2883, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2883, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHA VALLEY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 393-12) recommending that H.B. No. 1688, HD 1, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1688, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to cast a no vote on this. Thank you. Mr. Speaker, what this is going to do is to mandatorily increase the minimum insurance required for motorists. I think we have one of the highest percentages of uninsured drivers on the road. I don't think this is going to help that situation. More people will just not be able to afford that increased premium and so they'll drive uninsured. Thank you."

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

"Mr. Speaker, I rise with reservations. How can a gecko and somebody named Flo offer 40% discounts when in effect, it's the same. We've got to increase your insurance when they're giving all these discounted rates. It just doesn't make sense. The people of Hawaii hear what's going on and then they see this bill. It's not going to mesh with the cost of living that's rising in all sections of the community. Thank you."

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

"Mr. Speaker, in support. I would just point out that the minimum amount of insurance that is required to drive a vehicle hasn't been raised in a very long time. I don't know how long, but if you are hit by somebody else and it's their fault, and you end up in the hospital, even if they are covered with the minimum amount, \$20,000 dollars, I think is the minimum right now, which gets you through a day and a half in the hospital. So, it's always prudent to have plenty of underinsured and uninsured coverage on your own policy.

"But when the limits are so low, that even if it's shown to be the other person's fault they can only cover damage for a few hours or a day or two, at some point you have to accept the fact that there's inflation and that you have to raise the minimums every once in a while. Thank you."

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

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

"I will vote with reservations. I just would like to point out that if you wish to purchase more insurance and have more coverage, you're always able to do so. Thank you."

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

*"Ho'omalu 'olelo, Ke kū nei au ke kako'o me ke kanalua."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 394-12)

recommending that H.B. No. 1945, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1945, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 395-12) recommending that H.B. No. 2490, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2490, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 396-12) recommending that H.B. No. 2499, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2499, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Fontaine 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."

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

"Mr. Speaker, with reservations and just a foot note. That this bill actually has 39 fee increases for bankers. Again for the cost of living, this is another blow, and the bankers are going to pass it on to the customers or consumers, our constituents."

Representative Riviere 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 H.B. No. 2499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 397-12) recommending that H.B. No. 2500, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 398-12) recommending that H.B. No. 2525, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2525, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 399-12) recommending that H.B. No. 2526, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2526, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

Representative Marumoto 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."

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

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

"In support, Mr. Speaker. Mr. Speaker, this measure is an Administration bill that is supposed to do mapping for the broadband initiative. The purpose of this is to get the best information so that we can compete for competitive federal grants. Currently, the way it's drafted is by tax map key and I think that's where the providers have problems. It is the goal, I think, of this Body to provide a competitive edge so that the State can acquire this type of federal grant. We are willing to, and we are going to be working with the providers going forward. We're going to work on compromises that are workable for them, so I urge my colleagues to support this measure going forward. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 400-12) recommending that H.B. No. 2613, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2613, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources, seconded by Representative Evans.

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

*"E kala mai. Kako'o me ke kanalua no ka mea 'o kēia pila 'a'ohe ka lohe ana i loko o ke komike e pili Hawai'i. Mahalo."*

Representative Hanohano provided the following translation:

Excuse me. With reservations because this bill had not been heard by the Committee of Hawaiian Affairs. Thank you.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2613, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 401-12) recommending that H.B. No. 2609, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 402-12) recommending that H.B. No. 2730, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 403-12) recommending that H.B. No. 2684, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ZIPPER LANE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 404-12) recommending that H.B. No. 1813, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 1813, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising to vote no on this measure, and I'd like to explain why. Mr. Speaker, something is going on here which is not quite out in the open. But it seems as if the purpose is to fast-track any county or State project and avoid the environmental laws that have protected our resources for so many years. This bill, No. 1813, will say that any capital improvement project within a special management area,

that's your shoreline basically, that's funded even partially by State or county funds and located on the State or county lands is exempt from getting a special management area, either minor permit or a major permit.

"So it gets fast-tracked, and tying along with it also is House Bill 1893, which was re-referred just to Finance, avoiding the environmental Committee and the Water Land Committee. That one exempts these same projects from Chapter 343, the Environmental Impact Statement chapter. So Mr. Speaker, we have the environmental protections totally scrapped away, removed, for any State or county project.

"I don't understand how this is protecting our natural resources for today or for future generations, because under these two measures, they just get a fast-track approval and make them go ahead. So I am resoundingly 'no' on House Bill 1813, and I'm equally opposed to just the single Committee Referral to Finance for House Bill 1893 which is the companion bill, and that bill should have gone to Energy and Environmental Protection, and Water Land, but did not. Thank you."

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

"In opposition. There is something going on this year that is very alarming. I share the same concerns with the Representative from Kailua. The environmental laws have long been important to the State of Hawaii. It's an important part of our Constitution. And to exempt government while requiring it for everyone else on its face is questionable. Because if there is a potential for an environmental impact, then it should be reviewed. If these laws are inconvenient and are getting in the way of people making money, then maybe the laws themselves should be repealed entirely. Exempting the State because, for some reason, we believe the State's going to be good on environmental matters, no matter what, I don't quite have that much trust in our State. So please note my opposition to this and the bills previously noted. Thank you."

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

"Mr. Speaker, I also rise in opposition, and if I could make a few remarks. In addition to the concerns about the environment and the fast-tracking of these types of measures, I would also point to the testimony of the Office of Planning, which identifies that the SMAs are counties issues. Also in the Office of Planning's testimony that this bill could potentially jeopardize federal support of the Hawaii Coastal Zone Management Program, and in turn that the State may lose approximately \$2 million of federal funds annually. What this translates to according to the Office of Planning, is the loss of federal funding for nine positions at the Office of Planning, six positions at the Planning Department for Hawaii County, four positions at the Planning Department of Kauai County, and four positions at the Planning Department of Maui County. It seems to me that we would be gutting the very agencies that are there to protect and preserve our resources. Thank you, Mr. Speaker."

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

*"Ho'omalu 'olelo, Ke kū nei au ke kako'o me ke kanalua."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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

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

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

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

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

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

"Thank you, Mr. Speaker. I rise in support with brief comments. Thank you. What's interesting is that the Office of Planning is really working on procedures to basically ensure that State and counties don't have to go through the Shoreline Management, SMA process, which is really duplicative of the EA and EIS process. So in many ways this bill is addressing this duplication and the Office of Planning is right now working to ensure the coastal management process will continue without any problems. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Mr. Speaker, may I please just respond to that. I would just like to note that Life of the Land, which is one of our environmental watchdogs, they're talking about this measure. They're saying that, 'House Bill 1813 is yet another attempt to carve away at protections in order to ram through projects that have Administrative support.'

'Life of the Land continues, 'Sensitive coastal areas deserve the extra layer of protection as codified in the Special Management Area review process and the Coastal Zone Management Program. It is irresponsible to look at economic issues without looking simultaneously at environmental issues.' And they conclude, 'We should be looking for win-win scenarios.' Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Second Reading and was referred to the Committee on Finance, with Representatives Ching, Riviere, Thielen and Wooley voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 405-12) recommending that H.B. No. 2154, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 2154, HD 2, be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

*"Ho'omalu 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

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 Committees was adopted and H.B. No. 2154, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE

PERMITS," was referred to the Committee on Finance, with Representatives Ching, Riviere and Thielen voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 406-12) recommending that H.B. No. 2523, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2523, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. This is the cable bill, the interisland cable bill, and I'm rising to speak against it, Mr. Speaker. Thank you. The bill is supposedly just putting together a regulatory framework for an interisland cable. It's saying, 'Trust us. All we're doing is the regulatory framework. It has nothing do with the Island of Lanai and the wind farm. It has nothing to do with Molokai and the wind farm. This is just a regulatory system.'

'Mr. Speaker, the ratepayers, all of us here in this room, in this State, are going to bear the cost of this costly project. The money will be recovered by the cable company. Any other cost will be recovered by Hawaiian Electric. I wanted to just note that instead of going ahead with this extremely costly project, we could look in our own backyard. We could look at the wave energy resources that are available, that are out there right now as we're standing in this building that could provide the power that we need on each island, without going through a costly cable system.

'I'd like to have permission to put in a brief summary of the different projects that are available and to put that into the Journal, Mr. Speaker. Thank you.

"And then I would like to just note that for Oahu, we have according to the US Department of Energy's recent report, Oahu has 22 terawatts per year, and it only takes 7.7 terawatts per year to power Oahu. So instead of setting up a regulatory system for an interisland cable, I question why the Administration and this is an Admin bill, why the Administration isn't looking in our own backyard, and saying that we have the resources that we need for each island. We have the companies, some of whom are home-based right on Oahu, that can tap into that energy. And why isn't the Administration, and this Body moving ahead to develop those resources instead of setting a framework for an intensely expensive interisland cable on top of the intensely expensive fixed-rail system. I mean how much can our residents pay? Thank you."

Representative Thielen submitted the following:

#### "OCEANLIX

- Oceanlinx's core patented technology is an Oscillating Water Column (OWC) device, based on the established science of wave energy
- **Turbine Technology:** airwave turbine developed by Oceanlinx; Turbine significantly more efficient at converting the energy in the OWC airflow into electricity
- AirWAVE turbine, which is located above water improving reliabilut and providing easy access for maintenance and repair
- The technology has been successfully constructed and tested since 2005, with the first Oceanlinx wave plant installed at Port Kembla in NSW, Australia.
- An individual production-sized plate is designed to produce a nominal capacity of up to 600-800 kW of electrical power depending on the site
- WaveRoller has the ability to generate energy on a wider spectrum of wave conditions compared to existing wave energy solutions; WaveRoller is well suited for locations where wave periods are long and the swell is strong

**WAVE ROLLER**

- A WaveRoller device is a plate anchored on the sea bottom at its base; back and forth movement of the tidal surge moves the plate, transferring the kinetic energy created to a piston pump
- AW-Energy has developed and patented the WaveRoller technology

**LIMPET**

- Limpet is a shoreline energy converter sited on the island of Islay, off Scotland's west coast
- Current Limpet device (Limpet 500) was installed in 2000 and produces power for the national grid
- Limpet uses the principle of an oscillating water column
- Limpet is a shoreline unit and ideally placed to generate electricity in areas exposed to strong wave energy

**AQUAMARINE POWER**

Aquamarine Power has engineered its Oyster technology to use the world's wave energy resource. Our research and development team are continually working to refine the design of Oyster.

- Aquamarine Power's Oyster wave power technology captures energy in nearshore waves and converts it into clean sustainable electricity.
- Oyster is a wave-powered pump which pushes high pressure water to drive an onshore hydro-electric turbine
- Oyster wave power device is a buoyant, hinged flap which is attached to the seabed at depths of between 10 and 15 metres, around half a kilometer from the shore.
- Oyster's hinged flap, which is almost entirely underwater, pitches backwards and forwards in near shore waves. The movement of flap drives two hydraulic pistons which push high pressure water onshore via a subsea pipeline to drive a conventional hydroelectric turbine
- In the future, subsea pipelines will connect multiple Oyster wave energy devices to a single onshore plant. Ultimately Oyster will be installed in wave farms of several hundred connected devices generating hundreds of megawatts of electricity
- Aquamarine Power has conducted over five years of rigorous testing of the Oyster concept at 25th and 40th scale in the wave tank at Queen's University, Belfast; In 2009, Aquamarine Power commenced sea trials of its first full-scale Oyster prototype (Oyster 1) and demonstrated its feasibility by delivering over 6,000 operating hours.
- Aquamarine Power has now commenced its second Oyster wave power project which will consist of three Oyster wave energy devices installed at sea in a configuration known as an array.
- Aquamarine Power will install its next-generation Oyster 800 wave energy device at Billa Croo in Orkney (Scotland, UK) this summer and plan to install two further Oyster devices in the same location in 2012 and 2013.

**WAVE HUB****Description:**

- Wave Hub consists of an electrical hub on the seabed 16 kilometres off the coast of Cornwall, South West England to which wave energy devices can be connected.
- Wave Hub is a 12-tonne hub is linked to the UK's grid network via a 25km, 1300 tonne subsea cable operating at 11kV.
- The project holds a 25-year lease for eight square kilometers of sea. Wave Hub has the necessary consents and permits for up to 20MW of wave energy generation and offers a clearly defined and fully monitored site for marine energy production.
- Four separate berths are available to lease, each with a capacity of 4-5MW.
- Wave Hub can be upgraded for up to 50MW of generating capacity in the future when suitable components for operating the cable at 33kV have been developed.
- Wave Hub is completed by the Peninsula Research Institute for Marine Renewable Energy.
- Wave Hub has been funded by the South West Regional Development Agency (RDA), the European Regional Development

Fund Convergence Programme for Cornwall and the Isles of Scilly and the UK government.

**Location:** South West England

**Commercial Stage of Technology:**

- Wave Hub is involved with an offshore marine energy project in Cornwall, which allows developers to test new wave energy technology.
- The energy project has been taken on by the UK's Government and demonstrates the government's commitment to making wave energy a vital part of UK's green energy sources.
- The Department of Business Innovation and Skills (BIS) has taken over ownership of the Wave Hub from the RDA on January 1, 2012.
- The BIS has set up a stand-alone operating company called Wave Hub Limited, which will be based in Hayle, Cornwall. This arrangement will allow the project to build on the operational plans already put in place by the RDA.

**OCEAN ENERGY**

- OE Buoy has been deployed in Atlantic waves and has demonstrated the ability to generate power and survive the rigors of the ocean
- The OE Buoy has been designed around the oscillating water column principle.
- To ensure survivability the platform has only a single moving part.
- OceanEnergy's OE Buoy is a wave power generation platform which is designed for survivability
- The result of 7 years of research and development is that the OE Buoy has only a single moving part and has just completed over 2 years of rigorous testing in Atlantic waves
- Storms in Atlantic waves have confirmed the survivability of the OE Buoy as a power generation platform in the most extreme conditions

**WAVEGEN****Breakwater Development**

- Wavegen has developed small power takeoff modules for incorporating into breakwaters, coastal defenses, land reclamation schemes and harbor walls
- The 18.5kW power modules consist of a Wells turbine, valve and noise attenuator.
- Complete modules weigh less than a tone so installation or removal is easily achievable using a small mobile crane
- Modules are very simple and rugged: the blades are fixed onto the rotor, have no pitching mechanism, no gearbox and have no contact with seawater
- Wagen is currently in discussion with a number of European port authorities interested in installing this technology

**OCEANIT**

Oceanit working on a Kinetic Ocean Current Energy Generator:

- Oceanit is currently looking at capturing the kinetic energy swirling around the ocean.
- System converts kinetic energy from ocean currents (wave-induced) motion using a specially designed underwater array of rotors
- System allows for energy generation in a variety of coastal environments—to power remote villages, moored/drifted buoys, hydrophones, remote sensors, etc.
- 1 kW can be produced by two 20ft x 5ft diameter rotors
- Not suitable for extreme wave action
- Oceanit is looking for funding to scale up the system and want to talk to end customers before moving to a commercialization phase

**Department of Energy (DOE) Report**

The U.S. Department of Energy's newly released "Mapping and Assessment of the United States Ocean Wave Energy Resource" shows Hawaii's wave energy was significantly underestimated. The updated assessment shows Hawaii's wave energy resource is 130TWh/yr according to DOE. The following is a breakdown of Hawaii's wave energy resource potential regarding the major Hawaiian Islands:



1. Kauai 21 TWh per year
2. Oahu 22 TWh per year
3. Molokai 22 TWh per year
4. Maui 16 TWh per year
5. Hawaii 35 TWh per year

The DOE's report demonstrates Hawaii's wave energy is a viable resource that can supply a significant amount of renewable energy on each island. Hawaii's wave energy could be a positive investment that could move Hawaii's energy supply away from petroleum, create new jobs, and decrease our State's greenhouse gas emissions."

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

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

"Yes Mr. Speaker, and Members. I speak very strongly in favor of this measure. First of all I want to thank the Chairmen of Energy, and of Water Land, for passing this very important measure. Providing a regulatory system is the first step in connecting the whole State together in a transmission system, not only for now, but for the future. For the future when we can look at geothermal from the Big Island which can be transported right across the State. We can look at areas where it's quite desolate like on Lanai, where we can have wind farms, and could transport their energy to Oahu. You won't have to build additional generation and power plants. All of this can be a plus. And this is the first step.

"We have no idea what the cost is going to be, and there will be costs as it goes along. But this cost is going to be shared by many parties besides the consumer. And we can look at this as, if it is on Lanai, the people of Lanai will benefit by having their rates lowered to the same rates as Oahu. That will be a tremendous benefit for the people of Lanai who now have the highest rates in the nation. So again, I thank the Chairmen and I hope the Chair of Finance and the Members will see fit in passing this measure through. It's a very important measure. Thank you, very much."

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

"Mr. Speaker, with reservations. The learned gentleman from Maui speaks the truth. The measure is needed, but the mechanics, I feel, are really suspect, Mr. Speaker. On page 15 for example, line 5 and 6 says an electrical utility company shall be entitled to recover through an automatic rate adjustment clause, its revenue requirements. That sounds like the fuel surcharge, which is now bigger than the cost of generating electricity.

"This sounds a little bit like the cost of electricity is going to be totally uncontrollable, and I would suggest, Mr. Speaker, because there's an actual technician that's coming on to the Public Utilities Commission, a guy who's actually worked in one, he knows the mechanics, because everything that Hawaiian Electric says, we don't have anyone competent to say that, that's not the case.

"So I think where we're at now is a little bit faster than we should be, but what otherwise is a huge project. This is equivalent to a train from here to Kapolei. It's got to be thoroughly vetted, thoroughly understood and fully transparent. But I just know from that one sentence, that scares the daylights out of me. Thank you."

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

"Thank you, Mr. Speaker. I also will be voting with reservations, and just would like to point out that my understanding is that the ratepayers of Oahu will be underwriting the total cost of this capital project, not the ratepayers on the Island of Lanai nor Molokai. It would be solely Oahu. Thank you."

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

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

"In opposition. I have several concerns on this, one of which is that I'm not aware that any island is producing so much electricity that they have enough to export. The call that this bill is necessary now, I would argue, is completely incorrect. It's too early. We don't have the generation to bring. There are certain islands that are just mortified at the possibility of being turned in to wind farms so that people on other islands can open their electric garage doors. I would suggest if this bill does proceed and make it out the other end, that maybe it exclude the smallest islands which do not have much need for demand.

"The purpose for an interisland smart grid would be to stabilize the power, and to provide continuous power back and forth both ways. The way that Oahu is such a huge consumer of power, I don't see how it could be perceived as working both ways providing backup power in both directions.

"And lastly I would say that this has the potential to be a very expensive boondoggle and I would wonder if today were we posed with the question, shall this Body allow a general excise tax increase for a rail system? I wonder how that vote would go today. So I ask that you keep that in mind now. What we do now may set in force some very expensive futures. Thank you."

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

*"Ho'omalu 'oleo. Ke kū nei au me ke kako'o 'ole. Aia i hea nā leo no na po'e? He pila hewa kēia. 'O ka mana'o i loko 'o kēia pila e ho'okae ka 'āina, ke kai, nā mea kanu like 'ole a me nā mea like 'ole. 'Ā'ohe pono kēia mana'o. 'O kēia pila e kokua na po'e anunu a me ka hui 'ai kala. 'O kēia pila a'ohe kokua nā po'e 'ai pohaku, nā kupana 'o ka 'āina. E ho'omana'o kākou ka Mo'i Lili'uokalani a me ka himeni Kaulana Na Pua. 'O kēia lina "ua lawa mākou i ka pohaku." Nā ka pomaika'i a me ka maluhia kā kākou. Mahalo pumehana."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise in opposition. Where are the people voices? This is a wrongful bill. The concept of this bill desecrates the land, the sea, the plants and everything on earth. This is not the right concept. This bill helps the greedy money society. It doesn't help the sustainable everyday people, the real people. We must remember Queen Lili'uokalani's story – *Kaulana Nā pua*, Famous are the generations to come. The line in the song, "We are satisfied in being sustainable in the caring loving relationship of our lands." Blessings and peace to all of us. Warmest aloha.

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

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

"Mr. Speaker, I rise with reservations. Thank you.

"The Representative from Puna, Pahoa, Hawaiian Acres and Kalapana spoke in strong opposition. She stated, "Where are the voices of the people? This is a wrongful bill. The concept of the bill desecrates the land, the sea, the plants and everything on earth. This is not the right concept. The bill helps the greedy money society. It doesn't help the sustainable everyday people, the real people. We must remember Queen Lili'uokalani's song, *Kau Hana Nā Pua*, Famous are the Generation to Come. The line in the song, 'We are satisfied in being sustainable in the caring loving relationship of our lands.'

"The Chair of Hawaiian Affairs concluded by saying, "Blessing and peace to all of us. Warmest aloha."

"And in closing Mr. Speaker, the Representative from Waikiki would thank you for this Session's seating arrangement. He sees and feels it will be a long Session."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, Riviere and Thielen voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 407-12) recommending that H.B. No. 2656, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Coffman and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 408-12) recommending that H.B. No. 2262, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 409-12) recommending that H.B. No. 1983, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF DEMOGRAPHIC DATA BY STATE AGENCIES, BOARDS, AND COMMISSIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 410-12) recommending that H.B. No. 2357, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2357, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in opposition to this measure. Thank you. And just briefly, I've always voted against this. When we created a Works of Art Special Fund, well when we the Legislature created this, it was 40 years ago, and in fact some of the notable people that worked on this include Pundy Yokouchi from Maui. I remember talking to Pundy and he kind of explained to me why we did it and how important it was. In fact we still are the first jurisdiction in the entire nation to do this.

"I don't like pitting performing arts with visual arts as this bill proposes, and I do know that the Chair of Culture and Arts is struggling right now to find other additional revenues to help the performing arts, but I do believe that this is not the way to go. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. In support, and I just want to make clear that there's nothing in this bill that mandates any change. But one of the challenges for the Foundation on Culture and the Arts is that there are so many amazing performers and performer educators, and they never have the ability to connect with those types of art forms, particularly for our host culture. This bill simply gives them the flexibility to fund those types of art, in addition to our acquisitions or things we can hang up on the wall.

"This law when first passed was certainly something that many other states were envious of. But at this point we're pretty far behind the times when it comes to supporting funds for performing arts. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2357, entitled: "A BILL FOR AN ACT RELATING TO THE ARTS," passed Second Reading and was referred to the Committee on Finance, with Representative Takai voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 411-12) recommending that H.B. No. 2130, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Mizuno and Yamane, for the Committee on Human Services and the Committee on Health presented a report (Stand. Com. Rep. No. 412-12) recommending that H.B. No. 1886, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1886, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 413-12) recommending that H.B. No. 2286, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 414-12) recommending that H.B. No. 2843, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 415-12) recommending that H.B. No. 1901, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 416-12) recommending that H.B. No. 2441, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 417-12) recommending that H.B. No. 2537, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2537, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 418-12) recommending that H.B. No. 2540, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 419-12) recommending that H.B. No. 2541, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACT PROPOSALS FOR CHILD CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 420-12) recommending that H.B. No. 2546, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2546, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Hanohano and Yamane, for the Committee on Hawaiian Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 421-12) recommending that H.B. No. 1745, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 422-12) recommending that H.B. No. 1964, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1964, 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 Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 423-12) recommending that H.B. No. 1787, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1787, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 424-12) recommending that H.B. No. 609, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 609, HD 1, pass Second Reading and be referred to the Committee on Finance, 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 stand in support of H.B. 609 - Relating to Health, which provides authorization to assimilate Hawaii Medical Center-East into the Hawaii Health Systems Corporation via appropriated funds.

"We need to strongly support various options for ensuring Hawaii Medical Center-East continues to serve the community. The important idea is to keep this facility in service. We have a large senior population, and it would be a tremendous benefit to have them near their families while in care. As stated in testimony provided by Hawaii Health Systems Corporation, "...18.7% of Hawaii's population is ages 60 or older, and [that], by 2030, 27.4% of the total population is expected to be 60 years or older." This forecast strongly suggests the support needed for our community.

"When our community lost Hawaii Medical Center-East, we lost a piece of history. Let us work toward strengthening our community and write a new history of action by passing HB609. We can address the shortage of long-term care beds, and a formal affiliation with Hawaii Medical Center

under Hawaii Health Systems Corporation's governance could be the first step. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 425-12) recommending that H.B. No. 1801, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1801, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, Mr. Speaker and Members. I wish to speak against this measure. I'm certainly not speaking against the maker of this bill who I believe had very good intentions, that we should put some money aside for this liability. The problem I have with this measure is that for one thing, it's \$500 million. I believe that the maker of this bill was merely trying to make a point. He knows that we can't afford to put \$500 million there. And I also wish to make a point, that we cannot go overboard on this here.

"I know the Governor's looking for some dollars to put into the special emergency fund, and the Hurricane Fund, and yes we may need to put money in there. But right now the majority of our agencies are running at about 45%, and we continue to not look at that area. When you have a State running at less than 50% capability, you're not providing the quality of services that we should be doing. In fact, most all of the departments are providing, because of the lack of staff, the lack of resources, less than equality in the services that our taxpayers deserve.

"There's another issue here, which is probably even worse, that's going to come about. A measure that provides that 30%, as a constitutional amendment that provides that 30% of the dollars to be set aside in the general fund for the emergency fund.

"Emergencies come about, Members, as we go along. You have to understand that, and we cannot be just putting all the money in there. If you wish to really take care of the emergency fund, rapidly, then raise the excise tax. We raided this fund in the past. We raided the ERS to balance our budget because we didn't want to raise the excise tax. We're all guilty of that. I was guilty of that during my tenure as Speaker, and during this current tenure. We have done that. So we're culpable, in this liability.

"The fairest way to do it, and of course this is not the time to do it, is at some point in time, to raise the excise tax, and have a portion of that excise tax be used to take care of the liability problem. And over a period of years, if you have a certain percentage of the excise tax increase, that would be the best way to do it. Not to put a large sum of money, and at the same time not to fund the agencies and the programs that we have and the position to where they need to be. Thank you, very much."

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

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

*"Ho'omalū 'ōlelo, Ke kū nei au ke kako'o me ke kanalua."*

Representative Hanohano provided the following translation:

Mr. Speaker, I rise with reservations.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1801, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION

HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Souki voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 426-12) recommending that H.B. No. 2661, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives Rhoads and Aquino, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 427-12) recommending that H.B. No. 2627, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representatives McKelvey and Rhoads, for the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 428-12) recommending that H.B. No. 812, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that H.B. No. 812, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, 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 Committees was adopted and H.B. No. 812, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 429-12) recommending that H.B. No. 2044, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 430-12) recommending that H.B. No. 2122, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 431-12) recommending that H.B. No. 2319, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 432-12) recommending that H.B. No. 2411, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2411, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 433-12) recommending that H.B. No. 2767, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 434-12) recommending that H.B. No. 518, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO REAL PROPERTY," was referred to the Committee on Consumer Protection & Commerce, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 435-12) recommending that H.B. No. 1940, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1940, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE INSPECTORS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 436-12) recommending that H.B. No. 1948, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 437-12) recommending that H.B. No. 2150, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 438-12) recommending that H.B. No. 2668, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2668, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 439-12) recommending that H.B. No. 2831, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 440-12) recommending that H.B. No. 1674, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1674, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I just want to note my reservations for House Bill No. 1674. What this bill does is it extends eligibility for participation in the State financial aid university programs and resident tuition to people who are unlawfully here in America. Even though I'm a descendant of immigrants, I'm very concerned that we are denying Hawaiians free tuition, and they are our host culture. And not seeing that bill pass, but seeing something like this go through the Legislature is very concerning to me."

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

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

Representative Fontaine 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 H.B. No. 1674, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 441-12) recommending that H.B. No. 2023, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 442-12) recommending that H.B. No. 2100, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 443-12) recommending that H.B. No. 2628, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2628, HD 2, be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, with reservations. I'm just not sure that exempting students from the Landlord-Tenant Code is a good idea. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2628, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," was referred to the Committee on Judiciary, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 444-12) recommending that H.B. No. 2706, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2706, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 445-12) recommending that H.B. No. 2813, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SCIENCE, TECHNOLOGY, AND INNOVATION AGENCY," passed

Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 446-12) recommending that H.B. No. 1974, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1974, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Brower, for the Committee on Tourism presented a report (Stand. Com. Rep. No. 447-12) recommending that H.B. No. 2314, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2314, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 448-12) recommending that H.B. No. 1679, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1679, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 449-12) recommending that H.B. No. 1755, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 1755, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, 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 H.B. No. 1755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 450-12) recommending that H.B. No. 2539, HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 451-12) recommending that H.B. No. 2568, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 452-12) recommending that H.B. No. 755, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 755, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was referred to the Committee on Finance, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 453-12) recommending that H.B. No. 2662, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 454-12) recommending that H.B. No. 1559, as amended in HD 1, be recommitted to the Committee on Culture & the Arts.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was recommitted to the Committee on Culture & the Arts, with Representatives Belatti, C. Lee, M. Lee and Tokioka being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 455-12) recommending that H.B. No. 1764, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 455-12 on H.B. No. 1764, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1764, HD 1, were made available to the Members of the House.

**ANNOUNCEMENTS**

**COMMITTEE ASSIGNMENTS**

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>No.</u>	<u>Referred to:</u>
27	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business

<u>H.C.R.</u> <u>No.</u>	<u>Referred to:</u>
48	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
2061, SD1	Committee on Judiciary, then to the Committee on Finance
2759, SD1	Committee on Consumer Protection & Commerce

**COMMITTEE REASSIGNMENTS**

The following measure was re-referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
425, HD2	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1559, HD1	Committee on Education, then to the Committee on Judiciary
2052	Committee on Judiciary, then to the Committee on Finance
2296	Committee on Judiciary
2532, HD1	Committee on Hawaiian Affairs, then to the Committee on Finance
2577, HD1	Committee on Labor & Public Employment, then to the Committee on Finance
2579, HD1	Committee on Labor & Public Employment, then to the Committee on Finance
2686	Committee on Judiciary

**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 tomorrow, Thursday, February 16, 2012. (Representatives C. Lee, M. Lee and Tokioka were excused.)