

THIRTY-SECOND DAY

Friday, March 14, 2014

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2014, convened at 12:11 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Representative Derek S.K. Kawakami, after which the Roll was called showing all Members present with the exception of Representatives Creagan, Oshiro and Yamashita, who were excused.

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

INTRODUCTIONS

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

Representative Hashem introduced fifth grade students from Wilson Elementary School; their teacher, Ms. Terry Drown; and chaperones, Ms. Nola Lewis and Ms. Valerie Tom.

Representative McDermott introduced friends and family of Mr. Robert Guard, Mr. Lloyd Vasey and Mr. Ronald Hays.

Representative Belatti introduced Mr. Andrew Peters, Associate, Children's Dental Policy at The Pew Charitable Trusts; and Dr. Paul Glassman, Professor of Dental Practice, Director of Community Oral Health, and Director of the Pacific Center for Special Care at the University of the Pacific.

Representative Rhoads introduced Mr. John McNamara, Associate Athletics Director, External Affairs, University of Hawaii.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 201) was announced by the Clerk and the following action taken:

H.R. No. 201, entitled: "HOUSE RESOLUTION CONGRATULATING THE BERNICE PAUAHI BISHOP MUSEUM ON ITS 125TH ANNIVERSARY," was jointly offered by Representatives Rhoads, Mizuno and Souki.

Representative Rhoads moved that H.R. No. 201 be adopted, seconded by Representative Mizuno.

Mr. Marquez Marzan presented an *oli* on behalf of the Bishop Museum.

Representative Rhoads recognized the Bishop Museum as being of important historical and cultural significance to Hawaii, congratulated it on its 125th anniversary, and introduced honorees seated on the Floor of the House:

Mr. Blair Collis, President and CEO;
Dr. Yosihiko Sinoto, Senior Anthropologist;
Ms. Allison Holt Gendreau, Chairwoman;
Mr. Watters O. Martin, Jr., Vice Chairman;
Ms. Courtney Chow, Director of Development; and
Ms. Dodie Brown, representing her mother, Mrs. Pat Bacon, Senior Cultural Advisor.

Representative Ito honored Mrs. Patience "Aunty Pat" Bacon, for dedicating her life to helping preserve the Hawaiian culture, language and traditions for future generations. *Ua kau i ka hano hāweo.*

Representative Mizuno recognized Dr. Yosihiko Sinoto for his 60 years with the museum.

Representative Awana reminisced about her visits to the Bishop Museum over the years, thanked them for being a hallmark in the State of Hawaii, and wished the museum continued success.

The motion was put to vote by the Chair and carried, and H.R. No. 201 was adopted, with Representatives Creagan, Oshiro and Yamashita being excused.

The following resolution (H.R. No. 202) was announced by the Clerk and the following action taken:

H.R. No. 202, entitled: "HOUSE RESOLUTION HONORING THREE RETIRED VETERANS WHO ARE UNSUNG HEROES WHO CONTINUE TO GIVE BACK TO THE STATE OF HAWAII," was offered by Representative McDermott.

Representative McDermott moved that H.R. No. 202 be adopted, seconded by Representative Ward.

Representative McDermott recognized the unsung heroes for their selfless service and dedication to their country, and introduced honorees seated on the Floor of the House:

Robert T. "Tim" Guard, United States Naval Officer, Ret.;
Lloyd R. "Joe" Vasey, Rear Admiral, United States Navy, Ret.; and
Ronald J. Hays, Admiral, United States Navy, Ret.

Representative Ward thanked the unsung heroes for serving their country, for making it safer for democracy, and for making the world a better place to live.

Representative Takai acknowledged all the veterans in the gallery and on the Floor of the House, and honored and thanked veterans for fighting for our nation and for never giving up.

The motion was put to vote by the Chair and carried, and H.R. No. 202 was adopted, with Representatives Creagan, Ichiyama, Lowen, Oshiro and Yamashita being excused.

The following resolution (H.R. No. 203) was announced by the Clerk and the following action taken:

H.R. No. 203, entitled: "HOUSE RESOLUTION RECOGNIZING THE 2014 JUNIOR ACHIEVEMENT HAWAII BUSINESS HALL OF FAME LAUREATES: SHERRY MENOR-MCNAMARA, JAKE SHIMABUKURO, AND THE KAMITAKI/MIZOGUCHI FAMILY FOR THEIR TALENTS, CORPORATE LEADERSHIP, AND SUCCESS IN BUSINESS," was offered by Representative Cullen.

Representative Cullen moved that H.R. No. 203 be adopted, seconded by Representative Aquino.

Representative Cullen congratulated and recognized the laureates for their talent, leadership and success in business, and introduced honorees seated on the Floor of the House:

On behalf of the Kamitaki and Mizoguchi family of the K. Kamitaki Store, Ben Franklin and Ace Hardware:

Mr. Wayne Kamitaki; and
Mr. Paul Mizoguchi.

Ms. Kimberly Canepa, President, Junior Achievement of Hawaii Organization.

Representative Aquino recognized and introduced an additional honoree seated on the Floor of the House:

Ms. Sherry Menor-McNamara, President and CEO, Chamber of Commerce of Hawaii.

Representative Yamane then recognized and introduced the final honoree seated on the Floor of the House:

Mr. Jake Shimabukuro, *ukulele* wizard and composer.

Representative Yamane also recognized supporters who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 203 was adopted, with Representatives Creagan, Oshiro, Say and Yamashita being excused.

At 12:57 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:12 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 940-14) recommending that S.B. No. 2953, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2953, SD 1, HD 1 pass Second Reading and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, seconded by Representative Cabanilla.

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

"Mr. Speaker, I rise in weak support. Mr. Speaker, this is a bill that divvies up the royalties, but as a venue to make a comment, this bill reminds us that the land that we own in fee simple doesn't really belong to us, because we could find gold, oil, geothermal energy, and it doesn't really belong to the people of Hawaii, Mr. Speaker.

"I'm not questioning the wisdom of those who write the constitution, but the fact that you do not have rights underneath your land is a rare exception in the United States, that's why there was the gold rush, that's why there were places in America that when people went to it, they found stuff in the ground and it incentivized them to move and to be entrepreneurial. In Hawaii, we have the best entrepreneurial cultures in the world, but because of things such as this prohibition of being able to have their own resources underneath their land as their own, this is a bit of a disincentive.

"So, I think we're cutting the pie up here, it's deserved by the Department of Hawaiian Home Lands, it's on their land, but I don't think the state should own everything underneath the ground. But that's the way it is in the State of Hawaii. The state is the superior; the state is the one who owns all the resources because of the royalties that we have already in statute and the constitution. For those reasons, Mr. Speaker, I'm in support of this, but in weak support. 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. 2953, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE RESOURCES ON HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 941-14) recommending that S.B. No. 3034, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 3034, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILD WELFARE EDUCATION COLLABORATION," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 942-14) recommending that S.B. No. 2441, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2441, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed Second Reading and was referred to the Committee on Education, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 943-14) recommending that S.B. No. 2234, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2234, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 944-14) recommending that S.B. No. 2846, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2846, SD 2, HD 1 pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative Cabanilla.

Representative McKelvey 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. 2846, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A SECOND DEPUTY DIRECTOR POSITION FOR THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 945-14) recommending that S.B. No. 2434, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2434, 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 Creagan, Say, Tokioka and Yamashita being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 946-14) recommending that S.B. No. 2836, SD 1 pass Second Reading and be referred to the Committee on Housing.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2836, SD 1 pass Second Reading and be referred to the Committee on Housing, seconded by Representative Cabanilla.

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

"Thank you, Mr. Speaker. Kauai reservations, please. Thank you."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2836, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING ON HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Housing, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 947-14) recommending that S.B. No. 3036, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 3036, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH MANAGEMENT FOR THE NORTH SHORE OF OAHU," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 948-14) recommending that S.B. No. 2743, SD 2 pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2743, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 949-14) recommending that S.B. No. 2235, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2235, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Health, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 950-14) recommending that S.B. No. 2472, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2472, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY PRACTICE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 951-14) recommending that S.B. No. 2469, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2469, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 952-14) recommending that S.B. No. 2294, SD 2 pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2294, SD 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 953-14) recommending that S.B. No. 2365, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2365, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CLAIMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 954-14) recommending that S.B. No. 2073, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2073, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 955-14) recommending that S.B. No. 2075, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2075, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 956-14) recommending that S.B. No. 702, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 702, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the

Committee on Judiciary, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 957-14) recommending that S.B. No. 2211, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2211, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Cabanilla.

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

"Mr. Speaker, I'm going to vote in opposition to this. I think it's a good concept, but the way I read it, and I could be wrong of course, I'm not infallible, but it seems to undermine parental rights. It allows children the age of 14 to seek help outside their parent's purview. Now there are bad parents out there, I certainly understand that, and if there are, the social workers should get involved and it should be adjudicated through the court processes.

"Once a 14-year-old says, 'Well, I don't like mom and dad,' and they may choose to run away and seek shelter or a safe place because their parents are strict or something of that nature, I don't know what the recourse is, and I don't know what we're doing here. It seems to me, that although well-intended certainly, and admirable trying to help youth, we may be undermining parental rights. So that's my concern. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2211, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative McDermott voting no, and with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 958-14) recommending that S.B. No. 2820, 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. 2820, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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

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

"Mr. Speaker, reservations, please. I think on page 8, the definition of a young adult and youth, I think those two definitions need to be looked at again. For those reasons, I will be voting with reservations. Thank you."

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

"Mr. Speaker, I just would like to note slight reservations, please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2820, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 959-14) recommending that S.B. No. 2227, 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. 2227, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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

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

Representative Fale 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 Hanohano rose and asked that the Clerk record an aye vote with reservations for her, 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 Ward rose and asked that the Clerk record an aye vote with reservations 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 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. 2227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROVIDER ORDERS FOR LIFE-SUSTAINING TREATMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 960-14) recommending that S.B. No. 2054, SD 3, 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 Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2054, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 961-14) recommending that S.B. No. 2938, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2938, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Cabanilla.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2938, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Aquino, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 962-14) recommending that S.B. No. 3103, 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. 3103, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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

"Mega reservations on 962-14. Thank you, Mr. Speaker."

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."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3103, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SURCHARGES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Creagan, Say, Tokioka and Yamashita being excused.

At 1:23 o'clock p.m., Representative Mizuno requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:23 o'clock p.m.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 963-14) recommending that S.B. No. 233, as amended in HD 1, pass Second Reading and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 233, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUEEN LILIUOKALANI," passed Second Reading and was referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 964-14) recommending that S.B. No. 2131, SD 2, as

amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2131, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 965-14) recommending that S.B. No. 2455, SD 1 pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2455, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 966-14) recommending that S.B. No. 2241, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2241, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF TARO," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 967-14) recommending that S.B. No. 2110, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2110, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF PESTICIDES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Wooley, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 968-14) recommending that S.B. No. 2078, SD 1 pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2078, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representatives Wooley and Tsuji, for the Committee on Agriculture and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 969-14) recommending that S.B. No. 2400, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committees was adopted and S.B. No. 2400, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 970-14)

recommending that S.B. No. 1043, 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. 1043, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1043, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY PRODUCERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 971-14) recommending that S.B. No. 2197, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2197, SD 2, HD 1 pass Second Reading and be referred to the Committee on Economic Development & Business, seconded by Representative Cabanilla.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2197, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 972-14) recommending that S.B. No. 2857, 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. 2857, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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

"Mr. Speaker, I stand in opposition. I'd like to make a few comments. The Chamber of Commerce is against this, and so are the electronics manufacturers. Again, a well-intended cause, but 80 percent of the population resides on the island of Oahu. If you really were serious about this, you'll work out a program with the city and have them collect it, take the precious metals out, and then they can burn the rest in H-POWER.

"This is part one of what I believe will be part two, which is then coming back next year and saying, the people who are tasked to do this, saying, 'we can't afford to do this.' And then we're going to put a tax, just like the bottle bill, a tax on every computer you buy, \$10 recycling tax. You only get that back when you turn it in.

"And so, it's a well-intended measure. There are precious metals and things of value in these CPUs. The city could extract those, help offset their cost of running the bulky item pick-up, and then burn the rest in H-POWER for fuel. So I stand in opposition as this is a bad business bill. Thank you."

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

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

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

"Thank you. In support, Mr. Speaker. Just very briefly, this measure is designed obviously to address the proliferation of heavy metal in our electronic devices, which is now going into our landfills. The issue is that those particular types of metals are extremely toxic, and as groundwater filters through our landfills, those toxins end up in our water table.

"There's also the issue in the neighbor islands, particularly with the current recycling program which we have, where communities in rural areas, remote areas in neighbor islands, and just neighbor islands in general, are unable to recycle their electronic waste. And the citizens there have very few options which, at this point, are limited in some cases to a mail-back. So if you want to get rid of your electronic device, you've got to box it up, pay to ship it off to some mainland facility.

"This is a big issue, but something that the electronics manufacturer's community is trying to resolve, I think in good faith with the state and coordination with the Department of Health, and the neighbor island counties, who are in support of taking proactive steps to fix our current program.

"Now, I'll note that the opposition from the manufacturers in large part to this point has been because of perceived mandates that they'd have difficulty meeting. What was done in the previous committee was changing those mandates to goals. So as long as you make an attempt, you're not going to be penalized for not collecting a particular weight of whatever it is you're trying to collect that you sell.

"In addition to that, we're ensuring that the Department of Health is able to fill in where manufacturing plans for recycling don't meet, don't pass muster and don't have support in neighbor island communities where there is no option for people to recycle. Department of Health will then be able to step in and collect those sorts of materials.

"So, happy to discuss this further, but in the meantime, it goes on to the next committee, so defer to that chair. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2857, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Fale and McDermott voting no, and with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 973-14) recommending that S.B. No. 2198, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and S.B. No. 2198, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE FUELS," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 974-14) recommending that S.B. No. 632, SD 2 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. 632, SD 2 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Cabanilla.

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

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

Representative 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. 632, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL COURTS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Brower, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 975-14) recommending that S.B. No. 3024, SD 2, 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. 3024, SD 2, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Cabanilla.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3024, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 976-14) recommending that S.B. No. 2031, 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. 2031, SD 2, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2031, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 977-14) recommending that S.B. No. 2845, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2845, SD 1, HD 1 pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative Cabanilla.

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

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

"Thank you very much, Mr. Speaker. Happy St. Patrick's Day to you too. Reservations, keeping in the same vein as earlier."

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

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

"Mr. Speaker, reservations. Just a short, small comment. Thank you. I understand that the department has specific positions that they want to exempt. The language in this bill right now is a little too broad. Thank you."

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

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

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

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

Representative 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. 2845, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF EXEMPT PERSONNEL IN THE DEPARTMENT OF HUMAN SERVICES FOR THE STATE MEDICAL ASSISTANCE PROGRAMS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Fukumoto and Johanson voting no, and with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 978-14) recommending that S.B. No. 2495, SD 3, 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. 2495, SD 3, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Cabanilla.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2495, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC SMOKING DEVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Creagan, Say, Tokioka and Yamashita being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 979-14) recommending that H.C.R. No. 17, as amended in HD 1, be adopted.

On motion by Representative Saiki, seconded by Representative Cabanilla and carried, the report of the Committee was adopted and H.C.R. No. 17, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH DEVELOPMENTAL DISABILITIES DIVISION TO ESTABLISH A TASK FORCE TO REVIEW HAWAII'S STATUTORY DEFINITION OF "DEVELOPMENTAL DISABILITIES"," was adopted, with Representatives Creagan, Say, Tokioka and Yamashita being excused.

ANNOUNCEMENTS

Representative McDermott: "Mr. Speaker, I ordered lunch for 75 people, so the Members are invited to join us in the caucus room. I hope there's still some left, but I'll go through the line last, so there should be some. Also, Mr. Speaker, I want to thank Kevin and the Sergeant-at-Arms for the magnificent job handling the three presentations today. If we could give them a hand please. Thank you."

Representative Morikawa: "Thank you, Mr. Speaker. Today we're celebrating exactly four decades of awesome living. Let's wish the Chair of Health a very happy and wonderful birthday."

Representative Ward: "Chair, this is right in order with March 14th, because March 14, 1969, was the beginning of this Capitol. That was the day the Capitol opened 45 years ago, and it's a day that we should remember. And like the eloquent Representative from Kauai said about the tree, it's a good place to sit and call it the people's place, the people's House, or the marketplace of ideas, but one that's reaching maturation, having opened March 14, 1969. Thank you, Mr. Speaker."

COMMITTEE REASSIGNMENTS

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

<u>H.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
63	Committee on Finance
65	Committee on Water & Land, then to the Committee on Finance
83	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
194	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
195	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
<u>H.C.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
88	Committee on Finance
90	Committee on Water & Land, then to the Committee on Finance
94	Committee on Finance
113	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
245	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
246	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1227, SD2	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2042	Committee on Tourism, then to the Committee on Finance

2292, Committee on Finance
SD1

2347, Committee on Agriculture, then to the Committee on Finance
SD2

2699, Committee on Finance
SD1

ADJOURNMENT

At 1:36 o'clock p.m., on motion by Representative Cabanilla, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 17, 2014. (Representatives Choy, Creagan, Har, McKelvey, Say, Tsuji and Yamashita were excused.)