

THIRTY-SEVENTH DAY

Friday, March 22, 2013

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:14 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Former Representative Michael Puamamo Kahikina, after which the Roll was called showing all Members present with the exception of Representatives Takumi and Woodson, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 402 and 403) were received and announced by the Clerk:

Sen. Com. No. 402, transmitting H.B. No. 1089, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KALO APPRECIATION MONTH," which passed Third Reading in the Senate on March 21, 2013.

Sen. Com. No. 403, transmitting H.B. No. 1258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," which passed Third Reading in the Senate on March 21, 2013.

INTRODUCTIONS

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

Representative Nakashima introduced Juniors of Honokaa High School: Sydney Popovich, Chris Mione, Phobe Taylor, Bobbie Jo Perez, Elizabeth Awaa-Kong, Kearshea Cardus, Kylene Paiva, Carleigh Vallente, Leila Deguzman, Tory Oana, Gary Torres, Sterlin Carpio. Nathan Gascon, Kalani Benanua, Isiah Fernandez, Samantha Miguel, Chelsea McConnell, Maisy Torrano, Stevie Niks Baji, Makanani Akau, Elijah Fernandez, Shayla Carreira, Jayna Guia, Kili Takushi and Emily Atkins; and their teacher, Mr. James Atkins.

Representative Ohno introduced delegates of the Secondary Student Conference.

Representative Lee introduced members of St. Anthony's, Kailua, Cub Scout Pack 223: Cameron, Christian, Loren, Braden, Kainoa and Sean; and Sean's mom, Mrs. Josette Friedl of House Tech Support.

Representative Onishi introduced students from East Hawaii: Kenneth Kitahata and Lopaka O'Conner, Hilo High School; Misty Figuera, Nemesi Steven, and Valando G., Pahoa High School; Courtney Ip and Ana Bitter, Waiakea High School; and their chaperone, Ms. Rene Shindo, Hilo High School.

Representative Lowen introduced students of Kealakehe High School and Konawaena High School: Jenn, Tara and Hayley; and chaperone, Mr. Jim Young, Student Activities Coordinator, Kealakehe High School.

Representative Belatti introduced her father, Mr. Donald Au.

Representative Cheape introduced students of Mililani High School; and teachers, Ms. Leilani Ward and Ms. Danielle Castro.

Representative Kawakami, on behalf of the Kauai delegation, introduced a friend, farmer and business person, Mr. Les Drent.

Representative Aquino, on behalf of the Waipahu delegation, introduced students of Waipahu High School: Rolilei Acio, Jensen Beate, Alter Calubana, Joshua Cambia, Karen Cayme, Reimann Fiesta, Robert Gracie Jr., James Hufana, Alexander McDermott, Steffie Pasion, Ariel Pena,

David Racuya, Max Saludares, Gerald Soriano and Samuel Weinstein; and their teacher, Mrs. Cindy Takara.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representatives Cabanilla and Carroll, for the Committee on Housing and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1114) recommending that S.B. No. 91, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 91, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 91, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1115) recommending that S.B. No. 697 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 697, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1116) recommending that S.B. No. 1349, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1349, SD 2, 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 McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1117) recommending that S.B. No. 1280, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1280, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A SEAWATER PROJECT," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1118) recommending that S.B. No. 961, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 961, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION SHARING," passed Second Reading and was referred to the Committee

on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1119) recommending that S.B. No. 345, SD 1 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 345, SD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

"Mr. Speaker, a no vote and one comment. I usually use this as my visual aid. This is for those who sell insurance for these small little portable devices. It's going from \$150 to \$5,000. That's excessive, it's extreme. Mr. Speaker, we had this last year and instead of going up a few thousand they leveled it off at \$150. Why it's going up to \$5,000 now is beyond my comprehension. Thank you."

Representative Johanson 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 a no vote for her, and the Chair "so ordered."

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

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

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

"Mr. Speaker, in opposition. Mr. Speaker, this, in relation to the previous bill that we had regarding electronic equipment, one thing again that comes to helping people rise out of poverty and for working families to better themselves, Mr. Speaker, is access to technology. This fee, this dramatic fee increase on portable electronics which is one of the most accessible pieces of technology that consumers interact with on a daily basis and which of course is closely related to the way education is moving these days, Mr. Speaker. This just further hinders the ability for those in the lowest income bracket to rise out of poverty, Mr. Speaker. For those reasons, I must be opposed to this measure."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 345, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PORTABLE ELECTRONICS INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla, Fale, McDermott, Thielen and Ward voting no, and with Representatives McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1120) recommending that S.B. No. 470, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 470, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARDS," passed Second Reading and was referred to the Committee on

Consumer Protection & Commerce, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1121) recommending that S.B. No. 913, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 913, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1122) recommending that S.B. No. 1265, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 1265, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1123) recommending that S.B. No. 505, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 505, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 505, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1124) recommending that S.B. No. 997, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 997, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ARCHIVES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1125) recommending that S.B. No. 511 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 511, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 4A," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1126) recommending that S.B. No. 1258, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1258, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1127) recommending that S.B. No. 102, SD 2 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 102, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1128) recommending that S.B. No. 1025, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1025, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1129) recommending that S.B. No. 1106, SD 2, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1106, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," was referred to the Committee on Judiciary, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1130) recommending that S.B. No. 499, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 499, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Lee and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1131) recommending that S.B. No. 23, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 23, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A SEAWATER AIR CONDITIONING PROJECT," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1132) recommending that S.B. No. 1040 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1040 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Mr. Speaker, with reservations. My understanding is that this bill has the potential to significantly raise electric costs to the people of Hawaii, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1040, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC SYSTEMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1133) recommending that S.B. No. 101 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 101, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1134) recommending that S.B. No. 332, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 332, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Nakashima and Lee, for the Committee on Labor & Public Employment and the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1135) recommending that S.B. No. 512, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 512, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL CONTRACTORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1136) recommending that S.B. No. 867, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 867, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 867, SD 2, 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 McKelvey, Takumi and Woodson being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1137) recommending that S.B. No. 1036 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1036, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM PERSONNEL," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1138) recommending that S.B. No. 406, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 406, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1139) recommending that S.B. No. 532, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 532, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE WORKPLACE," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1140) recommending that S.B. No. 815, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 815, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1141) recommending that S.B. No. 982, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 982, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1142) recommending that S.B. No. 1169, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1169, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOO LAWE ISLAND RESERVE," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1143) recommending that S.B. No. 665, SD 1, as amended in HD 1, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 665, SD 1, HD 1 be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, ruling on a possible conflict. My wife is a consultant to the medical school," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 665, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Wooley and Evans, for the Committee on Agriculture and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1144) recommending that S.B. No. 586, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 586, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDING PERMITS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1145) recommending that S.B. No. 1214, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1214, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1146) recommending that S.B. No. 1207, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1207, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Water & Land, with Representative Thielen voting no, and with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Yamane and Nakashima, for the Committee on Transportation and the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1147) recommending that S.B. No. 1230, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 1230, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1148) recommending that S.B. No. 1209, SD 1 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1209, SD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, in support with reservations and just brief comments. I got some clarification on the Floor which I think is very helpful and in that case I think the bill is well intended. My one concern is just that, and it's a mild concern, that some of the language may be a bit overly broad and may have some unintended consequences and I will look forward to seeing how this bill progresses. Thank you."

Representative Fukumoto 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 also. Until we know that this is not the flying of the Goodyear blimp over the skies of Waikiki and other places, I will hold my vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1209, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1149) recommending that S.B. No. 571, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 571, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Yamane, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1150) recommending that S.B. No. 4, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 4,

HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1151) recommending that S.B. No. 244, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 244, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 244, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1152) recommending that S.B. No. 1361, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1361, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, I'm going to be voting aye on the measure but I just want to bring up to the Member's attention. I believe that this bill should be amended in the final committee to direct the Board of Land and Natural Resources to actively pursue buying up the two years left on those leases with these lessees. The properties have been left in disrepair and a lessee that has a two year period to run on a long lease, say it was 35, 50, 65 years, they're not going to be interested in making any improvements.

"If you take the example of what happened in Kailua Town a number of years ago, as the leases were due to expire, the buildings really went into disrepair. I was told by the Executive Director of Kaneohe Ranch that they learned a lesson, that it was better that they managed and developed their own properties themselves because otherwise as the lease term expired, they were going to end up with the same thing again with buildings just in disrepair.

"So, with a two year period left on a lease that lessee would be, I believe, very open to selling out. This would mean that the Board of Land and Natural Resources in conjunction with the community over there could look at doing some significant improvements to the properties that have been an embarrassment to that area for a number of years. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1361, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BANYAN DRIVE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Evans and Yamane, for the Committee on Water & Land and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1153) recommending that S.B. No. 1357, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 1357,

SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Evans and Yamane, for the Committee on Water & Land and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1154) recommending that S.B. No. 803, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 803, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1155) recommending that S.B. No. 987, SD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 987, SD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 987, SD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Fale and McDermott voting no, and with Representatives McKelvey, Takumi and Woodson being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1156) recommending that S.B. No. 614, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 614, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS OF ART," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1157) recommending that S.B. No. 998, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 998, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WASHINGTON PLACE," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1158) recommending that S.B. No. 540 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 540,

entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Nishimoto, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1159) recommending that S.B. No. 795, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 795, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Nishimoto, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1160) recommending that S.B. No. 848, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 848, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1161) recommending that S.B. No. 48 be referred to the Committee on Economic Development & Business.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 48, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was referred to the Committee on Economic Development & Business, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1162) recommending that S.B. No. 1161, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1161, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1163) recommending that S.B. No. 1101, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1101, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE INTERIM ASSISTANCE REIMBURSEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1164) recommending that S.B. No. 400, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 400, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee

on Consumer Protection & Commerce, with Representatives McKelvey, Takumi and Woodson being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1165) recommending that S.B. No. 946, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 946, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

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

"Mr. Speaker, I have written comments to be inserted into Journal. But before that, let me just summarize the difference between this Senate Bill and the House Bill.

"The Senate Bill 946, there's only one way that they can address unfunded liability and that is to put money in the trust fund. We are doing the same thing under captive insurance. In addition to that, right now we have about \$18 billion of unfunded liability. Under the captive insurance, based on the study in 2001 we have the potential of saving 5% to 25% of the premiums that are being paid in the operation of the captive insurance. 5% of \$800 million is equivalent to \$40 million now.

"If we are going to save \$40 million we can make it a point that the members of the EUTF, which are the employees, dependents and retirees, will not be required to pay an increase in the premiums. You have to understand that from 2001 to 2012 the increase in premiums has been going from here all the way up and it's consistent on a yearly basis. If we have savings in the operation of a captive insurance, we will not be asking the employees to pay more in the premiums because we have savings, as well as the employers, meaning the state, the counties, the Board of Water Supply or those agencies categorized as employer. Those are the benefits that I can see, Mr. Speaker and Members.

"We have the potential of stopping and making our members pay more in premiums. Whatever savings we have will be placed in the reserve fund. We also are going to put money in the unfunded liability reserve fund. With that we are going to make sure that the amount of money and the premium funds to pay for the health needs for every member of the EUTF is just like fully funding it. If we are going to do that year in and year out, we will make sure that the employees and members will have the health care that they need. Those are the advantages, Mr. Speaker, and I'm going to ask that my remarks be inserted into the Journal. Thank you."

Representative Cachola's written remarks are as follows:

"In 2011, Hawaii's unfunded health care liabilities stood at between \$15-17 billion. In 2012-13, it is estimated that the health care liabilities will be over \$18 billion.

"According to recent reports, it would take \$520 million annually over 30 years to eliminate the full liability. Healthcare premiums will only continue to grow in the future. Premiums rose from \$218 million in 2001 to \$760 million in 2011. It is estimated to be around \$800 million for 2012-13. We need to find ways to slow down, reduce, stabilize, and fully fund the unfunded health care liabilities for the State of Hawaii.

"This bill would address the healthcare unfunded liabilities and save the state money by creating a captive insurance company within the EUTF that covers only government employees. According to a 2001 report by the State of Hawaii Insurance Division, there is the potential for Hawaii to find savings with a captive insurance company of between 5-25%. At 5%, Hawaii would save nearly \$40 million. Another benefit through our

savings is that the state would likely not have to increase employee contributions.

"The difference between the Senate and House strategy is that the Senate is only looking to provide direct contributions to reduce the healthcare unfunded liability. On the other hand, S.B. 946 S.D. 1 H.D.1 reflects the strategy coming forth from the House.

"The House strategy will provide direct contributions AND will include a program to save money that can be used to further reduce the healthcare unfunded liability. The bill will also mandate the governing body to allocate enough money to provide for members' health care needs yearly, now and going forward. Providing reinsurance coverage to protect the captive insurance company from a catastrophic event. As an insurance company, the company will have a direct pipeline to the wholesale price of reinsurance, hence, lower premiums.

"As well, this bill has the potential to greatly improve our bond ratings. Improved bond ratings will allow us to float bonds at a cheaper rate for us resulting in lower debt service. Remember, we use bonds to pay for most of our large scale projects like repairing schools. A 0.5% reduction in debt services creates about \$10-100 million in savings to the state.

"We are all aware that this is a major problem affecting our state. Survival, taking control of our destiny and the future of Hawaii is at stake. We need to address Hawaii's healthcare unfunded liabilities now."

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

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

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

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

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

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

"Mr. Speaker, please note my reservations. I support the portion in regards to Part I, which Senator Ige is looking at a different way to address some of our future liability issues. However, I have extremely strong reservations with Part II, and after, regarding the establishment of a captive insurance without the proper studies prior. Thank you."

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

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

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

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

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

"Mr. Speaker, with reservations until the feasibility study is done which verifies the statements of the good gentleman from Kalihi."

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

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

"Thank you, Mr. Speaker. In support with strong reservations. Just briefly. Mr. Speaker, I do want to echo the comments that were previously stated by the Transportation Chair. I do think Part I is a very good portion of this bill, I think it is incumbent upon us to begin dealing with the EUTF, and by having a task force examine the unfunded liability and make recommendations to the Legislature I think would be very beneficial given our situation with the EUTF.

"But similar to what the Transportation Chair said, I have very strong reservations about Part II. I do not think this captive insurance company for the EUTF is necessary. We will continue to watch this bill and hope that the Finance Committee will address this. Thank you, Mr. Speaker."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 946, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESOLVING THE UNFUNDED LIABILITIES OF THE STATE AND THE COUNTIES," passed Second Reading and was referred to the Committee on Finance, with Representative Tokioka voting no, and with Representatives McKelvey, Takumi and Woodson being excused.

Representatives Nakashima and Tsuji, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1166) recommending that S.B. No. 535, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 535, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary, with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1167) recommending that S.B. No. 1070, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1070, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1070, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1168) recommending that S.B. No. 595, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 595, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was referred to the Committee on Finance, with Representatives McKelvey, Takumi and Woodson being excused.

At 12:48 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:48 o'clock p.m., with Vice Speaker Mizuno presiding.

Representatives McKelvey and Rhoads, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1169) recommending that S.B. No. 1370, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1370, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I request a ruling on a potential conflict. At my law firm we do mortgage foreclosure work. Thank you," and the Chair ruled, "no conflict."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1370, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDIATION AFFECTING JUDICIAL FORECLOSURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1170) recommending that S.B. No. 8, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 8, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. On Standing Committee Report Number 1170, Senate Bill Number 8, could you please note my strong reservations. I have major problems with the amendments that were made by the Committee on CPC. Specifically regarding the population, having it apply to a population of less than 500,000. Should this measure go forward I would hope that we address that issue. Thank you."

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

"Thank you, Mr. Speaker. I have strong reservations. Thank you."

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

"Mr. Speaker, as a farmer who also has animals, I have strong reservations in regards to this measure and how it's going to affect famers in our community that actually have animals. As a person who grew up as a little kid performing some of these procedures, well it doesn't include, it has to do with the way we do some procedures that we perform on certain animals, Mr. Speaker, for different reasons. But for those reasons, I'm concerned about how this may affect farmers. So with that, Mr. Speaker, I have very strong reservations regarding this measure."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 8, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Cheape voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1171) recommending that S.B. No. 668, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 668, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1172) recommending that S.B. No. 960, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 960, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker, I request a ruling on a potential conflict. At my law firm I do work on foreclosures. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 960, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1173) recommending that S.B. No. 328, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 328, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Mr. Speaker, a no vote and just brief comments. Mr. Speaker, I have three dogs. I had four, we had to put one down. I am an animal lover. So I come at it, I gave the economics lecture before, I won't bore the Members with that again, but I love pets. And I want to see people get into homes if they want to. I think, although this is extraordinarily well intended, I think it's going to have the reverse effect.

"Ironically, the folks charging that premium are still going to keep that premium and then they're going to increase the security deposit. Why? Because they can.

"So a wonderfully intentioned bill, and as a dog lover I want to help these folks do it because I know how hard it is to find a place that will take a pet. They're just not there. And it's not because of the security deposit, it's because people just don't want to rent if you have pets because they

know, yeah they can get the money back even if they have to take you to small claims court, it's just they don't want to go through the hassle of it.

"So, I think this will have the reverse effect and it will actually make it more difficult because you're still going to pay the premium and now you're going to pay a higher security deposit. That's my concern. Thank you, sir."

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

"Mr. Speaker, may the words of the previous speaker be inserted into the Journal as my own plus a few comments. In opposition.

"Mr. Speaker, we are one of the unfortunate states in the nation that has one of the lowest home ownership ratios possible. We're around 49-51%. The nation is at about 69-71% people who own their homes. In Hawaii half the people don't own their homes. Therefore, to make it harder for people to rent seems cruel and unusual, particularly for working families.

"Those who love their dogs, this is unnecessary because they're already going to have a rental for pets built into their existing monthly deposit. So it's unnecessary and it's punitive because, again, we've got as many renters as we have homeowners. Thank you, Mr. Speaker."

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

"Ruling on a potential conflict, Mr. Speaker. I'm a landlord," and the Chair ruled, "no conflict."

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

"I would also like to express my strong support of the bill. I think this will open up more choices for pet lovers, pet owners, for places to rent, because with this provision there will be more landlords that would be welcoming to people with pets. Not every landlord is the same, Mr. Speaker, and not every pet owner is the same. So, even though it may increase the deposit, if you are a good pet owner, you're going to get all your deposit back.

"Also, I have prospective tenants who had begged me to double the deposit just so I would accept them, but yet I couldn't do that either. But if this bill passes I think that it would increase the supply for the pet owners in terms of renting places. Thank you, Mr. Speaker."

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

"Thank you, ruling on a potential conflict. I'm a landlord. Thank you," and the Chair ruled, "no conflict."

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

"I rise in support. Thank you. I agree with the previous owner, actually I had an experience myself. I used to rent to families with pets. I love pets. In fact we still have a dog. But as I mentioned in the previous discussion on a similar House Bill, I'm no longer going to rent to anybody with animals unless this opportunity comes up. This bill is an enabling bill, it allows for an additional deposit. It doesn't require it.

"Right now state law doesn't allow for that. So as the previous owner mentioned there was a tenant that wanted to rent, wanted to double the deposit, but because state law prohibits it, we're not allowed to do it. So I think that this particular measure actually is pet friendly and it's going to increase the inventory of rentals for people with pets. Thank you, Mr. Speaker."

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

"Ruling on a potential conflict of interest. Our family has rental property," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker, ruling on a potential conflict. I also have a rental. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I support the bill, it's a common sense way to do it. I rent to people who have pets, but I have in the lease that they're required to clean the carpet in the one room that has carpet before they leave. But I think this is a more sensible way to do it and will open up more housing, rental housing for people with pets. Thank you."

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

"Mr. Speaker, I forgot to mention I have also a rental unit. Thank you," and the Chair ruled, "no conflict."

Representative Ward continued, stating:

"But I can't see the logic, when you put the price of something up, you're going to increase the demand. That's exactly opposite of all economic theory, all economic principle. When you increase the price, you reduce the demand or you eliminate it to a very niche market. So if my colleagues are correct, my fellow landlords are correct, I wish them the best, I hope we pay attention to the numbers because right now it's against raising any prices to get more of anything to be purchased. Thank you."

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

"Mr. Speaker, potential conflict of interest. I have a fractional interest in property that is being leased as a rental. Thank you," and the Chair ruled, "no conflict."

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

"I stand in strong support. Thank you very much."

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

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

"Mr. Speaker, ruling on a possible conflict of interest. I also have rentals. Thank you," and the Chair ruled, "no conflict."

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

"A ruling on a potential conflict. I'm a renter with a pet," and the Chair ruled, "no conflict."

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

"Mr. Speaker, in opposition. Mr. Speaker, I believe that this measure is going to further disadvantage those as the Representative from Hawaii Kai mentioned. We live in a state that unfortunately has the lowest home ownership in the entire country. This is due to the high cost of living here, which I fall into that category, Mr. Speaker.

"As someone who lives day to day with the challenges that we have for young working families here, this makes it that much more difficult for the young working families in our community, Mr. Speaker. If you happen to go down to the Humane Society to rescue a pet it just means that you're going to have to fork out more money to be able to afford to live somewhere, Mr. Speaker. For those reasons and for the working families throughout the state who may have a pet, Mr. Speaker, I think that this

hurts them and this measure wouldn't be good for that segment of our community, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in strong support. I also ask that the words from the good Representative from Pearl City as well as the Chair of Housing be entered into the Journal as if they were my own.

"I'd just like to make an additional comment, Mr. Speaker. On page 2, line 4 it says, 'a landlord may require,' it doesn't state that he must require this. So I'd just like to add that as another note. Thank you."

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

"In support, and I just want to make sure that folks who oppose the bill have read the testimony because there's broad support from both landlords and tenants, whether they are low income or high income. There's no actual additional charge in your fee, in your leases, your monthly charges. It provides an option if you want to have an animal and a landlord wants you to be able to have an animal. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 328, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Fale, McDermott and Ward voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1174) recommending that S.B. No. 495, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 495, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1175) recommending that S.B. No. 9, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 9, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1176) recommending that S.B. No. 1071, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1071, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

"Mr. Speaker, in opposition. My concern with this bill, Mr. Speaker, is that it's going to further eliminate the opportunity for entry into this market, Mr. Speaker. Coming from a background that has a lot of entrepreneurship there, I'm very much interested in opening up these opportunities for youth of Hawaii to especially explore the possibilities in the financial world, Mr. Speaker. This measure would further eliminate or

make it more difficult for them to explore those opportunities, Mr. Speaker. For those reasons, I'm opposed to the measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1071, SD 2, 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 Fale and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1177) recommending that S.B. No. 1067, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1067, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1067, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1178) recommending that S.B. No. 1133, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1133, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Awana.

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

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

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

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

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

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

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

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

"Mr. Speaker, in opposition. Once again, if you find yourself on the road between 4:00 and 6:00 in the morning, you'll find that those who make the most use of this dietary supplement that would fall into this new fee increase, Mr. Speaker. That's who this measure would hurt the most and those are the backbone of the State of Hawaii. Those are working families who keep this place going, Mr. Speaker and this measure would hurt them the most. For those reasons, I'm opposed to this, Mr. Speaker."

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

"Thank you, in strong support, just very briefly. I'd like to just note that this bill closes a loophole and specifically excludes legitimate dietary supplements. Thank you."

Representative Fale rose to respond, stating:

"Mr. Speaker, just once again in opposition. What those workers consume in the morning I consider legitimate dietary supplements, Mr. Speaker, and they consider it legitimate dietary supplements as well. This measure would hurt them, Mr. Speaker, therefore again in opposition."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1133, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," was referred to the Committee on Finance, with Representatives Fale, Fukumoto and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1179) recommending that S.B. No. 1240, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1240, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDIATRIC DENTAL HEALTH COVERAGE," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1180) recommending that S.B. No. 1069, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1069, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1069, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1181) recommending that S.B. No. 15, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 15, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 15, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce,

with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1182) recommending that S.B. No. 1045, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1045, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC COOPERATIVES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1183) recommending that S.B. No. 17, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 17, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 17, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUELS," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1184) recommending that S.B. No. 19, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 19, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1185) recommending that S.B. No. 1236, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1236, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I work for a cable company. Thank you," and the Chair ruled, "no conflict."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1236, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIBER OPTICS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1186) recommending that S.B. No. 750, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 750, SD 2, HD 1 be referred to the Committee on Finance, seconded by Representative Awana.

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 Committee was adopted and S.B. No. 750, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA INFRASTRUCTURE," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Tsuji, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1187) recommending that S.B. No. 463, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 463, SD 2, HD 1 be referred to the Committee on Finance, seconded by Representative Awana.

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 Committee was adopted and S.B. No. 463, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Tsuji and Evans, for the Committee on Economic Development & Business and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1188) recommending that S.B. No. 215, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 215, SD 3, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I would like to have a no vote cast for me on this please and just brief comments. Thank you. This bill establishes the public-private partnership authority. I know it's limited to just some specific projects but in the testimony that we received on this, numerous people said, just wait. Repeal the PLDC, give the public some time and earn back the trust before you step forward with another PLDC type of measure. I would hope that this bill does not emerge from its next committee. Thank you."

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

"Mr. Speaker, also in opposition with a brief comment. Everything that the previous speech maker indicated is true, and I add two points. Number one is that in the hearing it came out that this is going to cost us \$1 million a year just to implement a project which, second point is that, we're already doing in DBEDT. That we've got a number of projects going on now. So to build the bureaucracy to do something that we're already doing to make it look good, to make it PLDC turbocharged doesn't make a lot of sense. So I agree with the previous speaker. Hopefully this is the last we have to talk about this one. Thank you."

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

"Mr. Speaker, in support with slight reservations. Mr. Speaker, my slight reservations are in regards of course to the predecessor, in the past where we had the PLDC, Mr. Speaker. But I'm actually supportive of this measure because I believe that there is the opportunity to find funding in innovative ways to meet the needs of our community because the needs are great. Instead of increasing fees and taxes and other ways, I think this has the potential of serving our community very well, Mr. Speaker. Being able to meet the demands and needs of services within our community without having to raise fees or taxes, Mr. Speaker. For those reasons I am supportive of the measure."

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

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

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

"Thank you, Mr. Speaker. With reservations and a brief comment. Thank you, Mr. Speaker. While I have concerns about the fiscal impacts of this bill, I'm willing to let it go on to Finance and let them work through that. But I was concerned because as the bill went through this it addresses pilot projects and we actually in the committee added additional projects to this particular bill. So it's up to seven pilots. I would like, maybe Finance can take a look at this bill and reduce it maybe to three projects. More like a pilot. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in strong support. Mr. Speaker, let me focus some attention upon one physical description of a project. That's the Wahiawa Main Street Project. Just for the edification of the Members and those who may be listening in, that particular project which is controlled by the Department of Accounting General Services is state land. It's about the size of three football fields. It's right smack in the middle of Wahiawa Town and let me just give you some background.

"Unlike any of the other PLDC initiatives that we discussed over the last several years, this one is one of those projects that really is from the grassroots. It's really organic to the community.

"In fact, I can point out, and I did at the discussion phase of the decision-making in EDB and Water & Land, that some of the ideas of developing that particular parcel, which is the Wahiawa Civic Center site, goes back to July of 1994 when the Wahiawa community, working with the council representative, at that time Rene Mansho, and the mayor's administration.

We all got together and over the summer months in discussing what is the most appropriate use of that land and what they would want to see in it. Out of that grassroots effort came the Wahiawa Town Master Plan, and it's here. I'm going ask for permission later on to submit pertinent relevant portions of this into the Journal. That's back in 1994.

"When I got elected in 1994 we moved ahead on that Master Plan and we looked at the Wahiawa Civic Center conceptual design. What could be appropriate as far as the state developing the Civic Center also along the notion of maybe developing or co-developing with the Wahiawa Courthouse facility.

"So, in 1996 April, we came up with a conceptual design report plan for a joint Civic Center/Courthouse for the Wahiawa-North Shore area. I'm also going to submit some of that into the record.

"Also, in 1998, working with Jeremy Harris's administration at that time and the Department of Planning Permitting, City and County of Honolulu. We embarked upon an urban design plan to make sure that anything we do at that particular site is congruent and consistent with what we wanted our community to look at, specifically our community for our people. That's January 1998, City and County Honolulu, Planning Department, Wahiawa Urban Design Plan.

"Then I go back to July 2001, the Wahiawa Area Redevelopment/Civic Center Master Plan was studied, and the proposal there was to see the feasibility of developing that particular site and what it would look at based upon the Master Plan Task Force, 1994. So we're going back on that basis.

"Finally, in February 2002 and the Central Oahu Sustainable Communities Plan, which adopts the general plan for this particular region of Oahu, basically codifies and adopts all the prior work of the community at the grassroots level of what we have there.

"That's why I feel so confident that we can move forward on this particular bill, on that one element in this bill for the Wahiawa community, the Wahiawa Civic Center. Again, it's about three acres or less than three football fields, but I believe it's congruent and consistent with what we have there. I'm going to be available for anyone who wants to talk to me about this, the proposal right here. I may submit written testimony to the next committee in my support.

"But I just want to thank you, Mr. Speaker, for this opportunity to share that this particular project in this particular bill has strong and deep support from the Wahiawa community that I represent. Thank you very much."

Representative Oshiro's written remarks are as follows:

"As I mentioned in the earlier Floor discussion in support of SB 215, SD 3, HD 1, listed below are some of the relevant government reports and pages, supporting my claim that the Wahiawa Main Street Project upon the Wahiawa Civic Center site is consistent with the 'grassroots' vision for Wahiawa and strongly supported by the Wahiawa community.

1. Wahiawa Town Master Plan, Task Force Report, July 1994
"Wahiawa Town: Gateway to the Country"

- Wahiawa Town Master Plan, Task Force Report (cover)
- Wahiawa Master Plan Task Force Organization and Voting Members
- Community Services Committee, Pgs. 6-7
- Transportation Committee, Pgs. 30-31

2. Wahiawa Civic Center: Conceptual Design Report, April 1996
 Department of Accounting and General Services
 Prepared by Dennis T. Toyomura, F.A.I.A.

- Wahiawa Civic Center: Conceptual Design Report (cover)
- Location Plan, Island of Oahu, Pg. 5
- B. Existing Facilities, Pg. 8
- 7. Civic Center Development Plan Alternatives, Pg. 25-26

3. Wahiawa Urban Design Plan, January 1998
 City and County of Honolulu, Planning Department
 Prepared by Wilson Okamoto & Associates, Inc.

- Wahiawa Urban Design Plan (cover)
- Table of Contents
- B. Planning Approach, Pg. 2 and 5
- Chronology of Activities
- Meeting Memorandum, November 7, 1996, Pg. 1-2

4. Market Study of Proposed Wahiawa Civic Center, July 10, 2001

Prepared for the Wahiawa/Whitmore Vision Team
 Leshar Chee Stadlbauer, LLC, via Mr. Kurt H. Mitchell, AIA,
 Kober/Hanssen/Mitchell Architects

- Market Study of the Proposed Wahiawa Civic Center (cover)
- Cover Letter, July 10, 2001
- Market Study Overview, Pg. i – iii
- Overview of Government Services in Wahiawa, Pg. IV-1 – IV-4
- Communities Served By Wahiawa/Whitmore Governmental Agencies, Pg. IV-5

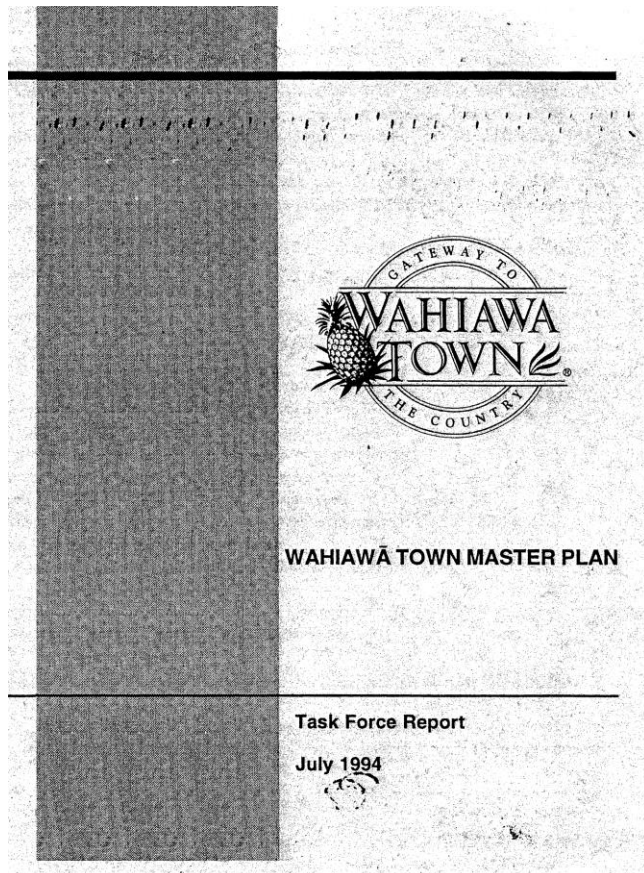
5. Central Oahu Sustainable Communities Plan, February 2002

Department of Planning and Permitting
 Honorable Jeremy Harris, Mayor

- Central Oahu Sustainable Communities Plan (cover)
- 3.6, Wahiawa Town, page 3-41 – 3-46

"In closing, I wish to thank my colleagues for allowing me to express my strong support for this re-development opportunity for my community. Wahiawa is where I grew up, live today, and would like to spend all my days. We are a small but close-knit community with deep roots in our Plantation heritage and proud of our Military history and unique place in Hawaiian culture. Insofar that SB 215 provides us with another option to pursue our collective vision it is greatly appreciated and has our endorsement and support. Thank you very much."

Representative Oshiro also submitted the following documents:



WAHIAWĀ MASTER PLAN TASK FORCE

ORGANIZATION

CHAIR	Suzanne Peterson
VICE CHAIR	Roy Doi
SECRETARY	Adam Borrello
EXECUTIVE SECRETARY	Libby Smithe

VOTING MEMBERS

COMMITTEE CHAIRMAN

BUILDINGS	Dan Nakasone
COMMUNITY SERVICES	Clayton Chun
ENVIRONMENT	Russell Wong
INFRASTRUCTURE	Jared Kanemaru
RECREATION	George Kagehiro
TRANSPORTATION	Ben Acohido

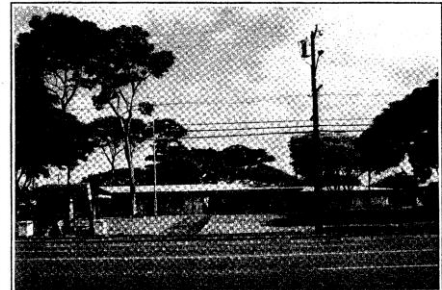
ORGANIZATIONAL REPRESENTATIVES

WAHIAWA COMMUNITY & BUSINESS ASSOCIATION	Libby Smithe
NEIGHBORHOOD BOARD #26	Ben Acohido
WAHIAWA GENERAL HOSPITAL	David Hill
WAHIAWA HOSPITAL AUXILIARY	Elsie Lawrence
WAHIAWA/WAIALUA ROTARY CLUB	Donna Hatico
WAHIAWA LIONS CLUB	Anthony Williams
WAHIAWA BOTANICAL GARDENS	Michael Kristiansen
WAHIAWA RAINBOW CLUB	James Shimokusu
HAWAIIAN CIVIC CLUB	Lurline Lee
ASOKA CLUB	Clarence Hiroamoto
WAHIAWA CHURCHES	Robert Meyer
WAHIAWA SCHOOLS	Clayton Chun
MILITARY	Daniel Bow

COMMUNITY SERVICES COMMITTEE

CIVIC CENTER

Wahiawa's civic center, which was dedicated on January 11, 1957, is located on a parcel of the approximately 160,000 square foot of state owned land, bordered by California Avenue and Lehua, Center, and North Cane streets. Services have outgrown the building.



WAHIAWĀ CIVIC CENTER

The civic center currently houses the Department of Human Services (DHS) and Department of Health (DOH). The DHS has the welfare office. The DOH has the Adult Mental Health Services, Public Health Nursing Office and Treatment Service, University of Hawai'i County Extension, and the Family Planning Office.

The DHS rents office space for the Women, Infants, & Children (WIC) program and the Jobs Unit IV. The Central District Office of the Department of Education is presently located at the Millani High Tech Park. The Judiciary branch of the government is currently renting space and is very much in need of a larger space.

PROFILE ON STATE CIVIC CENTER

There is a lack of office space for the government and private community services offered to Wahiawā Town. When a state or city program must rent office space, the money comes out of their budget, resulting in less money for program funds. Our concern is that these programs may be moved to another town where space

WAHIAWA CIVIC CENTER

CONCEPTUAL DESIGN REPORT

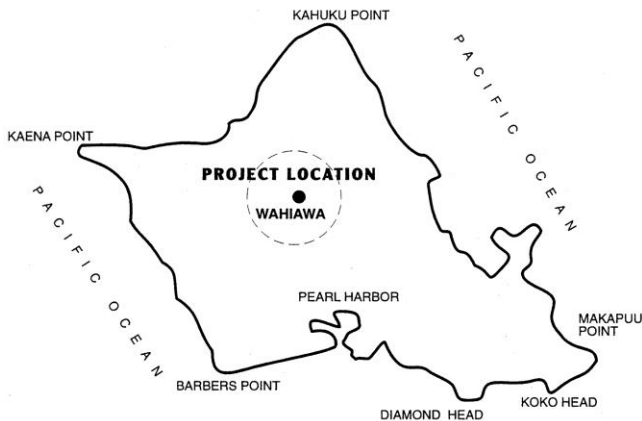
APRIL 1996

Prepared For:

THE DEPARTMENT OF ACCOUNTING and GENERAL SERVICES
D.A.G.S. 108 NO.: 12-10-4207

Prepared By:

DENNIS T. TOYOMURA, F.A.I.A.
ARCHITECT



0 2 4 6 8
SCALE IN MILES

LOCATION PLAN ISLAND OF OAHU

WAHIAWA CIVIC CENTER CONCEPTUAL DESIGN REPORT

APRIL 1996

B. EXISTING FACILITIES

1. Wahiaawa Civic Center Building: The existing Wahiaawa Civic Center building of 7,190* square feet was completed in 1957 and is located at 910 California Ave. The Civic Center building currently houses the Department of Human Services (DHS), the Department of Health (DOH) and the University of Hawaii County Extension. DHS houses the Public Welfare office. DOH houses the Adult Mental Health Services, Public Health Nursing Office and Treatment Service and Family Planning Office.

DHS leases additional offsite office space for the Women, Infants & Children (WIC) Program and the Jobs Unit IV.

The Central District Office of the Department of Education is also located off site.

2. The Wahiaawa District Court (Judiciary): The District Court is housed in a leased space of approximately 6,720 square feet* on Kilani Ave. According to the Hawaii Judicial System Master Plan the existing Courthouse facility is inadequate.

* Wahiaawa Civic Center
Complex Development Report, DAGS
by GACI, Inc., June 1988

WAHIAWA CIVIC CENTER
Conceptual Design Report
April 1996

Page 8

7. CIVIC CENTER DEVELOPMENT PLAN ALTERNATIVES

A. PREFERRED DEVELOPMENT PLAN ANALYSIS

Combined State Office Building and Judiciary Building with Parking Structure on Center Street

This plan assumes that Center Street can be decked with additional parking and be considered in fulfillment of the parking requirements for the Civic Center. The plan integrates the Judiciary and the State Office requirements into a mostly two story building, except for a partial State Offices third floor and with internal courtyard and connecting arcades. The plan shown assumes that the State Offices will be constructed before the Judiciary facility, or that they are constructed together. Should the Judiciary facility proceed prior to the State Offices then the plan can be reversed so as to allow the Judiciary to be constructed and yet allow the existing civic center to continue in operations.

WAHIAWA CIVIC CENTER
Conceptual Design Report
April 1996

1. The plan assumes that Center Street has parking at grade and on a single suspended parking deck accommodating a total of 260 stalls, and with the addition of the use of the existing parking lot's 50 stalls and 16 new stalls elsewhere on site, there will be a total of 326 parking spaces compared with a requirement of 244 spaces.
2. Covered arcade walkways are envisioned to connect the buildings.
3. The street setback and open space at grade opportunities are limited due to the large footprint of this development scheme.
4. Most preferences for ground level access can be accommodated with this predominately two story scheme.
5. Due to its integration, accommodating phasing of the development of the State Offices and the Judiciary poses potential problems in design and construction coordination.
6. The preferred plan is 28 per cent less expensive than the alternate plan.

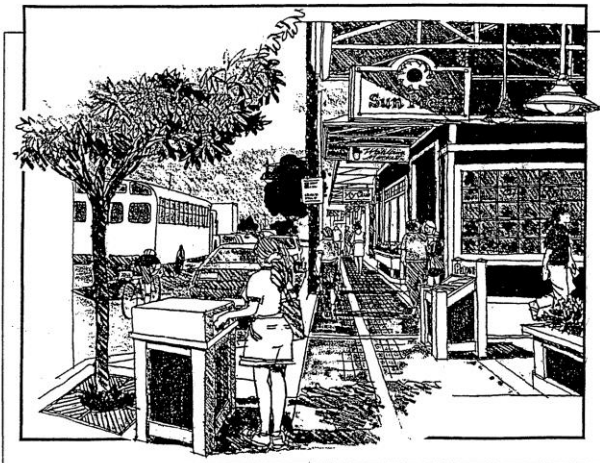
TABLE OF CONTENTS

	<u>Page</u>
PREFACE	i
I. INTRODUCTION	1
A. Background	1
B. Planning Approach	2
1. Development Plan Revision Program: Special Area Plans	2
2. Wahiawa Town Master Plan	2
3. Community-Based Planning Process	2
4. Goal, Objectives and Policies	3
5. Planning Area	3
II. PLAN IMPLEMENTATION	9
HIGHWAY SIGNS TO WAHIAWA	11
Purpose	11
Existing Situation	11
Recommendations	12
Other Considerations	13
Implementation Opportunities and Constraints	14
GATEWAYS TO WAHIAWA	25
Purpose	25
Existing Situation	25
Recommendations	25
Other Considerations	28
Implementation Opportunities and Constraints	30
STREETSCAPES OF WAHIAWA	55
Purpose	55
Existing Situation	55
Recommendations	55
Other Consideration	58
Implementation Opportunities and Constraints	59
BUILDING CHARACTER/REDEVELOPMENT POTENTIAL	85
Purpose	85
Existing Situation	85
Recommendations	85
Implementation Opportunities and Constraints	87

WAHIAWA CIVIC CENTER
Conceptual Design Report
April 1996

WAHIAWA

URBAN DESIGN PLAN



CITY AND COUNTY OF HONOLULU
PLANNING DEPARTMENT

PREPARED BY:
WILSON OKAMOTO & ASSOCIATES, INC.
HONOLULU, HAWAII



B. Planning Approach

1. Development Plan Revision Program: Special Area Plans

The City and County of Honolulu is currently revising its Development Plan for the Central Oahu region. Development Plans provide maps and policy statements to implement the objectives and policies of the City General Plan and serve as a guide for more detailed zoning and public and private sector investment decisions.

The Central Oahu Development Plan (DP) Area includes communities from Wahiawa to Waipahu. Central Oahu's role in Oahu's future development is to provide lands for diversified agriculture and residential development, new employment in existing commercial and industrial areas, and to help alleviate urban development pressures on other rural and urban fringe areas.

Wahiawa, along with Waipahu were identified through the Central Oahu Development Plan revision process as areas that merited more detailed planning. This is being accomplished through the preparation of Special Area Plans which, for Wahiawa, has taken the form of this urban design planning process.

2. Wahiawa Town Master Plan

The Wahiawa Town Master Plan was published by the Wahiawa Master Plan Task Force in July 1994. The Town Master Plan was prepared through a community-based effort that grew out of City Council Resolution 93-255, CD1, "Establishing a Task Force to Prepare a Master Plan for Wahiawa". The Task Force conducted a survey of Wahiawa residents spanning six categories of issues, including Buildings, Community Services, Environment, Infrastructure, Recreation, and Transportation. Committees addressing each of these categories were established. They produced a series of associated profiles of issues and concerns along with strategies and actions to address them.

The Wahiawa Urban Design Plan builds upon the foundation established by the Wahiawa Town Master Plan, but with a narrower focus on urban design. To the extent possible, it incorporates issues and concerns of the Town Master Plan that can be addressed through urban design.

3. Community-Based Planning Process

The Wahiawa Urban Design Plan was formulated through a community-based approach coordinated and supported by the City's Planning Department and its consultants. As a community-based effort, much of the impetus for the direction of the plan and its scope came from the Wahiawa Urban Design Plan Task Force. The membership of the Task Force is included in Appendix A. The chronology of activities undertaken by the Task Force is summarized in Appendix B. Minutes of the Task Force meetings are included in Appendix C.

Wahiawa Urban Design Plan

Alternative Concept B:

- Intent is to provide further enhancement of the streetscape. Within the road right-of-way, improvements could include sidewalks enhanced with patterned paving, street trees - including trees in new planters placed in the street parking lane where possible, theme street lighting, and theme street furniture (benches, trash receptacles, etc.).
- Improvements in private property fronting Kamehameha Highway could include a low screen wall of unified design with an associated planting area along the sidewalk and spaces for street trees.

Street Corner: (see Figure 13)

- Intent is to enhance the major street corners. Major vertical elements such as Royal Palms could be introduced to create a strong visual image.
- Architectural elements such as a variation of the low wall design could be integrated with business signs or signs about Wahiawa, enhanced with landscaping to create a more attractive treatment.

Streetscape: (see Figure 15)

- Intent is to enhance the streetscape and consequently the storefront areas along the other major streets, including California Avenue, Kilani Avenue, North Cane Street, and Wilikina Drive to create a more pedestrian-friendly and visually attractive street environment.
- Improvements within the road rights-of-way could include infill of street trees placed in street parking lanes where possible, patterned sidewalk paving to provide an enhanced surface, and theme street lighting and furniture.
- Further enhancement of storefront areas on private property could be achieved through encouraging unified signs (using a designated palette of colors and graphics) and architectural treatment. (This is discussed in more detail under "Building Character/Redevelopment Potential").

Town Center: (see Figure 17)

- Intent is to create a "visual" focal point in Wahiawa town; in a sense, a variation of traditional public town square.

Wahiawa Urban Design Plan

CHRONOLOGY OF ACTIVITIES
WAHIAWA URBAN DESIGN PLAN TASK FORCE

Task Force Meeting No. 1 - November 7, 1996:

- Introduction of the City Planning Department project staff and project consultant Wilson Okamoto & Associates, Inc.
- Overview of the Central Oahu Development Plan (DP) revision program of which the Wahiawa Urban Design Plan (UDP) is derived from.
- Overview of the Wahiawa UDP work program process and schedule.
- Mobilization of the Wahiawa UDP Task Force membership.
- Establishment of the Wahiawa UDP planning boundaries.
- Identification of project area elements for consideration in the UDP.

Walking Tour of Wahiawa Town - November 30, 1997:

- Members of the Wahiawa UDP Task Force, City Planning Department, and consultant Wilson Okamoto & Associates, Inc. participated in a walking tour of Wahiawa town. The purpose of the tour was to identify key features and issues for consideration in the Wahiawa UDP.

Task Force Meeting No. 2 - January 15, 1997:

- Establishment of the Wahiawa UDP Task Force membership. Dr. Jared Kanemaru was elected as the Task Force Chairperson and Mr. Ben Acohidio as the Task Force Vice Chairperson.
- Presentation and discussion of the Wahiawa UDP proposed goal, objectives and supporting policies.

Wahiawa Urban Design Plan

Task Force Meeting No. 3 - February 19, 1997:

- Distribution of updated Task Force membership list to include State Senator Robert Bunda, Councilmember Rene Mansho, and State Representative Marcus Oshiro.
- Discussion of the April 3, 1997 Wahiawa UDP Community Workshop format.
- Presentation and discussion of proposed illustrated concepts prepared for four categories which correspond to the four Wahiawa UDP objectives and associated policies: 1) Highway Signs to Wahiawa; 2) Gateways to Wahiawa; 3) Streetscapes of Wahiawa; and, 4) Building Character/Redevelopment Potential.

Community Workshop - April 3, 1997:

- An "open house" community workshop was held at the Kaala Elementary School Cafetorium to elicit comments from the community on proposed urban design concepts for Wahiawa to be considered in setting the direction for development of the UDP. Approximately 60 people attended the workshop.

Task Force Meeting No. 4 - May 8, 1997:

- Presentation by Councilmember Rene Mansho of the Hawaii Enterprise Zone Program.
- Presentation, discussion and recommended action by the Task Force of comments received at the April 3, 1997 community workshop.
- Presentation of an overview of the State Department of Land and Natural Resources Division of Forestry and Wildlife's Kaulunani Urban Forestry Program by Ms. Teresa Trueman-Madriaga, Program Coordinator.

Wahiawa Urban Design Plan

Task Force Meeting No. 5 - July 17, 1997:

- Presentation, discussion and refinement of and action by the Task Force to the draft Wahiawa UDP recommendations for the four categories: 1) Highway Signs to Wahiawa; 2) Gateways to Wahiawa; 3) Streetscapes of Wahiawa; and, 4) Building Character/Redevelopment Potential. Representatives of key State and City government agencies were in attendance to respond to questions and concerns of Task Force members.
- Discussion of the format of the August 21, 1997 Wahiawa UDP Community Workshop No. 2.
- Presentation of the status update of plans for the new McDonald's building in Wahiawa by Mr. Thomas Meeder of McDonald's of Hawaii.

Community Workshop No. 2 - August 21, 1997:

- A Community Workshop No. 2 was held at the Leilehua High School Cafetorium to elicit comments from the community on the draft Wahiawa UDP recommendations for the four categories: 1) Highway Signs to Wahiawa; 2) Gateways to Wahiawa; 3) Streetscapes of Wahiawa; and, 4) Building Character/Redevelopment Potential. Approximately 65 people attended the workshop. Workshop participants were provided an opportunity to sign up to assist in the implementation of recommended UDP projects.

Task Force Meeting No. 6 - December 3, 1997:

- Presentation, discussion and recommended actions by the Task Force of comments received at the August 21, 1997 Community Workshop No. 2 for inclusion in the final Wahiawa UDP report.
- The City Planning Department provided initial directions to the Task Force in implementing the recommendations of the UDP. Task Force members were provided an opportunity to sign up to assist in the implementation of recommended UDP projects.

3383-02
November 7, 1996

**WILSON
OKAMOTO**
ASSOCIATES, INC.

MEETING MEMORANDUM

SUBJECT: Wahiawa Urban Design Plan
Orientation Meeting

November 7, 1996, 7:00 PM
Wahiawa Recreation Center

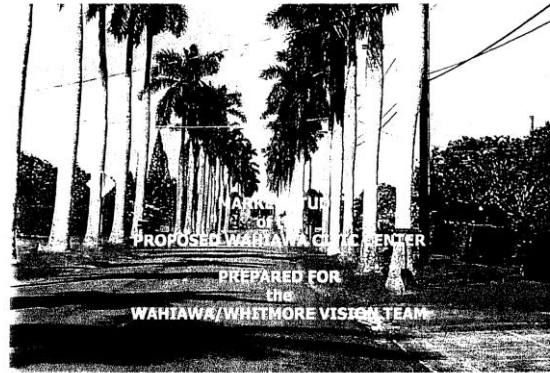


**ENGINEERS
PLANNERS**
1907 S. BERETANIA STREET
HONOLULU, HAWAII 96826
PH (808) 948-2277
FAX (808) 946-2253
MAILING ADDRESS:
1115 K. A. S. S. D.
HONOLULU, HAWAII 96811

ATTENDEES: Cheryl Soon City Planning Department
Gary Okino City Planning Department
Lowell Chun City Planning Department
Matt Higashida City Planning Department
Rene Mansho City Councilmember
Marcus Oshiro State Representative
Daniel Nakasone Wahiawa Community Business Association (WCBA)
Libby Smithe WCBA
Martha Peterson WCBA
George Kagehiro WCBA
Marcia Sumile WCBA
Suzanne Peterson Peterson Farm
Jared Kanemaru Wahiawa Resident
Anthony Williams Wahiawa Lions
Harold Diamond Wahiawa Lions
Stephen Maddox McDonalds Wahiawa
Susumu Ota Wahiawa Resident
Jim Shimokusu Wahiawa Rainbow Club
Eric Bello Bello's Millwork
Mary Bello Bello's Millwork
Earl Matsukawa Wilson Okamoto & Associates, Inc.
Frances Yamada Wilson Okamoto & Associates, Inc.

Information Items:

- Ms. Soon opened the meeting by introducing the City Planning Department's team and consultant Wilson Okamoto & Associates, Inc. Self introductions were made by those in attendance.
- Ms. Soon explained that the Wahiawa Urban Design Plan (UDP) is derived from the Central Oahu Development Plan (DP) revision program. She indicated that public review comments were received on the draft DP last summer. The revised draft DP will be presented to the Wahiawa community prior to it being presented to the City Planning Commission and City Council.



**WILSON
OKAMOTO**
ASSOCIATES, INC.

3383-02
Meeting Memorandum
November 7, 1996
Page 2

- Mr. Chun explained the UDP's work program process and schedule. There are three phases of the project: 1) inventory urban design features/formulate alternative urban design concepts; 2) preparation of the Draft UDP; and 3) preparation of the Final UDP. The planning process will include five task force meetings, one community workshop, and one community meeting.
- Mr. Chun discussed the project's task force. Consensus was reached that all community members in attendance at the meeting would be included on the task force. Mr. Chun requested from the group the submittal of additional names to be included on the task force, indicating that a membership of 18 to 20 persons should be used as a standard guideline. A list of potential names was presented to Mr. Chun who indicated that the City will review the names for representation.
- Mr. Matsukawa initiated discussion for establishing the UDP's planning boundaries and indicated that as a start, the boundaries depicted on the aerial photo include the business core.
- Mr. Matsukawa opened up the meeting to discussion and the following comments/questions were raised by various attendees:
 - How close will the City work with the State concerning the Civic Center? Discussion of the Civic Center has been going on for years. Due to the Civic Center's location, there was a suggestion that the City get this going as it will help the economy (stores), post office, and hospital as well.

Mr. Okino responded that the State Department of Accounting and General Services (DAGS) is responsible for implementation of the State Civic Center. The City has little control over this. He pointed out that there is a Satellite City Hall in Wahiawa. Mr. Okino explained that the UDP will identify improvements that can be implemented to enhance Wahiawa. Mr. Chun suggested that an urban design plan can create an overall framework capable of receiving the Civic Center.

- The Plan should accommodate the military as they are an important part of Wahiawa.

LESHER • CHEE • STADLBAUER, llc

Real Estate Valuation
Arbitration
Consulting
Going Concern Valuation
Market Research

July 10, 2001

Mr. Kurt H. Mitchell, AIA
C/O Mr. Ronald H. Maeda, AIA,
KOBER/HANSEN/MITCHELL ARCHITECTS
Harbor Court
55 Merchant Street, Suite 1400
Honolulu, HI 96813

Re: Wahiawa Area Redevelopment/Civic Center Master Plan, Wahiawa District, County of Honolulu, Island of Oahu, State of Hawaii

Dear Mr. Mitchell:

Please find attached a market study concerning the proposed development of the new Wahiawa Civic Center. This facility is proposed to be located on a parcel of land fronting California Avenue between Lehua Street and North Cane Street in Wahiawa Town. The proposed improvements will replace an existing, but inadequate, facility also referred to as the Wahiawa Civic Center, in addition to various temporary structures. It is our understanding that the proposed facility will largely be tenanted by a mixture of State of Hawaii and City and County of Honolulu agencies.

This market study was prepared without benefit of any specific design nor tenanting assumptions. Accordingly, our findings were intended to provide a broad overview concerning the dynamics surrounding the introduction of a new civic center into the Wahiawa area, as well as this particular site. This market study was prepared under the perspective prevailing as of the date of this letter – July 10, 2001.

Our findings are provided following.

Respectfully Submitted,

Steven D. Chee, MAI for
LESHER CHEE STADLBAUER, LLC

Pioneer Plaza
100 Fort Street Mall
Suite 1680
Honolulu,
Hawaii 96813

Ph. (808) 524-1511
Fax (808) 524-1666
info@lcs-consulting.com

MARKET STUDY OVERVIEW

In the preparation of the preliminary master plan, Kober/Hanssen/Mitchell Architects (KHMA) engaged Leshar Chee Stadlbauer, llc to prepare a market study providing KHMA with baseline market data that will be employed as a guide to forecast the possible impact of the new civic center on the Wahiawa Area Redevelopment plan as well as the community at large. The new civic center is proposed to be situated on a parcel of land fronting California Avenue between Lehua Street and North Cane Street in Wahiawa Town, located in the Wahiawa District of the County of Honolulu. The proposed civic center development site is situated adjacent to the Wahiawa General Hospital and is within walking distance to existing commercial support services. The proposed improvements will replace an existing, but inadequate, facility also referred to as the Wahiawa Civic Center, in addition to various temporary structures.

To this end, KHMA have identified the following as key elements of the market study:

- Determine existing baselines of market types, market lease rents and property values in the surrounding market area.
- What current governmental services are currently housed on-site and in surrounding developments and which could potentially be relocated to the Civic Center.
- The influences of the Civic Center on the surrounding properties, including lease rents and property values.
- Complementary business, services, etc. that would benefit by being in close proximity to the Civic Center.

Following, Leshar Chee Stadlbauer, llc presents their findings and conclusions. Our findings have been presented in the following order:

- Section I: A comprehensive overview of the Wahiawa/Whitmore area, including a discussion on area demographic trends.
- Section II A comprehensive overview of the Wahiawa business district, which also addresses current prevailing market conditions in the business district.
- Section III A detailed description of the civic center site and immediate surrounding area.
- Section IV An overview of government agencies currently located in Wahiawa and a survey of their respective service areas.
- Section V A discussion on the potential impacts of a new civic center on the surrounding business district.
- Section VI Results of an opinion survey of the Wahiawa community concerning development of a new civic center.

LESHER CHEE STADLBAUER, llc

- It was determined that much of the existing governmental agencies in Wahiawa could be successfully be integrated into a new civic center. Development of a new civic center was considered to be a definite upgrade over the existing use of the site and would be a benefit to the surrounding properties. However, developing a new civic center and increasing the intensity of site use by tenancing such a facility with various government agencies may also involve potential negative impacts. Increased traffic congestion and loss of street parking may occur. Also, if certain government agencies currently leasing space in private properties were to vacate, Wahiawa’s commercial real estate market may be negatively impacted.
- The proposed site of the new civic center was concluded to be particularly well suited for this use. The civic center site features a highly centralized location, which is in very close proximity to Central Oahu’s primary health care facility, Wahiawa’s largest retail development, its regional public park, public library and post office. Furthermore, the site is currently improved with the existing civic center and is occupied by a variety of government agencies.
- The findings of a community opinion survey indicate that the respondents overwhelmingly support the need for a new civic center serving Central Oahu and the North Shore. The vast majority of respondents also considered Wahiawa and the proposed civic center site as being appropriate. However, the opinions of respondents were more mixed in terms of their perceptions on the impact of Wahiawa and the business district. Recurring comments involved an increase in traffic congestion, loss of parking and the cost of development.

LESHER CHEE STADLBAUER, llc

iii

EXECUTIVE SUMMARY

Our primary findings and conclusions are summarized following.

- Wahiawa contains all the elements of a true community (versus a suburb or neighborhood). In addition to an interesting history, Wahiawa has an identifiable economic base, a significant commercial district, residential neighborhoods, supportive services (such as a hospital, schools, and churches) and recreational facilities. Unlike the urban sprawl of lower Central Oahu, Wahiawa also has relatively clear geographical boundaries.
- Historically, Wahiawa’s population growth and economic base has been dependent upon the agriculture industry and the military. While the agriculture industry in Hawaii has been in continual retreat since the 1970s, pineapple and other diversified crops continue to be grown in Wahiawa. Despite drastic downsizing in the military over the 1990s (resulting in an overall decrease in Wahiawa’s population since 1990), Schofield Barracks continues to be an integral component to the military’s defense strategy. Wahiawa can be characterized as a mature, stabilized community; however, it does not appear to enjoy outstanding potential for growth.
- The Wahiawa Business District is comprised of 168 commercial properties containing approximately 810,000 square feet of improved building area. These properties are typically smaller properties under 5,000 square feet in area and are primarily owned in fee simple. Much of the inventory is comprised of older improvements, many of which have not been well maintained. Of the total amount of building area, approximately 624,000 square feet is considered to be office and retail space. The current vacancy rate is believed to be between 6% and 10%. In terms of the current commercial real estate market, the available indicators suggest this market to be stable and in-balance. As noted, there does not appear to be significant demand for new businesses entering Wahiawa. However, while a level of vacancy does exist, there appears to be limited availability of quality office and retail space.
- Unless there is a shift in the overall dynamics, land use trends over the last 20 years in the Wahiawa business district will likely continue. Older properties will continue to age with minimal reinvestment expected. A certain amount of redevelopment will occur but the nature of the tenant base is not expected to change. It appears that successfully attracting more visitors headed to and from the North Shore may be a possible solution to increasing reinvestment into the business district.
- The existing government agencies located in Wahiawa serve not only the Wahiawa community but selected agencies also serve the Central Oahu region as well as the North Shore. Hence, Wahiawa is a proven location for providing government services on a regional basis.

LESHER CHEE STADLBAUER, llc

ii

Section IV – Overview of Government Agencies in Wahiawa

OVERVIEW OF GOVERNMENT SERVICES IN WAHIAWA

Research was conducted to identify the City and County of Honolulu and State of Hawaii governmental agencies currently established in the Wahiawa/Whitmore area. Emergency services (fire and police) were excluded from this survey. The effective service areas for the Wahiawa/Whitmore agencies were also determined.

WAHIAWA/WHITMORE GOVERNMENTAL AGENCIES MAY 2001		
AGENCY NAME	GOVERNMENT SECTOR	CURRENT ADDRESS
Wahiawa Satellite City Hall	C & C of Honolulu	330 North Cane Street
Wahiawa Public Library	State of Hawaii	820 California Avenue
Wahiawa Central Oahu Treatment Services Section	State of Hawaii	910 California Avenue
Wahiawa Nursing Office	State of Hawaii	910 California Avenue, Room 119
Wahiawa WIC Program	State of Hawaii	830 California Avenue
Wahiawa First-To-Work	State of Hawaii	1008 California Avenue, Bldg. B
Family and Adult Services Division - Wahiawa Unit	State of Hawaii	929 Center Street
Wahiawa District Court	State of Hawaii	1034 Kilani Avenue
Wahiawa Early Childhood Services Program	State of Hawaii	330 Walker Avenue
High Core Program Learning Opportunity Academy	State of Hawaii	801 Center Street
Central Oahu District Annex - DOE	State of Hawaii	1136 California Avenue

Source: Leshar Chee Stadlbauer, llc

Phone interviews were conducted with representatives of each agency. The information gathered through these interviews include, nature of the services provided, the nearest similar agency on Oahu, and the extension of the service areas and communities located within these service areas.

Wahiawa Satellite City Hall

This City and County of Honolulu agency is located at 330 North Cane Street. This facility provides motor vehicle registration and transfer of ownership services; accepts water bill and real property tax payments; issues bus passes, picnic and camping permits, dog licenses, spay/neuter certificates, and bicycle and moped registration; information and applications for disabled vehicle parking permits and handivans, voter registration, child labor for under 16 years of age, bus schedules, and city job recruitments. The nearest City and County of Honolulu satellite city halls are located in the communities of Waipahu and Kaneohe. The Wahiawa Satellite City Hall services the following area: the North Shore to Kahuku town, and Central Oahu to Waipio Acres. Communities in the selected service area include: Kahuku, Waimea, Haleiwa, Waiialua,

LESHER CHEE STADLBAUER, llc

Page IV-1

Section IV – Overview of Government Agencies in Wahiawa

Wahiawa/Whitmore, Milliani, Waipio Acres and Waipio Gentry.

Wahiawa Public Library This State of Hawaii agency is located at 820 California Avenue. Services provided include adult and children reading programs. The nearest State of Hawaii public libraries are located in the communities of Waiialua and Milliani. The service area extends from Waiialua to the north and Milliani to the south. Communities in the selected area include: Waiialua, Wahiawa/Whitmore, and Milliani.

Wahiawa Central Oahu Treatment Services Section This agency is operated under the State of Hawaii's Department of Health, is located at 910 California Avenue. The facility provides services for those with mental illness, including outpatient services and outreach services. The nearest State of Hawaii mental health treatment centers are located in Haleiwa and Pearl City. The service area extends from Waimea on the North Shore to Crestview in a SE direction. Communities in the selected service include: Waimea, Haleiwa, Waiialua, Wahiawa/Whitmore, Milliani, Waipio Acres, Waipio Gentry and Crestview.

Wahiawa Nursing Office This State of Hawaii's Department of Health agency is located at 910 California Avenue, Room 119. It is a satellite substation to the main facility located in Pearl City. The office offers health related medical services to the public, including the at-risk and frail segments of the population. These services include school health nursing services, TB testing, immunizations for residents up to 18 years old, and clinic services. Service to schools in the community (both public and private) includes supervision of school health aids. The nearest similar facilities are located in Pearl City and Kaneohe. The service area encompasses the North Shore up to and including Waimea, the Wahiawa/Whitmore area, and south down to and including Milliani. Communities in the selected service area include Waimea, Haleiwa, Waiialua, Wahiawa/Whitmore and Milliani.

Wahiawa WIC Program This State of Hawaii Department of Health agency is located at 830 California Avenue. The WIC (Women, Infant and Children) Program provides

LESHER CHEE STADLBAUER, llc

Page IV-2

Section IV – Overview of Government Agencies in Wahiawa

educational services for pregnant women and children up to 5 years of age. The nearest similar facilities are a satellite facility in Haleiwa and a clinic in Waipahu. The service area is the Wahiawa/Whitmore area, and south through the town of Milliani.

Wahiawa First-To-Work Unit This State of Hawaii Department of Human Services agency is located 1008 California Avenue, Building B. Services provided include employment education and training for welfare clients with the assistance of the Department of Labor. The closet facility is located in Waipahu. The service area encompasses the North Shore, the Wahiawa/Whitmore area, and south to Waipahu. Communities in the selected service area include: Kahuku, Waimea, Haleiwa, Waiialua, Wahiawa/Whitmore, Milliani, Waipio Acres, Waipio Gentry and Crestview.

The Family and Adult Services Division - Wahiawa Unit

This State of Hawaii Department of Human Services agency, is located at 929 Center Street. Services provided include employment consulting, and medical, food stamp, and financial assistance for Welfare recipients. The nearest Benefit Employment And Support Services are located in Kaneohe and Waipahu. The service area covers the North Shore area to the Haleiwa side of Waimea, the Wahiawa/Whitmore area, and south to Milliani but not including that community. Communities within the service area include: part of Waimea, Haleiwa, Waiialua, and Wahiawa/Whitmore.

Wahiawa District Court

The State of Hawaii judiciary is located at 1034 Kilani Avenue. Services provided include traffic and criminal court hearings, trials for petty misdemeanors and processing of traffic abstracts. The approximate service area or jurisdiction for the court extends from Haleiwa to Kaena Point, runs along the ridge of the Waianae Mountain and over to Milliani. Communities within the service area include: Haleiwa, Waiialua, Wahiawa/Whitmore and Milliani.

LESHER CHEE STADLBAUER, llc

Page IV-3

Section IV – Overview of Government Agencies in Wahiawa

Wahiawa Early Childhood Services Program This State of Hawaii Department of Health program is located at 330 Walker Avenue. Services provided include special education services and speech, occupational, and physical therapy for children up to 3 years old. The other Early Childhood Services Programs are located in Lanakila, Pearl Harbor, and Kaneohe. The service area for the program covers the North Shore from Pupukeya and south to Crestview. Communities within the service area include: Pupukeya, Haleiwa, Waiialua, Wahiawa/Whitmore, Milliani, Waipio Acres, Waipio Gentry, and Crestview.

High Core Program Learning Opportunity Academy This State of Hawaii Department of Health agency is located at 801 Center Street. This program serves as the alternative learning center for students in the Central Oahu district. The service area for the program encompasses the area from Waiialua to the north and south down to and including Waipio Gentry, with the majority of the students coming from the Milliani and Wahiawa communities. Communities within the service area include: Waiialua, Wahiawa/Whitmore, Milliani, Waipio Acres, and Waipio Gentry.

Central Oahu District Annex This State of Hawaii Department of Education agency is located at 1136 California Avenue. This program provides resources to teachers within the Central Oahu District. Similar facilities service the Windward, Leeward, and Honolulu areas on Oahu. The service area for the program extends from and includes Haleiwa to the north and south to and including Pearl City. Communities within the service area include: Haleiwa, Waiialua, Wahiawa/Whitmore, Milliani, Waipio Acres, Waipio Gentry, Crestview, and Pearl City.

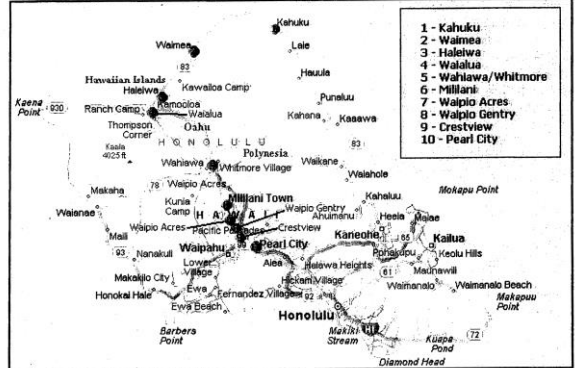
The following map and chart exhibit the ten communities within the service areas of the Wahiawa/Whitmore governmental agencies.

LESHER CHEE STADLBAUER, llc

Page IV-4

Section IV – Overview of Government Agencies in Wahiawa

**Location Map
Communities Served By Wahiawa/Whitmore Governmental Agencies**



Source: Microsoft Streets & Trips 2001
Source: Leshar Chee Stadlbauer, llc

The chart below exhibits communities located within each respective service area.

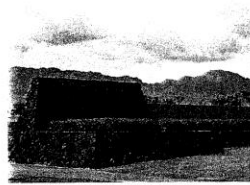
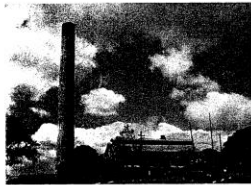
AGENCY	COMMUNITIES SERVED
Satellite City Hall	1-8
Wahiawa Public Library	4-6
Central Oahu Treatment Services Section	2-9
Wahiawa Nursing Office	2-6
WIC Program	5-6
First to Work	1-9
Family and Adult Services	2-5
District Court	3-6
Early Childhood Services Program	3-9
High Core Program Learning Opportunity	4-8
Central Oahu District Annex - DOE	3-10

LESHER CHEE STADLBAUER, llc

Page IV-5



Central Oahu Sustainable Communities Plan



Department of Planning and Permitting
Honorable Jeremy Harris, Mayor
February 2002



- Visual and physical connections between Waipahu Cultural Garden Park, the old commercial core and significant adjoining areas and roadways should be strengthened.
- Significant views should be preserved, including views of the Koolau and Waianae Mountain Ranges from along Farrington Highway, views of Pearl Harbor from Farrington Highway in the vicinity of Waipahu High School, the view of the Waipahu Sugar Mill from the Waipahu Cultural Garden, and the view of the Waianae Mountains from the Waipahu Cultural Garden.
- Mature trees should be preserved.

3.6 WAHIAWA TOWN

Wahiawa's historic role as a stopping point for people traveling to and from the North Shore has been eroding as a result of improvements in the highway system and the residential development of areas around Pearl Harbor and on the Ewa Plain.

Wahiawa's role as a regional center for Central Oahu has been diminished by the development of major new towns and residential areas such as Mililani Town and Melemanu Woodlands. Its commercial areas have had difficulty competing with the shopping centers of the newer communities and the major new "big box" retailers in power centers at Mililani, Waikale, and Pearl City.

Wahiawa has also been affected by the decline in both the pineapple and sugar industry and changes in military force levels at Schofield Barracks and Wheeler Army Airfield.

3.6.1 GENERAL POLICIES

Earlier planning efforts which considered Wahiawa's development include the Central O'ahu/North Shore Regional Plan (July 1993) and the Wahiawa Town Master Plan (1994).

Beginning in 1996, the Planning Department (now the Planning Division of the Department of Planning and Permitting) began working with a Wahiawa Urban Design Task Force, comprised of various community businesses, organizations, and elected representatives to formulate an urban design plan for Wahiawa as part of its Central Oahu Sustainable Communities Plan revision program.

Wahiawa and Waipahu had been identified as areas needing Special Area Plans, plans providing more detail than is provided in the Sustainable Communities Plan (see Chapter 5). It was agreed that the Special Area Plan for Wahiawa should take the form of an urban design plan.

A number of community meetings and public workshops were held during 1996 and 1997, and in August 1998, the Wahiawa Urban Design Plan was transmitted to the City Council. The following general policies are drawn from the Wahiawa Urban Design Plan and earlier community-based planning efforts.

Key Policies. Wahiawa should build on the strength of its stable and attractive residential areas and protect and enhance its unique characteristics:

3.6.1.1 Maintain and Enhance Wahiawa's Plantation Heritage and Rural, Small-Town Atmosphere. The scale and feeling of Wahiawa as a small town should be maintained. Wahiawa's plantation heritage and "country town" atmosphere give it a character that is not found in newer master planned communities. Commercial and civic buildings and residential neighborhoods which reflect the town's plantation heritage and multi-cultural roots should be preserved. The quality of the living environment offered by existing single-family residential areas should be maintained and protected.

3.6.1.2 Enhance Wahiawa's Role as a "Gateway" Between Town and Country. Wahiawa has historically been the boundary between the urban growth of Central Oahu and the broad vistas of the agricultural and rural areas of the North Shore. This role should continue with Lake Wilson and Kaukonahua marking the northernmost extent of urban development in Central Oahu. Appropriate gateway entry features should be established on Kamehameha Highway at both the northern and southern entrances to Wahiawa.

3.6.1.3 Enhance the Town Core as a Setting for Social, Civic, and Commercial Interactions. Wahiawa's State and County offices have historically provided services to both upland Central Oahu and to North Shore communities, and played a role as a regional civic and shopping center. Wahiawa's civic center should be strengthened by consolidating public services and encouraging the location of more social and community service organizations in the town. In addition, the character and role of Wahiawa's business area as a community shopping district and regional service center should be maintained and enhanced in order to encourage Oahu residents and visitors to discover what Wahiawa has to offer.

3.6.1.4 Protect and Enhance Forest and Lake Features. Wahiawa's unique forest and lake features should be protected and enhanced. Wahiawa is unique because it is a town surrounded by forest, it has a forest within town in the tree-lined gulch that courses through the center of town, and it borders on Lake Wilson which provides special views and recreational opportunities. Public-private partnerships should be pursued to explore opportunities to redevelop commercial and residential areas on the Town side of the northern and southern gateway entry points (where Kamehameha Highway crosses Lake Wilson) to take advantage of shoreline views and make the shoreline more accessible and enjoyable to the public while reinforcing the integrity of the Wahiawa Town Center.

Exhibit 3.4 shows the town's business district and civic center, as well as other major land uses within Wahiawa.

3.6.2 GUIDELINES

This section provides guidelines for the development of the business district, civic center, and residential areas; for improvement of circulation; and for preservation of open space and views.

3.6.2.1 Business District

- Wahiawa's historic "identity" should be re-established within a "Town Center" located along Kamehameha Highway in the vicinity of California and Kalani Avenue.

- Existing structures that reflect the historic character of Wahiawa should be maintained and restored where possible, and adaptive reuse encouraged where necessary to ensure their continued viability and use.
- Redevelopments should reflect an architectural theme consistent with the historic character of Wahiawa. The architectural character of new buildings and of the building renovations should be compatible with historic buildings in the area and reflect the town's plantation heritage.
 - Open space and landscaping should be provided to reinforce the historic character of Wahiawa.
 - Distinctive and attractively landscaped gateway features should be established at each of the Kamehameha Highway entries to the town to reinforce a "sense of arrival" along these approaches.
 - New commercial uses should be encouraged to in-fill on vacant and underutilized parcels within Wahiawa's existing business district. Expansion of the district is not needed and should be avoided.
 - Repair shops, storage and similar uses which provide needed services should continue to be allowed, but should be confined to the town's existing industrial area between Palm and North Cane Street. Buffer landscaping and similar edge treatments should be provided to minimize impacts on adjoining areas.
 - Building heights should generally be in keeping with Wahiawa's small town scale. However, some flexibility should be given for public buildings, such as government offices and churches, in order to allow for designs that create symbols of identity for the community.
 - The location of parking areas behind commercial establishments should be encouraged in order to improve the pedestrian environment and appearance of the streetscape.

• The visual appearance of business developments should be upgraded through building facade improvement programs and through the greater use of shade trees within parking areas and of landscape buffers between parking areas and adjoining streets.

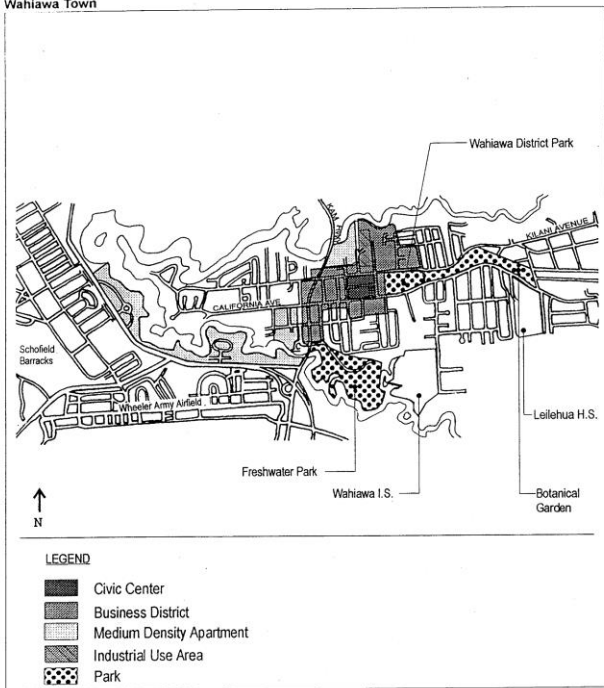
3.6.2.2 Civic Center

- Expansion of existing government facilities and community services should be welcomed and encouraged. To the extent possible, these uses should be clustered within and bordering the area bounded by California Avenue, North Cane Street, Kilani Avenue and Lehua Street.
- Parking for civic center and Wahiawa General Hospital users should be expanded and consolidated within a multi-level parking garage located on Center Street.
- The Wahiawa Satellite City Hall should be relocated adjacent to the police station.
- Available setback areas and open spaces should be landscaped and developed in a manner which gives the area a unifying visual image and provides a "village green" for informal gatherings and relaxation.

3.6.2.3 Residential Areas

- The intrusion of apartment buildings or other incompatible uses into existing single-family residential areas should be prevented.
- The extensive use of street trees to enhance Wahiawa's rural character and image as a "town within a forest" should be maintained and extended into all of its residential areas.

Exhibit 3.4
Wahiawa Town



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

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

"In support, and I wanted to support what the Representative from Wahiawa said. I know this is particularly important for that community and I think that there are some differences between this and the PLDC, so I will be voting in strong support. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 215, SD 3, 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 Lowen, Thielen and Ward voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Aquino and Belatti, for the Committee on Public Safety and the Committee on Health, presented a report (Stand. Com. Rep. No. 1189) recommending that S.B. No. 972 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 972, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1190) recommending that S.B. No. 44, SD 1 pass Second Reading and be referred to the Committee on Health.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 44, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Health, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1191) recommending that S.B. No. 71, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 71, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUBLIC SAFETY PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1192) recommending that S.B. No. 682, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 682, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1193) recommending that S.B. No. 880, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 880, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCE OF IMPRISONMENT FOR SEXUAL ASSAULT OF A MINOR UNDER THE AGE OF TWELVE YEARS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1194) recommending that S.B. No. 1016, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1016, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF COVERED OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1195) recommending that S.B. No. 1183, SD 2 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1183, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1196) recommending that S.B. No. 66, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 66, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF ETHICS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1197) recommending that S.B. No. 1087, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1087, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Awana.

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

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

"Mr. Speaker, with strong reservations. Mr. Speaker, this bill is something that when it was first talked to me about seemed like something that I was extremely supportive of. But concerns have arisen, Mr. Speaker, because some of the language within the bill allows the imposition of a green infrastructure fee which would go utility wide. The money that would be raised and the bonds that would allow members of the low income bracket, Mr. Speaker, access to be able to put PV systems on their homes, it doesn't exactly clarify how many. The estimates that were talked about in the initial phase could be anywhere from 10-20,000 homes.

"The reason why I'm concerned, Mr. Speaker, is that I have a 69-year-old widow who lives next door to me in Hauula, and this individual I believe would not qualify to receive a loan under this measure. But this individual would still be paying this green infrastructure fee for my family which would qualify for this loan.

"So, Mr. Speaker, I'm concerned that the 69-year-old widow who lives next door to me will be funding the benefits that I would be receiving next door, Mr. Speaker. Because it seems like it's not clear exactly whether everyone in the low income bracket will have access to the benefits of this measure, Mr. Speaker, but we know for sure that everybody will be paying the fee. So I don't want to be taking any money from 69-year-old widows to benefit any other person because I know it still hurts that person, Mr. Speaker. For those reasons, because there isn't exactly clarity on who will benefit, how they will benefit.

"Also, I have concerns with some of the testimony that was given from HECO, Mr. Speaker, where they said that nobody's rates would increase. Well I did a calculation, at full effect with this measure, Mr. Speaker, there's the potential of about 40,000 homes being taken off the grid with the possibility of having their revenue stream, the payment that they would be making to HECO would be reduced potentially by 80%.

"I just did some of the rough calculations, Mr. Speaker, if someone's paying on average a bill of \$250, that's over a year that revenue stream to HECO is reduced by about \$96 million. And HECO says that that will not affect anything that's going on and I find that hard to believe, that if you reduce a business's revenue stream by \$100 million year that it's going to have zero impact on the rates for everybody else. So until I have greater clarity on those questions, Mr. Speaker, I still have very strong concerns regarding this measure."

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

"Mr. Speaker, very briefly. Thank you, in support. I'd like to just note that this measure, let me be explicitly clear, does not raise fees. In fact it

has one of the greatest potentials I think of any of the bills we're passing this year to save money for our residents, in particular low income, middle income, etc. What the bill does is provide, well we don't need to go into that, we've had this discussion before, basically it provides a mechanism for up front financing to be able to put PV, etc., on people's homes.

"The fee in question, which is called the Green Infrastructure Fee, is being paid for out of the Public Benefits Fee, which is a fee that everybody pays on their electric bill right now whether you're a 69-year-old grandmother, brand new tenant, whatever. That money goes to pay for renewable resources, energy reduction, etc. What this bill would do is take a portion of that fee that's currently paid already, give it a new title called the Green Infrastructure Fee, and use it to implement the purposes of this bill.

"The program criteria for who specifically is going to be in receipt of this money to be able to put PV on their homes and things like that has not been written yet. That is the next step. This is an enabling bill that will allow the PUC and the state to move ahead with creating that program and moving forward.

"The money that HECO currently uses and receives that is lost every time somebody puts a PV system on their homes actually in large part goes to pay for oil costs. The production of electricity, which if someone is not using it will over time gradually be reduced.

"But everybody continues to pay a portion of the Infrastructure Transmission Fee in the form of a base rate which no matter how much you get off the grid you'll still have to pay for because you're still connected to the grid and that's used to continue to pay for transmission, infrastructure upgrades and everything else that HECO is tasked with doing. Thank you very much."

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

"Just with slight reservations. I think it's a good program, I think it's innovative and going to be a good idea in the long run. I do have similar concerns as the Representative from Hauula. I think that he raises a good point that if there is a loss to HECO, there is a possibility of them increasing the PBF. So, the PBF is in here and right now we're paying that and it shouldn't technically increase fees but there's a possibility of the PUC reevaluating that if there are losses. So that's just my concern. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support of this measure. I ask that the words of the Chair of Energy and Environmental Protection be inserted as my own.

"I think this is one of the best energy diversification renewable energy policies that will come out of this Legislature. It's similar to what we looked at over the last several years of creating a type of green energy bank using the public's money.

"In this case, through the online assessment that we're currently paying on our monthly utility bills. Using that pot of money right now instead of doing rebates, credits to purchasers of utility based demand-side appliances. Using some of that money, about \$300 million a year, using that and leveraging that with the issuance of bonds at pretty competitive rates. Having a good reliable stream of income to service those bond payments will enable this program to have the means to provide loans to most of my constituents who are of more moderate means in our community, so they can take advantage of solar systems, photovoltaic systems, that many of the more affluent folks are currently taking advantage of.

"I'd like to also submit further written comments. But again I think this is one of the best measures I think of this Legislature. So I hope we can get this measure out. Thank you."

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, thank you for permission to submit these additional remarks in support of this important measure.

"As I have stated previously, this bill could be one of the most important energy policy decisions for Hawaii of the last decade. The reason I say that is, this measure, upon full execution and application will provide the financial means for common folks and families of low to moderate means the ability to share in the benefits of renewable energy water heating and cooling and electrical production through low-interest loans and low-interest payments on the purchase of a solar or photovoltaic system.

"It has been conclusively demonstrated that the up-front costs of purchasing and installing 'green' energy solar systems have been a barrier for many households to acquire energy saving and producing equipment. As such, those of modest means or who lack access to capital or have unfavorable credit ratings were not able to take advantage of the 'green revolution' and lower their energy costs and take advantage of Hawaii's favorable climate and solar energy production capacity. Likewise, nearly half of Hawaii residents are 'renters' and not-for-profits whom renewable energy credits are inapplicable or irrelevant.

"Through the use of the current on-bill financing program being proposed by the PUC, there is a financing model that could provide predictable and sufficient funds to provide the capital for securitization and leveraging of bond financing. This means that present funds of the public benefit fund can be tapped to provide low cost capital and leveraged to sell low interest revenue bonds to fund a low cost/interest program for homeowners, not for profits, landlords/tenants, and others currently left out.

"For example, one financial model could allow for the loan of about \$8 million from the Public Benefit Fund to the Hawaii Green Infrastructure Special Fund, which in turn could take out of 'loan,' in the form of revenue bonds, of about \$100 million at a very low interest rate. According to DBEDT, this may translate into the installation of between 5,000-10,000 solar Photovoltaic installations or 25-50 MW. Revenue from the current and future electrical rate payers through the on-bill charges would be a sustainable and predictable stream of cash to service the revenue bond costs and be viewed by financiers as a safe and secure investment, thereby lowering the risk and interest rates. This means that the proceeds can be used as low cost loans to qualified consumers, many of whom will be ratepayers themselves and able to demonstrate a reliable payment history as either homeowners or renters.

"As I see it, this is a 'triple-bottom line' investment of our public funds:

- (1) Homeowners of modest incomes and renters gain access to eventual free electricity via affordable monthly payments;
- (2) Hawaii become less dependent on non-renewable fossil fuels; and
- (3) Solar and photovoltaic industries are supported directly through more installations and servicing opportunities.

"The third 'win' is especially important as we seek to curb and rein in the current renewable energy tax credit that all agree is rife with abuse and disadvantageous to those of modest incomes and means and most not-for-profits and renters.

"Finally, I applaud the Governor and his Directors of Business, Economic Development and Tourism, and Budget and Finance for taking the risk and seeking to 'think outside the box' in this innovative and useful financing mechanism that uses public funds to leverage private capital and use said proceeds to provide low interest loans to qualified homeowners, not-for-profits, landlords, and renters. It gives me great pleasure and quiet pride to finally see our state government use our vast public funds and the inherent powerful banking principles retained by the State of Hawaii for the sole purpose of promoting the interest of Hawaii's residents and taxpayers."

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

"Mr. Speaker, in support. Mr. Speaker, the mantra of my office for the last six years has been 'solar on every roof.' Let's get on with it, let's do it. This is one of the mechanisms to do it. It's almost as good as the PACE bill

but this is kind of a pilot because \$200 million is going to leverage us maybe 10-15,000 houses. We've got about 400,000 houses we need to do to become a national and world leader. So it's a good beginning.

"The promises I've had from DBEDT, or at least discussion with the experts, is that this PBF, this Public Benefits Fund, will be bifurcated as the Chair indicated earlier. But they equivocated when I said, so it's going to be a wash. You're going to take from the PBF and you're going to put it into green infrastructure fund and it's going to be same amount and it's not going to increase. You know how you say yes and your face looks like you're not sure when you're saying yes?"

"So I would hold the Chair and the others to saying that if there's no increase, because the problem is Members, HECO never puts its rates down. Every time we get a good idea, the rates go up and people are saying, what are you guys doing? You want to help me but you're hurting me by helping me. So when we give our word that's it going to be a wash, we're not going to take any PBF and add to it with this other surcharge, we're going to actually just bifurcate it. Let's stick with it, do it, but we've got to get solar on every roof, Mr. Speaker. Thank you."

Representative Fale rose to respond, stating:

"Mr. Speaker, once again in support with reservations. I'm looking here at the language of the bill, Mr. Speaker, and it says that in Section 269-B, it says, 'for the financing orders authorizes the following: the imposition, charging, and collection on behalf of the department of the green infrastructure fee, to become effective upon the issuance of the bonds.'

"Once again, Mr. Speaker, I can just, as the Representative from Hawaii Kai mentioned, every time we come up with a great idea we seem to stick it to the rate payers, and that's my concern, that this is another. Maybe if we could tighten up the language, Mr. Speaker, to effectively 'seal the deal' as far as it comes to making sure that this fee does not increase and that it is solely just a movement of the funds from currently within and that there will be no room for increasing the fee, Mr. Speaker. I think that would satisfy my concerns regarding this measure. It just seems to me that there's enough room there for this fee to be increased over time, Mr. Speaker."

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

"In strong support. Thank you."

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

"In very strong support of this measure that I believe will reduce costs over time to rate payers if you're looking especially over the longer term. I would also like to request that the comments of the Representative from Waimanalo be entered as my own. Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1087, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREEN INFRASTRUCTURE," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1198) recommending that S.B. No. 623, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 623, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Awana.

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

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

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

"Thank you, Mr. Speaker. With reservations and comments. Thank you. I have some concerns regarding this bill because some of the amounts are blank. The Tax Department did a ruling that went into effect this year that I think was very fair. There were a lot of complaints about multiple systems going in and multiple tax credits begin taken. The Tax Department actually capped it as our legislative intent and the original tax credits were, but they allowed multiple systems. And I don't hear the world screaming right now that it's not fair.

"So my concern going forward is parts in this new bill allow funds to be, it's really a production tax credit for the next 10 years. Costs are going down continually on these products. So my fear is that we're going to strap ourselves in for a long term expense that won't match the actual cost of these systems and it will actually hurt our state and we'll be spending more money for a tax credit 10 years out. So, thank you, Mr. Speaker."

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

"Potential conflict. I'm a partner in a solar project," and the Chair ruled, "no conflict."

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

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

"Ruling on a potential conflict. My husband owns a solar company," and the Chair ruled, "no conflict."

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

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

"Mr. Speaker, a no vote, brief comments. This tax credit phobia that we keep hearing about is all about this little zygote, this little industry that's not even born yet that has 1% of our lights coming out of PV and we want to slash and burn all of these tax credits which we fear is going to bankrupt us. Let's let the thing come alive, be born and let it grow, and then, say every 12 months when we meet here, hey let's temper this thing down rather than presumptively guessing what the industry has been doing and start tampering them down ahead of time before we actually have the roots and the growth of this PV industry.

"Of course it's going to cost some money. Of course we have to take some risks. But if we're going to use our natural resource, get off of that \$6 billion a year in imported fuel, we've got to be serious about this industry. It started with a great bang and now it's going to end with a whimper if bills like this continue to be processed here. Thank you, Mr. Speaker."

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

"A ruling on a possible conflict. My wife is a consultant with a solar generating company. Thank you," and the Chair ruled, "no conflict."

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

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

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

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

Representative Jordan rose to respond, stating:

"Mr. Speaker, still with reservations and a comment please. According to the testimony, this may cost us, in five years, \$110 million according to DOTAX. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 623, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance, with Representatives McDermott and Ward voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1199) recommending that S.B. No. 301, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 301, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 301, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSET BUILDING," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Carroll and Cabanilla, for the Committee on Human Services and the Committee on Housing, presented a report (Stand. Com. Rep. No. 1200) recommending that S.B. No. 515, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 515, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

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

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

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

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

"Mr. Speaker, please note my reservations and a comment please. My reservations on this measure pertain to Part IV, the Return-to-Home program and setting up a special fund, and the Part V, temporary nighttime parking that was added into this measure, Mr. Speaker. Thank you."

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

"In support, Mr. Speaker. Everyone talks about the problem of homelessness but no one wants to try any out-of-the-box solutions. So we can't apply the same thinking that got us into this problem of homelessness. We can't use that same thinking to get us out of it because we're in a new paradigm. We have a different type of homeless that doesn't fit the traditional means of shelters. So I'm in support and will provide written comments and would encourage the Members to be open-minded."

Representative Brower's written remarks are as follows:

"Within the last decade, Hawaii's homeless problem has become one of the top challenges facing the state. Out of the 14,000 homeless individuals in the State of Hawaii, 9,000 of them reportedly live in Waikiki.

"Residents and visitors continue to share their health and public safety concerns about the homeless camping in parks, beaches, sidewalks, bus stops and other public spaces, despite vacancies in homeless shelters. More needs to be done to get the homeless off the streets and into their own homes.

"Homelessness requires both short-term and long-term solutions, such as efforts similar to S.B. 515. This bill provides funding to the Dept of Human Services and Dept of Health for various programs assisting the homeless.

"*Mahalo* for the opportunity to provide comments."

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

"Mr. Speaker, in opposition. As a licensed social worker that worked with the homeless and has walked with them, talked with them, talked with families on the beach and their various programs, I'm confident that if you really want to address the homeless as open-minded as I am, then let's fund the programs that are existing and continue outreach rather than come up with new programs without the input and support of those that are providing the direct service currently. Thank you."

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

"In support, Mr. Speaker. Last year we funded the homeless, reducing homelessness initiative with \$63 million in terms of the current measures that we are doing now. That \$63 million did not make a dent. We still have the same number of homeless people right now as it was. We can fund more money but we already know the result, it will be no impact whatsoever. So we should try other means.

"We don't want them in our parking lots, we don't want to return them to home. We don't want to build a safe haven. So what do we want? We end up with homeless people all over our state, all over our cities, all over our sidewalks and everywhere you look. So the point of saying that we don't want all this initiative, is saying we want the status quo. Is that what we really want? I don't think so, Mr. Speaker.

"We should be a Body that discusses solutions and enacting other solutions that might give us an impact. Doing nothing and sticking to what does not work is not what we are here for, Mr. Speaker. I ask that we move on and try other means, and see if this measure will help us all. Thank you, Mr. Speaker."

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

"Mr. Speaker, strong support. It's no fun to be a homeless person. It degrades that person. You have to understand that the homeless are human beings just like us. So the first thing I did when I was elected to office was introduce a bill to help house the homeless. I just want you to understand that nobody wants to be homeless but it's just that sometimes people's income is not enough to cover for everything that they need and the first thing that is going to be let go is the homes. Food, clothing and everything else is what the family needs.

"So all I'm asking you folks is, put yourself in the shoes of a homeless person and you will understand how to be homeless. Let's help them big time and that's what I'm doing and I'm trying to do the best thing me and my family are doing, because we have experienced it for a short time, is to help people. Lets again be reminded that the homeless are human beings like us. So let's pass this bill out. Thank you."

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

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

"Thank you, Mr. Speaker. I rise in support of Senate Bill 515, Senate Draft 2, House Draft 1. First, I'd like to commend our House Committee on Housing for allowing a hearing on creative options at addressing homelessness. This issue, Mr. Speaker, is not a glamorous issue. It's an issue that many look down or look away from. Homelessness is a NIMBY issue, 'Not In My Back Yard.'

"It exists in every community, but few come forward to provide resources and our services in relation to the amount of homeless who need this assistance. As a Representative from an area where homelessness was extremely prevalent, thousands of individuals and families with infants, young children, resided on the sides of streets, in city and county parking lots, and along the beaches.

"We addressed this issue by providing both transitional and emergency shelters. The residents in the Waianae coast have come forward and helped be a part of the solution. Some residents were relieved that they would get their beaches back while others were reluctant to have a shelter near their home.

"But Mr. Speaker, inevitably they did come together for a solution. Many in these shelters were not from the Waianae coast, they were from other parts of the island, other parts of the state, other states and even from other countries. Many in the 43rd District as well as the 44th District have shared their concerns that if other communities did not come forward, more will be attracted to move to those areas where services are provided, such as in the Waianae coast. This bill provides solutions to areas where homelessness exists but spaces and funds are limited. For these reasons, Mr. Speaker, I rise in support."

Representative Jordan rose to respond, stating:

"Thank you, Mr. Speaker. Mr. Speaker, this measure does address homelessness. Housing First programs, which has been a successful program. Shelter in place, shallow subsidies, these are all effective measures. That's what this measure does address.

"My objection is to the two other inserted portions which are the Return-to-Home and temporary parking structures in the evening. I feel nonprofit organizations under private properties can handle these. I don't think the state should be moving forward in that direction. Currently our Interagency Council on Homeless does not support that, our Department of Human Services does not even support these particular initiatives.

"Yes, from the 44th District along with the 43rd District we have addressed the homeless issue in the last 13 years under the emergency proclamation during the last administration in 2003. It has been proven successful. But currently we are at the end of that toothpaste tube. I currently as of this past Saturday have 177 adult individuals and 42 homeless children living on 17 acres on Farrington Highway. Those need to be addressed by Housing First, Mr. Speaker. Those are successful programs.

"We do think out-of-the-box with these programs. We need to be proactive on what has been proven successful. Thank you very much, Mr. Speaker."

Representative Brower rose to respond, stating:

"Mr. Speaker, I would like to thank all the Members. There was some very thoughtful discussion on this issue. But we need to recognize, in my

mind, there's two homeless. Homeless often with families, children, pets who are without lodging but do have the discipline to go into a shelter. But there has been no solution offered by government for the chronic homeless. These are people who refuse to go to the shelter, whether it's lack of discipline or they're more comfortable on the street.

"Unless we come up with a plan for the chronic homeless, then the only valid solution, because they are human beings, is to allow them to be in a camp site similar to how they're camping on the street. That's the only way that they will go somewhere where they're welcomed.

"So as I said before, I would encourage our homeless service providers to be open-minded but they have offered no solution on the chronic homeless. Thank you."

Representative Awana rose to respond, stating:

"Thank you, Mr. Speaker. I failed to include that also the Chair of Human Services had heard this measure in committee. In addition, I believe that we have a defective date, as well as the amounts that will be allocated for these programs have yet to be decided. So, I know that there's still a ways to go and I just hope that as we move forward with this measure many of the issues that were provided by those with reservations, we can close that gap. Thank you, Mr. Speaker."

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to emphasize that there are so many reasons why people are homeless and there are so many kinds of homeless people. So there should be a myriad of solutions to address their needs. We know that the solution we have now is not sufficient. And this bill doesn't strip all or doesn't strip the current measures that we now fund. They are still in place.

"The Housing First that we have passed two years ago has proven to have decreased that. This Body came up with that. It's not those outreach services, it's not the nonprofits that put this up, it's we in this Chamber that put up the Housing First, and it has proven. So let's try it again, the things that we come up with here in this Chamber. It has worked, Mr. Speaker, and I ask that we continue doing so. Thank you."

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

"Thank you, Mr. Speaker. In strong support. Thank you, Mr. Speaker. It's been disturbing lately to see all the violence that we're seeing in the newspaper and on the mainland and see how people are hurting other people. When I think about this bill, I think about women and children that, maybe someone's lost a job, maybe they're escaping domestic violence and they're living in their car, and I can't imagine people wanting them in their car parked in front of a residential community. I can't imagine them being down an end of a road in rural Hawaii Island off on a road, a woman by herself or with children. It bothers me for their safety.

"I'd like to think that if we have these designated areas, not only can they go to them, but if they need services, there's an ability to interact with people that may come and offer services. But for me it's an issue of real safety for people that might be in harm's way. Thank you."

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

Representative Cullen rose to respond, stating:

"Mr. Speaker, in opposition again. I feel compelled to make a few comments why I'm in opposition to this measure. Before coming here into the Legislative Branch and into the House, I worked with many of the homeless, on the Leeward coast, within many of our communities here that we represent right now. The funding that we provide is not adequate because a majority of the programs that I've worked with in the communities were not sufficient enough and we are trying to attack that.

"My big concerns lie within the area of allowing these temporary nighttime parking lots for homeless or those that need a place to stay. We do take responsibility for what we do as individuals. So, as a responsible legislator for my community, and understanding that we all do have large parking lots and we all do have areas of concern. We all need to look at that and we need to have further discussion.

"I would not object if they would have an area or a task force to look at it. To come into communities where these areas, open areas, can be used. But the concern is are we going to create an area or be a slum village or whatever term that may be there. We know that there's a big situation. There are creative ways to doing it. We should fund the programs we have because we are not doing it adequately.

"But we've got to understand that, we've got to look at where we are and it can be 'not in my backyard' but it's all our concerns because the number one rule is safety. Safety for our constituents, safety for everyone. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 515, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Cullen, Fukumoto and Yamane voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1201) recommending that S.B. No. 69, SD 2, HD 1 be referred to the Committee on Finance.

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

At 1:47 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:53 o'clock p.m.

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

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

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

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

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

"Thank you, Mr. Speaker. In support. I'd just like to add into the Journal that I wanted to thank the Chair of Public Safety for all the hard work he did on this bill. When the bill started there were a lot of concerns from people all over the state as we all got the emails. As the bill stands now, the bill is a fair bill and it also gives more time for the people who are registering guns to get the registration done. So, I'd like to thank the Chair of Public Safety and also say to our constituents on Kauai that our comments that were given to the Chair were inserted into the bill. So, thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 69, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1202) recommending that S.B. No. 635, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 635, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1203) recommending that S.B. No. 74, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 74, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1204) recommending that S.B. No. 873, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 873, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 873, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1205) recommending that S.B. No. 693, SD 2, HD 1 be referred to the Committee on Finance.

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

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

"Mr. Speaker, thank you. I rise in opposition. Mr. Speaker, as Yogi Berra said, this is déjà vu all over again. Mr. Speaker, I was here with some of the other Members when we did the van cams and we all thought it was a great idea. Understanding these are not van cams, they're stationary. But that is the van the fact that it is mobile that is one objection. But the Jason Bourne-like quality of being looked at by big brother is what people object to. It just goes against their interest as freedom loving people.

"Mr. Speaker, I don't like speeding, I don't like running red lights, I don't think it's good at all and anything we can do to deter that is wonderful. But this crosses the line and it's going to be intrusive. Now what will happen is, and I'm putting my Nostradamus hat on again, Mr. Speaker, Perry & Price are going to come on one Monday morning, 'well, red light cams are up and these are the areas.'

"So let's talk about the areas that are going to be affected. Two of them are on a street, Fort Weaver Road, which boundaries my district and I

share that road with my *kababayan* from Ewa Beach, we share that road, Fort Weaver Road. We both voted against this in committee.

"Now, Mr. Speaker, this affects both of us. Now I'm speaking for myself, but Fort Weaver is the main thoroughfare down to Ewa Beach and I live all the way inside. I drive it every day back and forth and based on anecdotal observations where I've spent literally hundreds of hours out there waving signs, I don't see a lot of red light running because it is almost a semi-freeway, so you have longer yellows, okay. So structurally it's not setup where you would have that sort of problem anyway.

"But my concern is, why do I have two, two, not one, two out of five throughout the state, two in my district. I didn't ask for it and I don't want them. Then in the Committee Report we hear that we'd like to add another one, Vineyard and Punchbowl. You don't have to add another one, Mr. Speaker, you can have one of mine. I don't want either of them, honest to God. I shared that with the Chair, but for some reason I got stuck with them.

"So I would ask as this goes on to Finance, and I read the Committee Report, it seems like a lukewarm endorsement of the measure. But I would ask that at least please heed my suggestion, I don't want them. Because I know what's going to happen. The phone is going to blow up. Not because people got mad because they got dinged with speeding, they just don't like the big brother quality. If a policeman is there and he tags you, that's fine. And then I'd like to point out that the revenue goes straight to the General Fund, so is this a money making opportunity? I don't know.

"All that being said, Mr. Speaker, I do not condone speeding. Safety is very important, but I don't like the way we're doing this. Thank you, sir."

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

"Thank you, Mr. Speaker. In support, and I'd just like to say that if the previous speaker keeps on standing up and speaking on Second Reading bills, he may end up with 10 of them in his district."

Representative McDermott rose to respond, stating:

"Mr. Speaker, he is lucky he wasn't here 20 years ago when I was here. He doesn't know what he's missing."

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

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

"Mr. Speaker, in opposition. Although I'm not as theatrical as my counterpart in Ewa Beach, I would like to express that I agree with him this time, wholeheartedly, that we should put those photo red lights in Kauai as opposed to in Oahu.

"I think that this is an issue that we should defer for now, Mr. Speaker, because I think that my constituents need to hear about this since two of them, two of the four, are in our district. It might have a small advantage, but again, this is something that is near and dear to people, whether they're being photographed without their permission. So I think that we should consult them first and let them know that this is going on. So I'm in opposition, Mr. Speaker, mainly because I am sure that my constituents would not like it. Thank you."

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

"Mr. Speaker, in strong reservation and this might be a good idea to just keep it in committee and think about it during the interim. Thank you."

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

"Mr. Speaker, in strong support. Photo red light imaging detection systems have been shown to reduce the 't-bone style' collisions, thus saving

lives. I'm going to take the opposite route, if somebody doesn't want it in their district, then I think Kihei could use one."

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

"Mr. Speaker. In opposition. Just listening to the strong persuasive arguments given by the Representatives from Ewa, I'm inclined to support them in this measure and to vote no, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 693, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance, with Representatives Cabanilla, Fale and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1206) recommending that S.B. No. 1340, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1340, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1207) recommending that S.B. No. 46, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 46, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Awana.

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

"A ruling on a possible conflict. My wife is a consultant with HPU. Thank you," and the Chair ruled, "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 46, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1208) recommending that S.B. No. 510, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 510, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 510, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1209)

recommending that S.B. No. 1068, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1068, SD 2, HD 1 be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, in opposition and a brief comment. Mr. Speaker, as a member of the Small Business Caucus and the Filipino Caucus I am compelled to vote no on this bill that punishes rather than encourages the poorest of the poor and who's going to be impacted by this. Thank you, Speaker."

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

"Mr. Speaker, I commend the Chairman of CPC, he made a bad bill better. He's a hardworking man, but I'm going to vote no on this. Thank you."

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

"In opposition, Mr. Speaker. I do know that the CPC Chair tried his best but I think this is a bill that has to be held because once we increase these fees it can be used as a tool to encourage anybody downstream, like the agents, to increase fees. At that point in time even the DCCA was saying that once they increased the fees to the big guys, DCCA's testimony mentioned that once they increased the fees there is really no way that they can control the other transmitters beneath them.

"So it still has some negative effects and again, even though I'm appreciative of the work, I think this measure should be held. Thank you, Mr. Speaker."

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

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

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

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

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

"Mr. Speaker, in support. Unfortunately, the Consumer Protection Chair is not present. However, I'm somewhat familiar with the idea and the notion of what this measure is trying to do, Mr. Speaker. It was trying to address some of the issues that were brought up by the federal government regarding the transfer of money internationally.

"This has been an ongoing issue as well as continuing investigations have shown that money transmitting has also contributed to terrorism and terroristic activities against the United States.

"So, Mr. Speaker, some of the things that we're trying to do is allow a review and monitoring process in which to support the legitimate, both large and small mom and pop transmitters, to be able to function and work legitimately, be monitored and ensure that those that are participating in money transmitting are doing it appropriately. As well as, Mr. Speaker, to address the issue that none of these funds or profits used can be used against the people of the United States. Thank you."

Representative Cabanilla rose to respond, stating:

"Still in opposition, Mr. Speaker. The reason why I am opposing is that I think of the increased fees as astronomical to the needs that need to be addressed. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1068, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," was referred to the Committee on Finance, with Representatives Cabanilla, Cheape, Fale, McDermott and Ward voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Belatti and Aquino, for the Committee on Health and the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1210) recommending that S.B. No. 1141, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 1141, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1211) recommending that S.B. No. 1073, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1073, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICE CORPORATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Belatti and Aquino, for the Committee on Health and the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1212) recommending that S.B. No. 310, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and S.B. No. 310, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH TREATMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1213) recommending that S.B. No. 933, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 933, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRICARE PROGRAM," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1214) recommending that S.B. No. 666, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 666, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1215) recommending that S.B. No. 642, as

amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 642, HD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. In support with reservations. My reservations deal with the Part II that was added to this bill. Part I was a very good portion, unfortunately what occurred in the previous committee I do have issues with. So I'll continue to watch this bill. Thank you."

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

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

"Please note my reservations in regard to the medical marijuana part of the bill."

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

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

"Thank you, Mr. Speaker. In support and if I could make a few brief comments. Mr. Speaker, I want to just point out that the Part II that was added was something that we had passed through this House in the first half of this session. I'd also like to note that in part this was added because of a very interesting informational briefing that was sponsored by Members of the House and the Senate with regard to an organization called Smart Approaches to Marijuana.

"I want to point out Members, as this bill moves forward, this bill in fact adds what I think came out of some of those discussions. Which, if you look on pages 4 and 5, adds a new section which provides a new law enforcement tool. In fact, a smart approach to marijuana, within the context of the medical marijuana scheme.

"In this, Mr. Speaker, I believe we are breaking new ground as a state because it does provide a legal enforcement tool for officers to be able to identify properties, and if a property were to have over a certain number of marijuana plants grown that would be a clear violation of the medical marijuana program.

"Again, this bill and the amendments that we put into it, amendments that we had earlier put into it which had gotten the support of our Department of Public Safety with regards to the changing of the plants from immature to mature to seven plants irregardless of their state, are all representative of smart approaches to marijuana regulations.

"So, I want to thank the Members for letting this move along and I'm very certain that we'll be able to get some very good legislation out of this. Thank you, Mr. Speaker."

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

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

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

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

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

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

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

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

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

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

"With reservations and just I appreciate a lot of the elements of this bill. My only concern is the amount of marijuana, that is 5 ounces. I wasn't in the committee but my colleague from the central northern plains explained it to me and it was actually a lot larger than I thought.

"So, 5 ounces I think is probably a little bit excessive, so, that's why I have reservations. Thank you."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 642, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Choy voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1216) recommending that S.B. No. 548, SD 1, HD 1 be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 548, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMEDICINE," was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1217) recommending that S.B. No. 1138, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 1138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VACCINATION GUIDELINES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Belatti and Choy, for the Committee on Health and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1218) recommending that S.B. No. 492, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 492, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 492, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Fale and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Cabanilla and Aquino, for the Committee on Housing and the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1219) recommending that S.B. No. 312, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 312, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 312, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY SHERIFF DIVISION ENTERING INTO AGREEMENTS TO PROVIDE SECURITY AT PUBLIC HOUSING PROJECTS OPERATED BY THE PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Wooley and Evans, for the Committee on Agriculture and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1220) recommending that S.B. No. 753, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 753, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. With reservations at this point. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 753, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Yamane and Evans, for the Committee on Transportation and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1221) recommending that S.B. No. 1171, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 1171, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. With reservations. I just want to point out that this proposes to look at the impacts of projects in phases under Chapter 6E. A similar issue was addressed by the courts in 1997 in the Kahana Sunset vs. County of Maui case where they clarified that under the state's Environmental Review Law, you have to look at a project in its entirety.

"I believe that if this was passed it would be challenged on those grounds and result in a similar decision, and that would just tie up projects with litigation and cost taxpayer money. Thank you."

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

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

Representative Coffman 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 a no vote 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 Belatti rose in support of the measure with reservations and asked that the remarks of Representative Lowen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1171, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF HISTORIC PRESERVATION PROJECTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1222) recommending that S.B. No. 1135, SD 2, HD 1 be referred to the Committee on Finance.

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

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

"Mr. Speaker, opposition and some comments. In the hearing this bill proved to be extraordinarily problematic to the point where I think it's unworkable. What I brought up somewhat half in just a few weeks ago, maybe a week ago, about how this five cents is about 10% of the cost of the bottled water. Apparently, California already has a deposit or a fee that you pay when you buy a laptop. I'm concerned that's where we're headed, that's where we're going.

"Now, I asked the Deputy Director Gill in the hearing, what happens if I take this laptop and I throw it in the trash can. What happens when it goes to H-Power? Of course, my focus here is Oahu. It gets grinded up and it gets burned because it's not steel or anything like that. It provides a good amount of electricity based on the content and size that it is when it goes through H-Power.

"So, I understand the electronic waste, but I fear we're going to go down the road, and it might not be this year but it might be the year after that, where we're going to start charging \$10, \$20, \$30 per laptop. For every electronic device that we use, you have to pay, because they're doing it in

California. And you pay that up front and that's going to be a burden to everybody so we can feel good about ourselves. So, that's why I object to it. Thank you."

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

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, I will reserve my rather long comments in opposition should this bill make it out of Finance. Thank you."

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

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

"Mr. Speaker, in opposition, and I'll reserve my comments for later, Mr. Speaker."

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

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

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

Representative McDermott rose to respond, stating:

"Mr. Speaker, very briefly. It limped out of committee. We had one, two, three, four, five, six no votes and one w/r. It limped out of committee. So, the committee members who were there heard the testimony, it was extraordinarily problematic and I believe it's unworkable in its current form. Thank you."

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

"Mr. Speaker, in support. Just to note that I think it's 23 other states that have similar systems already. *Mahalo*."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1135, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," was referred to the Committee on Finance, with Representatives Carroll, Fale, Har and McDermott voting no, and with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1223) recommending that S.B. No. 870, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and S.B. No. 870, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1224), recommending that H.R. No. 8 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.R. No. 8, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF HAWAII TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was referred to the Committee on Finance,

with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1225), recommending that H.C.R. No. 7 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF HAWAII TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Evans and Hanohano, for the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1226), recommending that H.C.R. No. 27 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KAALAEA, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

Representatives Evans and Hanohano, for the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1227), recommending that H.C.R. No. 28 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committees was adopted and H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KANEOME, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, SEAWALL, AND LANDSCAPING AREA, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was referred to the Committee on Finance, with Representatives Hanohano, McKelvey, Takumi and Woodson being excused.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, I have a re-announcement of three months ago when I lauded the bow-tie Wednesday, the Aloha Friday, the Natural Fibers Friday, the etc., etc. And I tried to promote the APEC Aloha Shirt Friday and I am pleased to announce and commend my colleague from Liliha who also has his APEC shirt. Mr. Speaker, it's not about the shirt in itself, it's about the message that Hawaii is world-class, it was able to pull off the world-class APEC meeting and that we are a world-class community. So, I encourage all of you to join my colleague from Liliha and myself in wearing your APEC shirt. Thank you, Mr. Speaker."

Representative Awana: "Thank you, Mr. Speaker. I'd like to take this opportunity to commend the Chair of the Ocean, Marine Resources, & Hawaiian Affairs Committee who also serves as the Hawaiian Caucus Chair. And her hard working staff: Committee Clerk, Kevin Kupihea Wilson; Legislative Aide, Kahikina Kaawaloa; and Office Manager, Julia Peleiholani; and other volunteers for their efforts in making our Hawaiian Caucus Day another great success. Thank you, Mr. Speaker."

COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

S.C.R.**No. Referred to:**

61, Committee on Veterans, Military, & International Affairs, &
SD1 Culture and the Arts

COMMITTEE REASSIGNMENTS

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

H.R.**Nos. Re-referred to:**

61 Committee on Water & Land, then to the Committee on
Finance

62 Committee on Health, then to the Committee on Finance

174 Committee on Veterans, Military, & International Affairs, &
Culture and the Arts

H.C.R.**Nos. Re-referred to:**

77 Committee on Water & Land, then to the Committee on
Finance

81 Committee on Health, then to the Committee on Finance

218 Committee on Veterans, Military, & International Affairs, &
Culture and the Arts

S.B.**No. Re-referred to:**

1079 Committee on Consumer Protection & Commerce

ADJOURNMENT

At 2:21 o'clock p.m., on motion by Representative Awana, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 25, 2013. (Representatives Hanohano, McKelvey, Takumi and Woodson were excused.)